



**COLORADO**  
Department of Education

## State Task Forces and the Colorado Open Meetings Law and Colorado Open Records Act

### **What are the Colorado Open Meetings Law and the Colorado Open Records Act?**

The Colorado Open Meetings Law (OML) generally requires any state or local governmental body to discuss public business or to take formal action in meetings that are open to the public. The Colorado Open Records Act (CORA) allows members of the public to access the records of state and local governments, unless specific exceptions apply.

### **Does the OML apply to state task forces?**

Yes, under the OML, legislatively created task forces meet the definition of a “state public body” and are therefore subject to the law’s requirement that “all meetings of two or more members of any state public body at which public business is discussed or at which any formal action may be taken are declared to be public meetings open to the public at all times.” C.R.S. 24-6-402(2)(a).

### **What if two members of a task force are meeting for lunch or discuss matters not related to the task force?**

As long as these members are not meeting for the purpose of discussing task force matters and avoid discussing task force business, such encounters would not qualify as a task force meeting. If others in attendance ask questions about task force business or ask for updates about what the task force is working on, task force members may share facts but should refrain from privately deliberating about task force matters.

### **Can a task force member contact their chairperson to ask about scheduling and agenda-related questions?**

Yes, task force members may contact their chairperson to ask these types of questions, but should remember that any communication between 2 task force members related to task force business could be subject to an open records request.

### **What are a task force’s obligations to notice meetings under OML?**

State public bodies are expected to provide timely notice to the public of any meetings at which the adoption of any proposed policy or position occurs or at which a majority or quorum of the body is expected to be in attendance. The Department will post notice of task force meetings on the CDE webpage for each task force. See [Legislative Task Forces and Working Groups](#).

### **Are task forces required to record minutes of a meeting?**

Yes, minutes of any meeting of a state public body must be recorded (through written notes or an audio/video recording) and open to public inspection. The OML does not require meetings to be

available online in real time (i.e., “streaming”), but a task force may choose to stream their meetings to make them more accessible, where possible.

**Will the records of state task forces be subject to the Colorado Open Records Act (CORA)?**

Yes, the Department will treat all records of a legislatively created task force as public records and therefore subject to CORA. This means that written records (including electronic documents, handwritten notes, emails, text messages, etc.), videos or audio recordings that are related to the task force and maintained by the Department will be available to the public upon request.

**What if two members of a task force email or text one another about task force business?**

Regardless of whether task force members are public employees, if the task force members are deliberating about and/or making decisions related to matters of task force business, these communications would likely be subject to CORA. All documents, including communications, would be evaluated to determine if they fall within the bounds of the records request.