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June 22, 2015

Marc Flink, Esq.
Baker & Hostetler LLP
1801 California Street, Suite 4400
Denver, CO 80202-2662

Re: Request for Public Records by Marilyn Flachman

Dear Mr. Flink:

This office represents Adams County School District No. 50 (the "District"). I am writing in response to your letter of June 16, 2015, regarding a request for inspection of public records submitted by Marilyn Flachman under the Colorado Open Records Act (the "CORA"), C.R.S. § 24-72-201, *et. seq.*, which was received by the District on May 19, 2015. Dr. Flachman's request states that she is seeking the following records:

1. For each person who is or was a full-time or part-time employee of the Adams County School District 50 and received and/or is receiving compensation and/or benefits from Adams County School District 50 for any period during school year 2012-2013 and/or fiscal year 2012-2013:
 - a. Any employment agreement(s) for each such person relating to any period during school year 2012-2013 and/or fiscal year 2012-2013.
 - b. Any correspondence, memorandum, notice, notification, email and/or any other written or electronic or digital communication that was sent, delivered and/or otherwise transmitted to each such person that states, references or otherwise includes information concerning the compensation and/or benefits paid to each such person for any period during school year 2012-2013 and/or fiscal year 2012-2013. By way of example and not by limitation, such document might be a letter or email to the employee notifying them of the compensation and/or benefits they were scheduled to receive for any period during school year 2012-2013 and/or fiscal year 2012-2013.
 - c. Any documents made, maintained or kept by Adams County School District 50 in paper, electronic or digital form that contains both the names and information relating to compensation and/or benefits received by some or all of the persons who received compensation

and/or benefits from Adams County School District 50 for any period during school year 2012-2013 and/or fiscal year 2012-2013. By way of example and not by limitation, such document might be a listing or summary by department or school of the compensation and/or benefits paid to each of the employees who worked in that department or that school for any period during school year 2012-2013 and/or fiscal year 2012-2013.

2. For each person who is or was a full-time or part-time employee of the Adams County School District 50 and received and/or is receiving compensation and/or benefits from Adams County School District 50 for any period during school year 2013-2014 and/or fiscal year 2013-2014:

- a. Any employment agreement(s) for each such person relating to any period during school year 2013-2014 and/or fiscal year 2013-2014.
- b. Any correspondence, memorandum, notice, notification, email and/or any other written or electronic or digital communication that was sent, delivered and/or otherwise transmitted to each such person that states, references or otherwise includes information concerning the compensation and/or benefits paid to each such person for any period during school year 2013-2014 and/or fiscal year 2013-2014. By way of example and not by limitation, such document might be a letter or email to the employee notifying them of the compensation and/or benefits they were scheduled to receive for any period during school year 2013-2014 and/or fiscal year 2013-2014.
- c. Any documents made, maintained or kept by Adams County School District 50 in paper, electronic or digital form that contains both the names and information relating to compensation and/or benefits received by some or all of the persons who received compensation and/or benefits from Adams County School District 50 for any period during school year 2013-2014 and/or fiscal year 2014. By way of example and not by limitation, such document might be a listing or summary by department or school of the compensation and/or benefits paid to each of the employees who worked in that department or that school for any period during school year 2013-2014 and/or fiscal year 2013-2014.

3. For each person who is or was a full-time or part-time employee of the Adams County School District 50 and received and/or is receiving compensation and/or benefits from Adams County School District 50 for any period during school year 2014 - 2015 and/or fiscal year 2014-2015:

- a. Any employment agreement(s) for each such person relating to any period during school year 2014-2015 and/or fiscal year 2014-2015.
- b. Any correspondence, memorandum, notice, notification, email and/or any other written or electronic or digital communication that was sent, delivered and/or otherwise transmitted to each such person that states, references or otherwise includes information concerning the compensation and/or benefits paid to each such person for any period during school year 2014-2015 and/or fiscal year 2014-2015. By way of example and not by limitation, such document might be a letter or email to the employee notifying them of the compensation and/or benefits they were scheduled to receive during any period school year 2014-2015 and/ or fiscal year 2014-2015.
- c. Any documents made, maintained or kept by Adams County School District 50 in paper, electronic or digital form that contains both the names and information relating to compensation and/or benefits received by some or all of the persons who received compensation and/or benefits from Adams County School District 50 for any period during school year 2014-2015 and/or fiscal year 2014-2015. By way of example and not by limitation, such document might be a listing or summary by department or school of the compensation and/or benefits paid to each of the employees who worked in that department or that school for any period during school year 2014-2015 and/or fiscal year 2014-2015.

The District's responses are as follows:

1. (2012-13 school year)
 - a. The following contracts are enclosed:
 - i. All contracts for administrators hired for the 2012-13 school year.
 - ii. All probationary teachers' contracts for the 2012-13 school year.
 - b. All relevant documents contain information not permitted to be produced under the CORA and are "personnel files" as that term is defined in the CORA. In order to produce such records, the District would need to manipulate the documents to redact private information. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District

will not provide any public records in response to part b. of Dr. Flachman's request.

- c. No responsive documents exist. Because no existing District documents are responsive to Dr. Flachman's request, the District would need to create new records to respond to the request. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District will not provide any public records in response to part c. of Dr. Flachman's request.

2. (2013-14 school year)

- a. The following contracts are enclosed:

- i. All contracts for administrators hired for the 2013-14 school year.
- ii. All probationary teachers' contracts for the 2013-14 school year.
- iii. All STEM school teacher contracts for the 2013-14 school year.

- b. All relevant documents contain information not permitted to be produced under the CORA and are "personnel files" as that term is defined in the CORA. In order to produce such records, the District would need to manipulate the documents to redact private information. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District will not provide any public records in response to part b. of Dr. Flachman's request.

- c. No responsive documents exist. Because no existing District documents are responsive to Dr. Flachman's request, the District would need to create new records to respond to the request. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District will not provide any public records in response to part c. of Dr. Flachman's request.

3. (2014-15 school year)

- a. The following contracts are enclosed:

- i. All contracts for administrators hired for the 2014-15 school year.
- ii. All probationary teachers' contracts for the 2014-15 school year.
- iii. All STEM school teacher contracts for the 2014-15 school year.

- b. All relevant documents contain information not permitted to be produced under the CORA and are "personnel files" as that term is defined in the

CORA. In order to produce such records, the District would need to manipulate the documents to redact private information. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District will not provide any public records in response to part b. of Dr. Flachman's request.

- c. No responsive documents exist. Because no existing District documents are responsive to Dr. Flachman's request, the District would need to create new records to respond to the request. Under the CORA, the District is not required to create new records or manipulate existing records to respond to a request for public records. Accordingly, the District will not provide any public records in response to part c. of Dr. Flachman's request.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Ratterman", written over a light gray rectangular background.

Matt Ratterman

cc: Dr. Pamela Swanson
Dr. James Duffy
Mr. Steve Saunders