

# GENERAL PROCEDURES FOR HANDLING PUBLIC RECORD REQUESTS

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Individuals may have access to records maintained by the Waunakee Community School District and the various District records authorities in accordance with applicable law, District policy, and the additional procedures outlined below.

## **A. Accessibility of Records**

1. Members of the public may request access to public records by submitting a request to the records custodian during the regular business hours of the District's main Administrative Office, which are Monday through Friday from 7:30 a.m. to 4:30 p.m., except for holidays and such other exceptions as may be established by the school calendar.
2. A requester will be permitted to use facilities comparable to those available to District employees to inspect or copy a record.
3. 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 and/or integrity of the record(s).

## **B. Record Requests under the Wisconsin Public Records Law**

1. All requests to inspect or copy a public record shall be made to the legal custodian of records or his/her designee.
2. All requests must be reasonably specific as to the subject matter and time period of the records covered by the request.
3. Record requests may be made orally or in writing. Requesters may, but are not required to, contact the District to ensure receipt of the request.
4. The records custodian, may promptly contact the requester to seek clarification of any request prior to locating responsive records or providing a formal response.
5. Neither any records authority nor any legal custodian of records is required to create new records that do not presently exist in response to any request for information from the authority.
6. The records custodian is authorized by applicable law to reject "standing requests" or "continuing" request, except as provided in Wisconsin Statutes 19.84 (1)(b) for access to records that do not exist at the time of the request, but that may be created at a later date.

## **C. Responses to Records Requests**

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1. All requests will be processed as soon as practicable and without delay. The time it takes the custodian to respond to the request can depend on several factors, including the nature and extent of the request and the availability of staff and other resources necessary to process the request. Access to inspect or copy records on the same day that the request is submitted is available only in exceptional circumstances.
2. Not all records created or maintained by the District are subject to inspection or copying by the public. Examples of records to which access may be prohibited or restricted include, but are not limited to, certain pupil records and certain records concerning applicants for positions, district employees, or public officers. In some cases, only a portion of record is subject to public inspection, while the remaining portion must remain confidential.
3. If the legal custodian decides to permit access to certain types of records concerning employees or individuals who hold a local public office, the custodian shall first determine whether the law requires the custodian to provide the record subject with advance notice of the decision to release the records. If such notice is required, it shall be provided prior to any release of the records, and the record subject shall be afforded the rights further outlined in state law. Including at Wisconsin Statute 19.356.
4. In the event a records custodian denies a records request, either in whole or in part, the custodian shall state the reasons for denying access to the records and share be given information required by State Statutes 19.35(4)(b).
5. If a written request is denied in whole or in part, the requester shall receive a written statement of the reasons for the denial. Verbal requests may be denied verbally unless the requester makes a demand for a written statement of the reasons denying the request within five business days of the oral denial.
6. If the records custodian issues a written denial of a request, the custodian must also expressly notify the requestor within the response that the denial is subject to review in an action for mandamus under section 19.37(1) of the Wisconsin Statutes, or by application to the district attorney or attorney general.
7. The legal custodian of records or his/her designee shall not sell or rent a record containing an individual's name or address of residence, unless specifically authorized by state law. The collection of general fees applicable to a records request is not a sale or rental under these procedures.

## D. Fees

The fees that the District may charge in connection with a public records request are determined under Board policy and the fee schedule that appears in the District's posted public records notice.

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