



Kansas State Board of Technical Professions
Landon State Office Building
900 SW Jackson, STE 507
Topeka, KS 66612

Open Records Policy Brochure

Pursuant to the Kansas Open Records Act
K.S.A. 45-215 *et seq.*

It is the official policy of the Kansas State Board of Technical Professions (KSBTP) that public records maintained by the KSBTP be accessible to the public in accordance with the Kansas Open Records Act, K.S.A. 45-215, *et seq.* Access to public records will be provided timely, with due regard for the privacy of the individuals licensed by the KSBTP, and with due regard for preserving the records maintained by the KSBTP and preventing excessive disruption of the agency's essential functions.

Your Rights and Responsibilities Under KORA

It is your right to:

- Inspect and obtain copies of public records which are not exempted from disclosure by specific law.
- Obtain a copy of the agency's policies and procedures for access to records, and to request assistance from the KSBTP's Record Officer.
- Expect to receive a written response to your request within three business days after receipt of the request.
- Bring a private lawsuit in district court or file a complaint with the Office of the Kansas Attorney General or the County or District Attorney if you feel you are wrongly denied records that you have a right to access.

It is your responsibility to:

- Request identifiable records. KORA does not require an agency to provide information, answer questions or create records.
- Put your request in writing and include the name, mailing address and phone number of the person requesting the record. See attached Open Records Request Form for assistance.

KSBTP's Responsibilities

We must:

- Adopt procedures to be followed in requesting access to and obtaining copies of public records.
- Appoint a Freedom of Information Officer who can answer your questions and settle disputes under KORA.
- We must have a records custodian available during all regular business hours and have procedures for allowing access on those business days when regular office hours are not maintained.
- Make facilities available to you for inspecting our records.
- Redact the exempt information and provide you with the remainder of the record if a document partially contains exempt information.
- Provide you with a written statement citing the specific provisions of the law under which we are denying access if you so request. For a list of exempt records under the KORA, see K.S.A. 45-211 and amendments thereto. Note that other state and federal statutes may also restrict access to certain records.
- Act upon written request for documents within three business days of receipt of the request or give you an explanation of the reason for delay.



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Office Hours

8:00 a.m. to 4:30 p.m., Monday – Friday, except official state holidays. Requests received after 4:30 p.m. will not be logged and processed until the next business day.

Records Custodian

Official Records Custodian:

Larry Karns, Executive Director
Kansas State Board of Technical Professions
900 SW Jackson, Suite 507 | Topeka, KS 66612
Phone: (785) 296-3055 | Fax: (785) 296-0167
Email: larry.g.karns@ks.gov with the subject line: “Open Records Request”

Designated Agency Records Custodian/ Freedom of Information Officer:

Jessica Pierce, Public Service Administrator
Kansas State Board of Technical Professions
900 SW Jackson, Suite 507 | Topeka, KS 66612
Phone: (785) 296-3052 | Fax: (785) 296-0167
Email: Jessica.Pierce@ks.gov with the subject line: “Open Records Request”

Written Request

To assure that the request is clearly understood, the agency requires requests for access to or copies of records be made in writing. All requests for records must state:

- The requestor’s name. Note that the KSBTP may require proof of identity of any person requesting access to a public record.
- Mailing address, email address, and phone number where the requestor can be contacted
- Detailed information about the records being requested. This will help staff in determining if the requested records exist and are in the agency’s possession. Requests for records not yet in existence or documents to be created prospectively cannot be honored.
- The attached Open Records Request Form contains all of the information the KSBTP requires. You may use it to submit a request to the Board. The form is not required to be used.

Requests for Electronic Format Records

The official records custodian or the designated records custodian will be the sole judge of the ability of the agency to comply with any request for the records to be provided in electronic format.

Response Time

The agency will act upon requests as soon as possible, with some response being made to the requestor no later than the third business day following the receipt of the request. If it appears additional time will be needed or some of the records may be closed by law, a written response will be provided as soon as the records have been located and reviewed.

Persons with disabilities may contact the Kansas Relay Center at 1-800-766-3777 for copies of this information in an accessible format.



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Fees

Record requests which are 100 pages or less will be provided at no charge for copying. If the staff time is more than one hour, staff time will be charged at the rate specified below. For requests exceeding one hour of staff time or that are more than 100 pages, the following rates shall apply:

For requests exceeding one hour of staff time or that are more than 100 pages, the following rates shall apply:

- COPIES will be charged at 25¢ per page for paper copies, \$0.125 per page for electronic copies;
- MAILING will be charged at 55¢ for first 5 pages, 25¢ for additional 5 page increments for paper copies; electronic copies may be mailed or transmitted electronically and the cost calculated based on the volume;
- FAXES will be charged at 65¢ per 10 page fax;
- STAFF TIME will be charged at the rate of pay for each person(s) whose time is used in order to assist and/or respond to a specific request. This may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and/or to redact open from closed information.

For most requests time will be charged as follows:

- o Clerical time will be charged at \$20.00 per hour;
- o Executive Director time will be charged at \$40.00 per hour;
- o Classified staff will be charged at \$20.00 per hour.

Additional fees, including any other costs incurred by the agency in connection with complying with a record request may be assessed to the requestor.

Advance Payment of Fees Required

The agency will provide the requestor with an estimate of the fees before gathering and processing or providing access to the records. The estimated fees MUST be paid BEFORE the agency processes the request or provides access to the requested records.

While we do our best to provide an accurate estimate of the fee, it is possible that the records can be produced for less than the estimated amount. If so, any additional amounts will be refunded. However, it is also possible that we will discover the estimated fee is low once the actual processing work is started. If we discover that the estimated fee is too low, we will promptly advise the requestor any correction to the fee, and request advance payment of any additional costs before continuing the work. Payment may be made by check or money order payable to the Kansas Board of Technical Professions. Returned checks will incur an additional fee of \$30.00.



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Open Records Request Form

Please fill in the following information and Certificate of Compliance.
Submit electronically to ksbtpadmin@ks.gov or mail to the agency address located above.

Requestor's Name: _____

Organization: _____

Address: _____
(Street/ PO Box) (City, State, Zip Code)

Phone: _____ Fax: _____ Email Address: _____

Under the Kansas Open Records Act (KORA) K.S.A. 45-215 *et seq.*, I request access to or copies of the following records (please be specific as possible in describing the records you want and the time period your request covers; attach additional pages if necessary):

I request the information be provided in the following format if possible: Paper Electronic

CERTIFICATE OF COMPLIANCE WITH K.S.A. 45-230

I, _____, understand that no person shall receive, for the purpose of selling or offering for sale any property or service to person listed therein, any list of names or addresses contained in or derived from a public record, except that a list of names and addresses of licensees of the Board may be received by a professional organization for membership, informational, or other purposes related to the practice of the profession, and a list of names and addresses of persons applying for license examination may be received by professional organizations provided educational materials for the purpose of providing persons with information relating to the availability of such materials.

I also understand that violation of the statute prohibiting the unlawful use of names derived from a public record will result in a civil penalty in an action brought by the attorney general or county or district attorney in a sum set by the court not to exceed \$500 for each violation.

In accordance with these provisions, I certify that I do not intend to, and I will not, use any list of names or addresses contained in or derived from the record for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; neither will sell, give, or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

 Please type or sign your name

 Date