

MONONA GROVE SCHOOL DISTRICT

Administrative Rule 823

PROCEDURES FOR ACCESS TO PUBLIC RECORDS

The Monona Grove School District is a Wisconsin common school district. The District consists of the City of Monona and the Village of Cottage Grove in their entirety and portions of the City of Madison and Townships of Blooming Grove, Cottage Grove, and Sun Prairie. The District is managed by a Board consisting of seven members.

Individuals may have access to public records maintained by the district in accordance with state law and the procedures outlined below.

A. Legal Custodian of Records

The Board has designated the following individual(s) as legal custodian(s) of records for the district: Superintendent and Board Clerk. The legal custodian is responsible for the maintenance of all district records under his/her charge and is vested with full legal power to render decisions and carry out the duties of school authorities under the public records and property law.

B. Accessibility of Records

1. Public records shall be available for inspection and copying at the District Office, 5301 Monona Drive, Monona, WI, 53716, during regular office hours, 8 a.m. to 4 p.m., Monday through Friday.
2. A requestor shall 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 requestor during inspection or may impose other reasonable restrictions to maintain the security of the record.

C. Record Requests

1. 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.
 - a. Except as noted in (c) 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.

- b. Except as noted in (c) below, no request may be refused because the request is received by mail, unless prepayment of a fee is required.
 - c. 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.
- 2. 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.
 - a. Oral requests may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requester within five business days of the oral denial.
 - b. 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.
- 3. 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. Fees

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

- 1. The fee for photocopying shall be five (5) cents for each side of a page. The legal custodian of records or his/her designee may waive the fee in the interests of the public.
- 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 videotapes, 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 the actual cost exceeds \$50 in which case the entire actual cost shall be imposed upon the requester.
6. The legal custodian of records or his/her designee shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds \$5.
7. Elected officials and employees of the district shall not be required to pay for public records they may reasonably require for the proper performance of their official duties.
8. The legal custodian of records or his/her designee may not sell or rent a record containing an individual's name or address of residence, unless specifically authorized by state law. The collection of fees as outlined above is not a sale or rental under these procedures.

E. Local Public Officials

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

1. School Board members
2. Superintendent
3. Principals
4. Assistant Principals
5. Director of Business Services
6. Director of Instruction
7. Director of Pupil Services
8. Food Service Director

CROSS REFERENCE: Board Policy 823 – Access to Public Records

BOARD APPROVAL: December 8, 2004