

SCHOOL DISTRICT OF SHOREWOOD

810 - Guideline

PROCEDURES FOR HANDLING PUBLIC RECORD REQUESTS

The Shorewood School District is a Wisconsin Common Public School District providing education to students in grades 4K through 12. The Board of Education, consisting of five elected members, is the governing body of the District.

The District's schools are comprised of the following:

1. Atwater Elementary School, 2100 E Capitol Drive,
Shorewood, WI 53221
2. Lake Bluff Elementary School, 1600 E Lake Bluff Blvd,
Shorewood, WI 53211
3. Shorewood Intermediate School, 3830 N Morris Blvd,
Shorewood, WI 53211
4. Shorewood High School, 1701 E Capitol Drive,
Shorewood, WI 53211
5. New Horizons Charter School, 1701 E Capitol Drive,
Shorewood, WI 53211

Administratively, the District is organized into the following Departments:

1. Curriculum and Instruction
2. Equity
3. Instructional Technology
4. Special Education and Pupil Services
5. Business Services
6. Recreation and Community Services
7. Facilities and Operations

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. Superintendent
4. Director of Business Services
5. Director of Curriculum and Instruction

6. Director of Special Education and Pupil Services
7. Building Principals

Individuals may have access to records maintained by the Shorewood School District and the various District records authorities in accordance with applicable law, District policy, and the additional procedures outlined below.

A. Accessibility of Records

1. 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 a District local public office during the regular business hours of the District which are Monday through Friday from 8:00 am - 4:00 pm, except for holidays and such other exceptions as may be established in connection with the school calendar. Requests sent by mail may be directed to:

Shorewood School District
Superintendent's Office
1701 E Capitol Drive
Shorewood, WI 53211

Email requests may be sent to the local public office and addresses are available on the District website.

2. A requester may be permitted to use facilities comparable to those available to District employees to inspect or copy a record.
3. The legal custodian of records or his/her designee may require supervision of the requester during inspection or may impose other reasonable restrictions to maintain the security of the record(s).

B. Record Requests under the Wisconsin Public Records Law

1. All requests to inspect or copy a public record shall be made to the legal custodian of records or his/her designee.

2. All requests must be reasonably specific as to the subject matter and time period of the records covered by the request.
3. Record requests may be made orally or in writing. Requesters may, but are not required to, contact the District to ensure receipt of the request.
4. At the discretion of the records custodian, the records custodian may contact the requester to seek clarification of a request prior to locating responsive records, preparing an estimate, or providing a formal response.
5. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence, whenever security reasons require such measures, or where applicable state or federal law otherwise requires or permits an authority to request identification.
6. Neither any records authority nor any legal custodian of records is required to create new records that do not presently exist in response to any request for information from the authority.
7. The records custodian is authorized by applicable law to reject "standing requests" for access to records that do not exist at the time of the request, but that may be created at a later date.

C. Responses to Records Requests

The following process will be used upon receipt of an open records request:

1. Open Records requests received by any/all District offices will be forwarded to the District's Human Resources Manager or designee, who will be responsible for ensuring acknowledgement, legal review, as needed, communication with the Requester re: costs and/or other processing information, and leadership of fulfillment tasks, pursuant to state laws;

2. 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. Access to inspect or copy records on the same day that the request is submitted is available only in limited circumstances.
3. In addition to those staff members involved in collecting information, the District Superintendent will review records requests and fulfilment for confidentiality and compliance issues and approve content before the District sends its response.
4. Not all records created or maintained by the District are subject to inspection or copying by the public. Examples of records to which access may be prohibited or restricted include, but are not limited to, certain student records and certain records concerning applicants for positions, district employees, or public officers. In some cases, only a portion of record is subject to public inspection, while the remaining portion must remain confidential.
5. If the legal custodian decides to permit access to certain types of records concerning employees or individuals who hold a local public office, the custodian shall first determine whether the law requires the custodian to provide the record subject with advance notice of the decision to release the records. If such notice is required, it shall be provided prior to any release of the records, and the record subject shall be afforded the rights further outlined in state law.
6. In the event a records custodian denies a records request, either in whole or in part, the custodian shall identify the reasons that access to the records is being denied.
7. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for the denial. Verbal requests may be denied verbally unless the requester makes a demand for a

written statement of the reasons denying the request within five business days of the oral denial.

8. If the records custodian issues a written denial of a request, the custodian must also expressly notify the requestor within the response that the denial is subject to review in an action for mandamus under section 19.37(1) of the Wisconsin Statutes, or by application to the district attorney or attorney general.
9. The District's Human Resources Manager or designee will maintain all documentation related to Open Records request receipts, acknowledgements and fulfillment.

D. Fees

The following provisions supplement the fee provisions established in Board policy 823 Access to Public Records. The following fees are authorized to be charged to persons who request to inspect or copy the records of the Shorewood School District to the extent such request is submitted, or responded to, under the Wisconsin Public Records Law:

1. \$0.20 per side of a page for each paper copy that is made of any standard-size paper record. Separate charges, not to exceed the actual, necessary and direct costs, may apply for issuing copies of photographs, electronic records, records which require transcription, or other specialized records.
2. The actual, necessary and direct cost of photographing and photographic processing for providing a photograph of a record, when the record does not permit standard copying.
3. 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. Where staff time is charged as an actual and necessary cost of responding to a records request, the charge shall be calculated

using the hourly compensation cost of the lowest-compensated employee having the knowledge of the records, skills needed to competently perform the task(s), and the authority to access the records or source, to the extent those records or sources contain confidential information, regardless of the person who actually performs the tasks.

4. If records are mailed to the requester, the actual, necessary and direct postage/shipping costs.
5. 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, and if access to the records is required by law, then the fee charged for complying with the request for records shall be the actual, direct and necessary cost as authorized or established by District policy and applicable law. These types of records might include, for example, records from contracted vendors and contracted service providers (CESA #1 service contracts, contracted transportation services, etc.).
6. Prepayment of authorized fees may be required for any request where the total fees exceed \$5. 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.
7. The legal custodian of records or his/her designee shall not sell or rent a record containing an individual's name or address of residence, unless specifically authorized by state law. The collection of general fees applicable to a records request is not a sale or rental under these procedures.
8. 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, those other fees may be charged.
9. Requesters shall make checks for fees payable to Shorewood School District.

E. 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 a copy of an individual's own high school transcript should be submitted to Shorewood High School Student Support Department.

For more information regarding student records and accessing student records, please refer to District policy 347 Student Records. Fees other than those fees applicable to access to public records may apply to requests for student records.

APPROVED: June 10, 2014

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