

PORT EDWARDS PUBLIC SCHOOLS

Board of Education Policy

PUBLIC RECORDS

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

The district administrator is designated as the legal custodian of records for any school district authority. The legal custodian shall safely keep and preserve records of the authority and shall have 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.

Public records must be inspected, copied, and/or abstracted at any time during established district office hours. A list of fees for services provided is available at the district office.

LEGAL REF.: Sections 103.13 Wisconsin Statutes
 120.13
 146.81-146.83
 252.15
 Chapter 14, Subchapters II, IV

CROSS REF.: 823-Rule, Guidelines for Access to Public Records
 823-Exhibit, Public Records Notice

Adopted: 11/29/82
 Reviewed:
 Revised: 03/10/03, 01/09/06

Guidelines for Access to Public Records

I. LEGAL CUSTODIAN OF RECORDS

The District Administrator has been designated as the legal custodian of records for the School District of Port Edwards.

The legal custodian is vested by the School Board with full legal power to render decisions and carry out the duties of the school board under the public records and property law. Requests for access to records shall be referred to the legal custodian. The legal custodian will determine whether a record of the school board must be made available for inspection and/or copying by a requester, or whether the request may be denied.

II. PUBLIC ACCESS TO RECORDS

1. Any person has a right to inspect a record and to make or receive a copy of any record as provided in S.19.35(1) of the statutes.
2. Records will be available from the Central School Administrative office, 801 Second Street, for inspection and copying during all regular office hours.
3. A requester shall be permitted to use facilities comparable to those available to school district employees to inspect, copy, or abstract a record.
4. The legal custodian (district administrator) may require supervision of the requester 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.

III. FEE SCHEDULE

A requester shall be charged a fee for the cost of copying and locating records as follows:

1. The fee for photocopying shall be \$.10 per page.
2. If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
3. 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.
4. If mailing or shipping is necessary, the actual cost thereof shall also be charged.
5. There shall be no charge for locating a record unless it is determined that the actual cost will exceed \$50.00 in which case the actual cost shall be determined by the legal custodian and billed to the requester.
6. 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.

IV. ACCESS PROCEDURES

1. A request to inspect or copy a record shall be made to the legal custodian (district administrator). 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.

2. The legal custodian, upon request for any record, shall, as soon as practicable, either fill the request or notify the requester of the authority's denial.

V. LIMITATIONS ON THE RIGHT TO ACCESS

The legal custodian of records or his/her designee shall restrict access to certain types of District records to the extent required by law. These records include, but are not necessarily limited to, student records and certain types of records of District employees and individuals holding local public office in the District. "Local public office" positions in the District include the following: Board of Education members, District Administrator, Building Principals, Special Education Director, Business Director, Athletic Director, Technology Director, Building & Grounds Supervisor, Food Services Supervisor and School Nurse.

If a record contains information that may be made public and information that may not be made public, the authority having custody of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release.

A legal custodian may deny access to a record, in whole or in part, only if he or she determines that the harm to the public through disclosure of the record outweighs the public benefit of access to the record.

VI. DESTRUCTION OF RECORDS

1. All school district records shall be kept for a period of not less than seven years unless a shorter period is fixed by the Public Records Board under s.16.61(3)(e) of the Statutes and except as provided in (b). This section does not apply to pupil records under s.118.125.
2. Any taped recording of a meeting by a governmental body, in s.19.82(1) and (2) of the Statutes, may be destroyed no sooner than 90 days after the minutes have been approved and published if the purpose of the recording was to make minutes of the meeting.
3. Prior to destruction of any records, the historical society shall be notified at least sixty days in advance to determine if historical interest justifies preservation of such records. The historical society may, upon application, waive this notice.

ACCESS TO PUBLIC RECORDS

Notice to the Public

The School District has designated the District Administrator as the legal custodian of the public records of the School District.

The public may obtain information and access to records, make requests for records, or obtain copies of records in the custody of the School District at the following place and time:

CENTRAL BUSINESS OFFICE

801 Second Street
Port Edwards, WI 54469

Monday – Friday
8:00 a.m. – 3:00 p.m.

In applying the provisions of the public records law, access to certain types of records for District employees in positions of authority that constitute local public offices may be restricted.

The School District is authorized by law to impose a fee on the requestor which does not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established by law. A list of such fees is available at the central business office.