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Kristin C. Edgar
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October 8, 2014

Via E-mail [REDACTED]

Kyle Walpole
[REDACTED]

Re: CORA Request

Dear Mr. Walpole:

As you know, we represent Jefferson County School District R-1. This letter is in response to your requests on October 3, 2014, for a list of the Conifer High School teachers who called in sick on September 19, 2014.

As a preliminary matter, the Freedom of Information Act cited in your requests does not apply to the District, which is a political subdivision of the State of Colorado. Rather, the District complies with the Colorado Open Records Act, C.R.S. §§ 24-72-200.1 to -206 ("CORA").

With respect to your request, the District tracks teacher absences by personal days or sick days. Teachers who report an absence due to illness may be required to support that absence with a note from their treating physician. We consider records related to an employee's health status, including records regarding the basis for an absence, to be confidential medical information that is maintained because of the employer-employee relationship and, therefore, not subject to inspection under C.R.S. § 24-72-204(3)(a)(I) and (II). For these reasons, your request is denied. However, I am enclosing a report prepared by the District's human resources department that the District has produced in response to previous CORA requests about teacher absences on September 19, 2014. The explanation of the categories contained in the report is as follows:

a. Count = number of licensed staff needing a substitute teacher on September 19, 2014.

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b. Total Jobs = number of absences for that day, including sick, personal, and curriculum (professional development) absences. This category includes both full- and half-day substitute teacher requests.

c. Open Jobs = number of unfilled absences representing a classroom that will not have a substitute.

Please contact me if you have any questions.

Very truly yours,

CAPLAN AND EARNEST LLC



Kristin C. Edgar

KCE:mjj
Enclosure(s)

cc (via email): Superintendent
Chief of Staff
Communications Services
Executive Director, Human Resources

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