

ALMOND-BANCROFT SCHOOL DISTRICT
Administrative Rules

823-Exhibit (1)

PUBLIC NOTICE OF ACCESS TO PUBLIC RECORDS

The Almond-Bancroft School Board has adopted this Notice as the official procedure of the District in responding to requests for the release, inspection or reproduction of the records and property of the District. This Notice is intended to provide all necessary information, which might be required by a member of the public in order to obtain access to the records and property of the District. Any questions in regard to this Notice shall be directed to the official legal custodian of the records of the District.

This Notice may be modified from time to time by Board action, but absent such modification, the decisions of the official legal custodian of records of the District shall be in conformity with its provisions.

Copies of the Notice shall be prominently displayed in appropriate locations throughout the District and a copy of the Notice shall be made available to any member of the public after a request for record inspection or reproduction is made.

The District is subject to the Wisconsin Public Records Law. The Board recognizes and designates all of its records as defined by section 19.32(2) of the state statutes as public records and documents subject to release, inspection and reproduction as required by law. The following information is provided to the public to assist them in obtaining access to the records of the District.

A. DESIGNATION OF THE OFFICIAL LEGAL CUSTODIAN OF THE RECORDS OF THE DISTRICT.

The District Administrator is designated as the legal custodian of the public records of the District. As the legal custodian of the records of the District, these individuals shall be responsible to the Board for the timely response to any request for access to the public records of the District. The legal custodian shall be solely responsible for the release of the public records of the District, the conditions under which records may be inspected, and the collection of costs for the location or reproduction of such records.

All employees of the District shall be informed in writing that the District Administrator and building principal(s) have been designated as the official legal custodians of public records in the District. The employees shall further be informed of the duties of the official legal custodian and shall also be made aware of other requirements and provisions of these procedures.

B. POWERS OF THE LEGAL CUSTODIAN OF THE RECORDS OF THE DISTRICT.

All requests for the release, inspection and/or reproduction of the public records of the District shall be directed or referred to the District's official legal custodian of records.

The official legal custodian is vested with full legal power to make all necessary decisions relative to the release, inspection and reproduction of public records and is further granted all

authority necessary to carry out all duties and responsibilities required by the Wisconsin Public Records Law, Board policy and these procedures.

C. RELEASE, INSPECTION AND REPRODUCTION OF RECORDS AND PROPERTY OF THE DISTRICT.

1. Accessibility of Records

- a. Public records will be available for inspection and copying during regular school office hours: Monday through Friday 8:00 a.m.-4:00 p.m.
- b. A requester shall be permitted to use facilities comparable to those available to District employees to inspect or copy a record.
- c. 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.

2. Record Requests

- a. All requests to inspect or copy a public record shall be made to the legal custodian of records or his/her designee. The request must reasonably describe the requested record or the information requested. Record requests may be made orally or in writing.
 - (1) Except as noted in (3) below, no request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request.
 - (2) Except as noted in (3) below, no request may be refused because the request is received by mail, unless prepayment of a fee is required.
 - (3) A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.
- b. Upon receiving the request for any public record, the legal custodian of records or his/her designee shall, as soon as practicable and without delay, review the request and determine whether to approve or deny the request. The legal custodian of records or his/her designee shall consider provisions outlined in state and federal laws when making such determinations. The legal custodian of records or his/her designee is authorized and encouraged to consult with the District's legal counsel in making such determinations.
 - (1) 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: District Administrator, District Principals, and Board Members.
 - (2) Oral requests may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester.
 - (3) If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for the denial. Written denials must include a statement informing the requester that the denial may be reviewed by a court of mandamus, or upon application to the attorney general or district attorney.

- c. If a record contains information that may be made public and information that may not be made public, the legal custodian or his/her designee shall provide the information that may be made public and delete the information that may not be made public from the record before release.

D. FEE SCHEDULE REGARDING THE COSTS FOR THE LOCATION AND/OR REPRODUCTION OF THE RECORDS OF THE DISTRICT.

A fee schedule shall be adopted to cover the actual costs relating to the location and reproduction of any of the records of the District. It is intended that this fee schedule shall cover the payment of the actual, necessary and direct costs incurred in locating a document or in providing any person with a reproduction of any of the records of the District. This schedule shall be reviewed annually by the Board and adjusted as the need arises.

A fee will imposed upon the requester for the actual, necessary and direct cost of:

1. Reproducing and transcription of the record, including any required costs to notify the person who is the subject that is being requested.
2. Photographing and photographic processing if a photograph of the record is provided, the form of which does not permit copying.
3. Mailing or shipping of any record or photograph to the requester; and
4. Locating a record if the actual, necessary and direct cost of locating the record exceeds \$50.00.

Fees for photocopying shall be .50 per page. Prepayments may be required for requests if the total exceeds \$50.00

If the anticipate cost of items 1-3 exceeds \$25.00, the requester shall be notified of the estimated cost of complying with the request before the costs are incurred.

If the anticipated cost of the locating of a record exceeds \$50.00, the requester shall be notified of the estimated cost of complying with the request before the costs are incurred.

E. RECORD PRESERVATION.

The records of the District shall be retained and preserved by the legal custodian as required by all applicable laws and District procedures. No record shall be destroyed without the prior written approval of the official custodian of records of the District. No record of the District shall be destroyed after the receipt of a request for such a record until after the request is acted upon, or until any dispute concerning the request has been completely and finally resolved.

F. INDEMNIFICATION OF THE OFFICIAL LEGAL CUSTODIAN OF THE RECORDS OF THE DISTRICT.

Any costs or fees incurred by the official legal custodian of the records of the District shall be directly reimbursed by the District to the custodian and shall not be treated as the personal liability of the custodian.

APPROVED: 1/17/83

REVISED: 10/15/08
11/19/08