

SCHOOL COMMUNITY RELATIONS

SERIES 800

Policy Title ... ACCESS TO DISTRICT RECORDS

Code No. 823

WHEREAS, the School District of Burlington is a Common School District created and established pursuant to Chapter 120, Wisconsin Statutes, and

WHEREAS, the School District of Burlington is subject to the requirements of the Wisconsin Public Records and Property Law (Sec.19.31–Sec.19.39 WI Stats.), and

WHEREAS, The Board of the School District of Burlington believes that it is in the best interest of the District, its employees and the general public to provide the greatest possible access to information regarding the affairs of government and the official records of the District concerning its operation including the official actions of the Board, its officers and employees, and

WHEREAS, the Board recognizes that it is the representative of the public and that the release of information to the public is an essential function of representative government, and

WHEREAS, the Board further recognizes that an integral part of the routine duties of the officers and employees of the District should be the responsibility to provide access to information concerning the affairs and records of the District.

NOW, THEREFORE, be it resolved that the following policies relating to the release, inspection and reproduction of public records and property are hereby enacted:

1. DESIGNATION OF PUBLIC RECORDS. The Board hereby recognizes and designates all of its records as defined by Section 19.32 (2), WI Stats., as public records and documents subject to release, inspection and reproduction as required by law.

2. DESIGNATION OF THE OFFICIAL LEGAL CUSTODIAN OF THE RECORDS OF THE DISTRICT. The Board hereby designates the positions of Superintendent and Assistant Superintendent – Business Services as the official legal custodians of the public records of the District. It shall be the responsibility of the individuals in those positions to execute all duties and responsibilities of the District pursuant to Wisconsin's Public Records and Property Law.

As the official legal custodian of the records of the District, the individuals in these positions shall be responsible to the Board for the timely response to any request for access to the public records of the District. The 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.

It is directed that all employees of the District be informed in writing that the Superintendent and Assistant Superintendent – Business Services have been designated the official legal custodians of the public records of the District. The employees shall further be informed of the duties of the official legal custodian and shall also be made aware of the other requirements and provisions of this Resolution.

3. POWERS OF THE OFFICIAL 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.

The official legal custodian is hereby 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 either the Wisconsin Public Records and Property Law (Sec. 19.31 – 19.39, WI Stats.) or this Resolution.

4. PROCEDURE FOR THE RELEASE, INSPECTION AND REPRODUCTION OF RECORDS AND PROPERTY OF THE DISTRICT. The Board hereby adopts the following 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.

NOTICE

Public Access to District Records

All records of the district as described in Policy 823 available for inspection between the hours of 8:00 AM and 4:00PM upon written request or application to the Superintendent or Assistant Superintendent - Business Services.

The Public Records and Property Law (Sec. 19.31 – 19.39, WI Stats.) shall be used to determine the right of access. Judgment will be exercised by the Superintendent or Assistant Superintendent - Business Services as to whether harm to the public interest may outweigh the right of the member of the public to have access to particular records or documents.

Documents may not be removed from the building in which they are housed without specific written permission.

Charges will be assessed for copies at a rate of one dollar (\$1.00) for the first page and fifty cents (\$.50) for each page thereafter, not to exceed \$25.00. Students requesting transcripts for matriculation are exempt from this passage for the first 14 months after graduation.

Decisions by the Superintendent or Assistant Superintendent - Business Services to restrict certain documents from public view may be appealed to the School Board by submission of a written request for review to the president of the School Board.

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 regards 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 modifications, the decisions of the official legal custodian of the records of the District shall be in conformity with its provisions.

Copies of the Notice hereby adopted 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 upon a request for inspection or reproduction.

5. ADOPTION OF FEE SCHEDULE REGARDING THE COSTS FOR THE LOCATION AND/OR REPRODUCTION OF THE RECORDS AND PROPERTY OF THE DISTRICT. The Board hereby adopts the following fee schedule to cover the actual costs related 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 periodically by the Finance Committee and adjusted as the need arises.

The fee schedule for the costs relating to the location and/or reproduction of the records and property of the District is as follows:

FEE SCHEDULE

Charges will be assessed for copies at a rate of one dollar (\$1.00) for the first page and fifty cents (\$.50) for each page thereafter, not to exceed \$25.00. Students requesting transcripts for matriculation are exempt from this passage for the first 14 months after graduation.

6. RECORD PRESERVATION The records of the District shall be retained and preserved by the official legal custodian as required by all applicable laws and no records shall be destroyed without the prior written approval of the custodian.

No record of the District shall be destroyed after the receipt of a request for such record until after the request is granted, or until any dispute concerning the request has been completely and finally resolved.

7. INDEMNIFICATION OF THE OFFICAL 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.

Date of Adoption:

July 12, 1976

Reviewed:

June, 1990

Revised:

August, 1996

September 15, 2008

November 17, 2008

Legal Reference: Code of WI Section 19.33

Cross Reference: School Board Policy 805.21

BURLINGTON AREA SCHOOL DISTRICT
"Dedicated to Developing a Desire for Lifelong Learning"

100 NORTH KANE STREET
BURLINGTON, WI 53105-1896

Phone: (262) 763-0210
Fax: (262) 763-0215

REQUEST FOR RECORDS

In accordance with the School Board Policy and State Law please provide me with copies of the following records:

I understand I will be charged \$1.00 for the first page and .50 cents for each page thereafter but that charges will not exceed \$25.00 per request.

Signature

Name

Address

City, State, Zip

Telephone

Date