

ACCESS TO PUBLIC RECORDS

BARABOO SCHOOL BOARD POLICY

823

This Notice is hereby adopted by the School District of Baraboo (District), a Wisconsin School District organized and existing pursuant to Wisconsin law. The District is managed by a Board composed of seven elected members. Its chief executive officer is an appointed District Administrator.

The School Board has directed that this Notice be placed in a prominent and conspicuous location in the District office so that the Notice can be viewed and inspected by any member of the public. In addition, individual copies of this Notice will be made available to any person who requests such a copy from one of the designated custodians of the records of this District.

The District is subject to the Wisconsin Public Records Law. The following information is provided to the public to assist in obtaining access to the records of the District.

1. The Board has designated the District Administrator or his/her designee as the legal custodian of the records and property of the District.
2. The normal, regular business office of the District are as follows:
 - School District of Baraboo
 - 423 Linn Street
 - Baraboo, WI 53913
 - 8:00 am to 4:00 pm
 - Monday through Friday (except for holidays)
3. The methods by which the public may obtain information and access to records in its custody, make requests for records, and obtain copies of records shall include the following:
 - a. A request to inspect or copy a record shall be made to the legal custodian or designee. The request shall reasonably describe the requested record or the information requested. 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.
 - b. The 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 determination to deny the request in whole or in part and the reasons thereof.
 - c. Oral requests may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requestor within five 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 the denial. Written denials must include a statement informing the requestor that the denial may be reviewed by a court by mandamus under 19.37(1) of the Statutes or upon application to the attorney general or a district attorney.

4. Public access to records may be denied as permitted by law. Such limitations include the following:
 - a. As provided by 19.36 of the Statutes, the following records are exempt from disclosure:
 - i. Records specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law. Pupil records are exempted as provided by 118.125 of the Statutes.
 - ii. Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure as a condition to receipt of aids by the state.
 - iii. Computer programs as defined by statute, although the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided by law.
 - iv. A record or any portion of a record containing information qualifying as a trade secret, as that term is defined by statute.
 - b. If a record contains information that may be made public and information that may not be made public, the legal custodian shall provide the information that is subject to disclosure and delete the information that is not subject to disclosure from the record before release.
 - c. To the extent required by law, a legal custodian may deny access to a record, in whole or in part, only if he or she determines that the public interest in disclosure outweighs the public interest in nondisclosure.

REQUEST FOR RECORDS FEE SCHEDULE

In accordance with Wisconsin State Statute, the District shall follow the requirements below with respect to requests for records.

1. 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.
2. A requestor may be charged a fee for the actual, necessary, and direct cost of copying and locating records as follows:
 - a. The fee for photocopying shall reflect the actual cost per page.
 - b. If the form of a written record does not permit copying, the actual, necessary, and direct cost of photographing and photographic processing may be charged.
 - c. If mailing or shipping is necessary, the actual, necessary and direct cost thereof may be charged.

- d. There shall be no charge for locating a record unless the actual, necessary and direct cost therefore exceeds \$50.00 in which case the actual cost, including cost of district employees' time, may be determined by the legal custodian and billed to the requestor.
- e. The legal custodian may require prepayment by a requestor of any fee imposed if the total amount exceeds \$5.00.

LOCAL PUBLIC OFFICES

In accordance with Wis. Stat. §19.34(1), the following is a list of the positions of authority that constitute "local public offices," as defined by the Public Records Law, as amended.

1. School Board members
2. District Administrator
3. Director of Business Services
4. Director of Student Services
5. Director of Teaching and Learning
6. Principals

NOTICE TO EMPLOYEES OF LEGAL CUSTODIAN

In accordance with Wis. Stat. §19.33(2), please note that the School District of Baraboo has designated the District Administrator or his/her designee as the legal custodian of the public records and property of the District. The District Administrator and his/her designee are vested by the District with full legal power to render decisions and carry out the duties of the district under the public records and property law. The District Administrator and his/her designee are authorized to consult with the district's legal counsel regarding custodian responsibilities.

LEGAL REF.: Subchapters II of Chapter 19, Wisconsin Statutes, subchapter 120.13(28)
Wis. Stats. 19.21, 19.33, 19.34, 19.35, 19.36

CROSS REF.: 166 Board Member Use of Electronic Mail
260, Temporary Administrative Arrangements
347-Rule, Student Records

ADOPTED: March 28, 1983

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