

### 2.7.1. School District Public Records

The School Board of the School District of Shorewood shall allow persons to have access to School District records in accordance with this policy and implementing procedures, in accordance with law.

The Superintendent is designated as the legal custodian for any School District authority, except that the Director of Instructional Services is designated legal custodian for records of students and the Director of Business Services is designated legal custodian for records of financial reports. The legal custodian shall safely keep and preserve records of the authority and shall have full legal power to render decisions and carry out duties related to those public records maintained by any School District authority. The legal custodian may deny access to records only in accordance with the law. The legal custodian is authorized and encouraged to consult with the School District's legal counsel in determining whether to deny access to a record in whole or in part.

Public records may be inspected, copied and/or abstracted at any time during established School District office hours. The legal custodian may establish fees in accordance with the law. When a request is made which will cause the person making the request to incur a fee, the person should be advised of the fee at the time of the request or prior to the School District's preparation of the requested materials.

A public records notice shall be displayed in designated locations throughout the School District and procedures shall be developed to implement this policy.

(Approved 1/15/83)

(Revised 8/13/02)

(Approved 9/10/02)

2.7.1.P.

Access to Public Records Procedures

1. Except as provided in Wis. Stats. 19.36, any person has a right to inspect a record and to make or receive a copy of any record as provided in Wis. Stats. 19.35(1).
2. Records will be available for inspection and copying between 8:30 a.m. and 11:30 a.m. and 1:30 p.m. and 3:30 p.m. on regular working days.
3. A requestor shall be permitted to use School District facilities to inspect, copy or abstract a record.
4. The legal custodian may require supervision of the requestor during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.
5. A requestor shall be charged a fee for the cost of copying and locating records as follows:
  - A. The fee for photocopying shall be \$.20 per page.
  - B. If the form of a written record does not permit copying, the actual cost of reproduction shall be charged.
  - C. The actual full cost of providing a copy of other records not in printed form on paper, such as, films, computer printouts, and audio or video tapes shall be charged.
  - D. If mailing or shipping is necessary, the actual cost thereof shall be charged.
  - E. There shall be no charge for locating a record unless the actual cost exceeds \$50.00 in which case the actual cost shall be determined by the legal custodian and billed to the requestor.
  - F. The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds \$5.00.
  - G. Elected officials and employees of the School District shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.

- H. The legal custodian may provide copies of a record without charge or at a reduced charge where he/she determines that waiver or reduction of the fee is in the public interest.

6. Access Procedures:

- A. A request to inspect or copy a record shall be made to the legal custodian or deputy. The request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. No request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. However, if the record is kept at a private residence or if security reasons or federal law so dictate, identification may be required. Mail requests may not be denied unless a fee prepayment is required under Wis. Stats. 19.35.
- B. Each legal custodian, upon request for any record, shall as soon as practicable and without delay, either fill the request or notify the requestor of the authority's denial.
- C. A request for a record may be denied as provided in Wis. Stats. 19.36. Oral requests may be denied orally unless a demand for a written statement of the reasons for denying the request is made by the requestor within five (5) business days of the oral denial. If a written request is denied in whole or in part, the requestor shall receive a written statement of the reasons for denial. Written denials must include a statement informing the requestor that the denial may be reviewed by a court by mandamus under Wis. Stats. 19.37(1), or upon application to the attorney general or a district attorney.

7. Limitations on the Right to Access as provided by Wis. Stats. 19.36 provides the following records are exempt from disclosure:

- A. Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law. Student records are exempted as provided by Wis. Stats. 118.125.
- B. Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the state.

- C. Computer programs, although the material used as input for a computer program or the material produced as a product of the computer program is subject to inspection.
- D. A record or any portion of a record containing information qualifying as a common law trade secret.

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