

ACCESS TO PUBLIC RECORDS: PUBLIC RECORDS NOTICE AND FEE SCHEDULE

823-Exhibit

Waunakee Community School District

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(This sample exhibit includes the public records notice information required by law and includes a non-mandatory paragraph re-directing parents and guardians seeking their own child's student records to the appropriate school official. Each school district is required to adopt a public records notice and to prominently display the notice and make it available for copying at each of its buildings. This sample exhibit has been drafted to coordinate with PRG 133 Sample Policy 1, and portions of the sample would need to be modified to address other policy approaches to public records issues.)

IMPORTANT: As written, this sample assumes that the school board will formally approve/adopt this notice by a vote. Having the board vote to approve the notice permits the related policy and procedures to cross-reference (rather than repeat) the list of local public offices and the detailed fee provisions that must be included in the notice per statute.

PUBLIC RECORDS NOTICE AND FEE SCHEDULE

~~Insert name of school district~~ **Waunakee Community School District**

The _____ Waunakee Community School District is a choose district type: "common," "unified," or "union high school" common public school district providing instructional programs and education-related services and activities for early childhood students and students in grades 4K through 12. The School Board, consisting of three, five, seven, nine, or eleven seven members, is the governing body of the District. Individual members of the School Board are elected or appointed to their office per state statutes.

The District's schools are comprised of the following:

- ~~Identify the number of elementary schools, or list the elementary schools by school name and street address.~~
- ~~Identify the number of intermediate and/or middle schools, or list the intermediate and/or middle schools by school name and street address.~~
- ~~Identify the number of high schools, or list the high schools by school name and street address.~~
- ~~Identify the number of charter schools which are instrumentalities of the District, or list such charter schools by school name and street address.~~
- Identify any special schools/programs not addressed within this list, above:
Arboretum Elementary School, 1350 Arboretum Dr., Waunakee, WI 53597
Heritage Elementary School, 501 South St, 6271 Woodland Dr., Waunakee, WI 53597
Prairie Elementary School, 700 N. Madison St., Waunakee, WI 53597
- Waunakee Intermediate School, 6273 Woodland Dr., Waunakee, WI 53597
Waunakee Community Middle School, 1001 South St., Waunakee, WI 53597
- Waunakee Community High School, 301 Community Dr., Waunakee, WI 53597
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The main administrative office of the District is located at:

1. 905 Bethel Circle, Waunakee, WI 53597 Administratively, the District is organized into the following Departments:

1. ~~List administrative department(s), if applicable; or replace this listing of administrative departments with a statement that says "The main administrative office of the District is located at [insert street address]"~~
2. —
3. 1.

Several positions within the District constitute local public offices for purposes of the Wisconsin Public Records Law, including the following positions:

1. Seats held by individual board members
2. Officers of the School Board
3. District Administrator
4. ~~Elementary School Principal, if applicable,~~
- 4.5. Intermediate School Principal
- 5-6. ~~Middle School Principal, if applicable,~~
- 6-7. ~~High School Principal, if applicable,~~
- 7-8. ~~The Director of Business Services, if applicable,~~ Associate Principals
- 8-9. ~~Identify other positions within the District that are identified as local public offices.~~ Executive Director of Operations

The ~~insert position title(s): "District Administrator"~~ serves as the legal custodian of records for the following District authorities:

1. The District, including the School Board as the governing body;
2. All committees which are subunits of the Board;
3. Other District records authorities created by law or by rule or order;
4. The individual members of the School Board, including the individual officers of the Board (i.e., President, Vice President, Clerk, Treasurer, ~~include "Secretary", if the district is a unified school district~~), subject to certain shared responsibilities for records of a Board member's individual office that a Board member may create or maintain solely at any location or on any computer system that is not owned or controlled by the District.

The ~~identify the position(s) held by the deputy (ies)~~ Executive Director or Operations shall serve as a deputy custodian of records in the event that the primary legal custodian is absent or otherwise requires assistance in responding to requests for records. In addition, each building principal employed by the District shall serve as a deputy custodian concerning the education

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records of the students presently attending school in their building(s) or programs, as well as those student records which are otherwise maintained at their respective building(s).

Members of the public may request access to the public records that are under the supervision of the legal custodian by submitting a request to the records custodian during the regular business hours of the District's main Administrative Office, which are Monday through Friday ~~from~~ identify the appropriate office hours – e.g., 7:30 a.m. to 4:30 p.m.] during the regular business hours, except for holidays, emergency closures, and such other exceptions as may be established in connection with the school calendar. Such requests may be made to:

Waunakee Community School District
Custodian of Public Records
905 Bethel Circle
Waunakee, WI 53597 _____ School District
Custodian of Public Records
{Address Line 1}
{Address Line 2}
{City, State and Zip Code}

All requests must be reasonably specific as to the subject matter and time period of the records covered by the request.

All requests will be processed as soon as practicable and without delay. The time it takes the custodian to respond to the request will depend on factors including the nature and extent of the request and the availability of staff and other resources necessary to process the request.

FEE SCHEDULE APPLICABLE TO REQUESTS FOR ACCESS TO PUBLIC RECORDS¹

The following fees are authorized to be charged to persons who request to inspect or copy the records of a District authority, to the extent such request is submitted, or responded to, under the Wisconsin Public Records Law:

Editor's Note: The remainder of this section presents one possible approach to implementing a district's authority to charge fees. Each district will have to determine the extent to which, for example, a per-page fee that is charged for making copies of records includes applicable staff time, or if staff time charges will be separate from the per-page copy rate or the cost of the physical medium that is used. The fee schedule example listed below lists them as separate charges.

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1. **Hard Copies of Records:**

- Black and White - ~~[\$0.03, or other per-page amount]~~ **\$0.05** per side of a page for each paper copy that is made of any standard-size paper record or for any standard-sized

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¹ The fees should reflect your actual cost. I inserted the costs from your February 2022 exhibit, but your costs likely changed since then.

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printed copy of an electronic record, **plus** any applicable costs of staff time as referenced below.

- Color – ~~[\$0.06, or other per page amount]~~ \$0.10 per side of a page for each paper copy that is made of any standard-size paper record or for any standard-sized printed copy of an electronic record, **plus** any applicable costs of staff time as referenced below.

Editor's Note: The per page costs that should be inserted into the provisions above should reflect the actual cost to the district of producing a paper copy of a record that does NOT include the cost of the staff time needed to make the paper copies.

2. Electronic Copies of Records (includes any electronic records provided by email, PDF, DVD, flash drive, or other electronic format):

- The cost of the physical medium used will be charged when copying records already in a digital format onto a physical medium, as well as any applicable costs of staff time as referenced below.

DVD (each) – \$15, (4.7 GB)

Flash drive (each) – \$5.00 (8GB)

[\$6.50 (16 GB)] [List the physical mediums used by the district for copying electronic records and the actual cost of the physical medium to the district and charged to the person requesting the copy of the record(s)]. For example:

– DVD (each) – [insert actual cost to the district, e.g., \$0.50] (4.7 GB)

– Flash drive (each) –

[insert actual cost to the district, e.g., \$3.00] (8GB)

[insert actual cost to the district, e.g., \$5.00] (16 GB)]

- Except for any applicable costs of staff time as referenced below, there will be no charge for copying records from one digital format to another for electronic distribution (e.g., as an email attachment) or for scanning physical documents and saving them into a digital format (e.g., PDF) for electronic distribution. This provision is not a commitment to modify the format of any record when the District is not legally required to do so.

3. Photographs: The actual, necessary and direct cost of photographing and photographic processing, including applicable costs of staff time in excess of insert the same time period that is used in the next paragraph – e.g., "one-half (1/2) hour", thirty (30 minutes), as referenced below, will be charged for providing a photograph of a record when the record does not permit standard copying.

4. Non-Standard Reproductions: For any transcription or other specialized copying or reproduction of a record not otherwise covered in this fee schedule, a fee equal to the actual, necessary, and direct costs of such reproduction and transcription applies except that. If applicable, staff time shall be charged as referenced below.

5. Staff Cost for Copying/Reproduction: If, based on the quantity or type of records requested, the copying or other reproduction of the records requires more than insert the applicable

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~~time period – e.g., "one half (1/2) hour", thirty (30) minutes~~ of staff time, then the requester will be charged the hourly rate of total compensation of the lowest-paid employee capable of performing the copying/reproduction. ~~Editor's Note: According to the Attorney General's Public Records Compliance Guide, as a general rule, the rate for an actual, necessary, and direct charge for staff time should be based on the pay rate of the lowest-paid employee capable of performing the task. The law recognizes that specialized personnel (e.g., a computer programmer or an instructional technology professional) with higher hourly rates of pay may be needed to formulate and effectuate certain types of record location and copying tasks. However, authorities should limit the amount of time spent by specialized personnel to only that time required to perform the specialized portion of the local task, thereby minimizing the time spent using specialized and costly personnel.~~

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- Record Location Costs:** There shall be no charge for the costs associated with locating a record unless the actual, necessary and direct location costs associated with the request exceed \$50, in which case the entire actual cost shall be imposed upon the requester. "Locating" a record means to find it by searching, examining, or experimenting. The cost of staff time required for the location of records will be charged at the hourly rate of total compensation of the lowest-paid employee who is reasonably capable of performing the task.
- Postage:** If records are mailed or shipped to the requester, the actual, necessary and direct postage/shipping costs will be charged.
- Records Not Produced/Collected by District:** Notwithstanding the provisions above regarding copying or reproduction fees for records produced and maintained by the District or a District records authority, if a record is produced or collected by a person who is not a records authority pursuant to a contract entered into by that person and the District, the fee charged for copying the record shall be the actual, direct, and necessary cost of reproduction incurred by the person making the reproduction or transcription of the record, unless a fee is otherwise authorized or established by law.
- Fees Established by Specific Laws:** In a situation where any fees differing from the fees identified in this Notice are established by law or are authorized to be established by law for producing a particular record or type of record, those other fees may be charged.

Prepayment of authorized fees may be required for any request where the total fees exceed \$5. ~~Insert as a clarification if desired: "A request for any prepayment of or deposit on fees shall be based upon a good-faith estimate of the likely costs of responding to the request, with any difference to be refunded or collected once the actual amount is known."~~

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Requesters shall make checks for fees payable to [Waukeek Community School District](#) ~~identify proper payee~~.

~~Insert as a clarification, if desired: "Copying charges, as otherwise provided above, do not apply if the District, at its discretion, permits a requester to make his/her own copies."~~

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~~Insert if desired and if consistent with the board's policy position on fees: "[As further addressed in Board policy,] the District reserves discretion to provide copies of records without a charge or at a reduced charge based on a determination that a waiver or reduction in fees is in the public interest."~~ ~~Editor's Note: PRG 133 Sample Policy 1 includes an optional paragraph that authorizes and establishes general parameters for such fee waivers. Most school boards elect to authorize potential fee waivers.~~

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SPECIAL NOTICE REGARDING RECORDS CONTAINING INFORMATION THAT IS PERSONALLY-IDENTIFIABLE TO A STUDENT

A parent, guardian or adult student who, pursuant to applicable state or federal law, wishes to inspect or copy personally-identifiable student records maintained by the District should submit such requests to the office of the student's current building principal, provided that the student in question is still enrolled in the District. Requests for records of former students should be submitted to ~~identify proper position/office~~ the registrar, except that requests for a copy of an individual's own high school transcript should be submitted to ~~identify proper position/office~~ the High School Counseling office. For more information regarding student records and accessing student records, see the District's student records policies and the student handbook. Fees other than those fees applicable to access to public records may apply to requests for student records.

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