

Book	Policy Manual
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8310 - PUBLIC RECORDS

The Board recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction. The Board designates the District Administrator as the District Records Custodian (DRC), to be the legal custodian of records for the District. The DRC shall safely keep and preserve the public records of the District and shall have the authority to render decisions and carry out duties related to those public records, including providing the notice required under 19.34(1) Wis. Stats., identifying the positions of the District that constitute a local public office pursuant to 19.32(1dm), and 19.42 (7w), Wis. Stats., and other required information. The DRC may deny access to records only in accordance with the law. The DRC is authorized and encouraged to consult with the District's legal counsel to determine whether to deny access to a records request in whole or in part.

Under the Wisconsin Public Records Law, a "record" is defined as any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by the authority. It includes handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. A "record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to the office held; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library. The personal use exception applies to notes created by the originator solely for the purpose of refreshing the originator's recollection and as a matter of convenience (not part of assigned job duties), but does not apply to notes that are distributed to others for the purpose of communicating information or notes that are created or retained for the purpose of memorializing agency activity.

In addition, records may be exempted from disclosure as a matter of statute or common law or, under the balancing test, the public interest in disclosure may be outweighed by the public interest in non-disclosure.

Any person may make an oral or written request for any public records of the District. The person may inspect or receive copies of the public record requested. The District will respond as soon as practicable and without delay. The District will either provide the requested documents, subject to any redactions, or inform the requester of the District's decision to deny the request.

The District will comply with the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice. (See Policy 5111 - Eligibility of Resident/Nonresident Students, Policy 8320 - Personnel Records and Policy 8330 - Student Records.)

The District may impose a fee upon the requester of a copy of a record of ~~\$0.20 per page~~ **\$0.01352 per page for a black-and-white copy of records and \$0.06325 per page for a color copy**, which represents the actual, necessary, and direct cost of reproduction of the record. In addition, the District may impose a fee upon a requester for the actual time spent by District employees in locating a record, if the cost is \$50.00 or more. In calculating location costs, the District will use the applicable employee's hourly rate for salary and benefits. **[DRAFTING NOTE: According to public records guidance from the Wisconsin Department of Justice, a governmental unit may not make a profit on its response to a public records request. The copy fee may only include the cost of the paper and the cost of the**

~~copy. For example, the DOJ charges \$0.0135 per page for a black and white copy of records and \$0.0632 per page for a color copy, based on copy charges under the state contract for photocopiers. Districts are advised to calculate their own costs using this DOJ guidance.~~

The District may also charge the requester for any equipment required to fill the request (such as videotapes, computer disks, etc.) The District may impose a fee upon a requester for the actual, necessary, and direct cost of mailing or shipping of any copies which are mailed or shipped to the requester.

The District may require prepayment of fees if the total amount exceeds \$50.00. If payment is required, the District will calculate the actual cost and charge the requester. If advance payment is required, the District will either invoice the requester for the difference between the estimate and actual cost or refund any overpayment.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of their duties.

Nothing in this policy shall be construed as preventing a Board member from inspecting, in the performance of his/her official Board member duties, any record of this District, except student records and certain portions of personnel records.

~~[] The District Administrator is authorized to develop administrative guidelines to provide for proper compliance with the intent of this policy and the public records law.~~

Records Retention Schedule

19.21(6), Wis. Stats. requires that school districts retain public records, other than student records, for seven (7) years, unless a shorter period is fixed by the Public Records Board (PRB) in a records retention schedule subsequently adopted by the Board.

The Board has approved the following current records retention schedules developed by the Wisconsin Historical Society and PRB:

- A. Wisconsin Public School District and Related Records GRS ~~(expiring March 20, 2033)~~
- B. Administrative and Related Records GRS ~~(expiring March 21, 2032)~~

The District will retain public records in accordance with the preceding general records schedule(s). In the event that the preceding general records schedules adopted do not define the retention period for a particular record, the District will retain the record for seven (7) years.

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Legal	19.21, Wis. Stats.
	19.31-39, Wis. Stats.
	19.42, Wis. Stats.
	120.13(12), Wis. Stats.