**Access to Records Policy 5018**

The KTEC High School Governance Board recognizes its responsibility to maintain the public records of KTEC High School and to make such records available for inspection and reproduction. The Governance Board designates the Principal as the legal custodian of records for the KTEC High School. KTEC High School and the legal custodian will provide access to public records in accordance with applicable laws and the procedure set forth below. The records custodian is authorized and encouraged to consult with KTEC High School’s legal counsel to determine whether to deny access to a records request in whole or in part.

Under the Wisconsin Public Records Law, a "record" is defined as:

*Any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by the authority. It includes handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. “Record” also includes contractors’ records, which are records produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority.*

A "record" does not include:

*Any drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his/her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library. The personal use exception applies to notes created by the originator solely for the purpose of refreshing his/her recollection and as a matter of convenience (not part of his/her job duties) but does not apply to notes that are distributed to others for the purpose of communicating information or notes that are created or retained for the purpose of memorializing agency activity.*

**General Accessibility of Records**

1. Members of the public may request access to the public records that are under the supervision of the legal custodian by submitting a request to the records custodian during the regular business hours, Monday through Friday from 7:00 AM to 3:30 PM, except for holidays and other closures or exceptions as established in connection with the school calendar.
2. A requester will be permitted to use facilities 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 of the record(s).

**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.
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.
4. At the discretion of the records custodian, and where there are legitimate reasons for doing so, the records custodian may promptly contact the requester to seek clarification of an ambiguous request prior to seeking responsive records or providing a formal response.
5. A requester may be required to show acceptable identification whenever the requested record is kept at a private residence, whenever security reasons require such measures, or where applicable state or federal law otherwise requires or permits an authority to request identification.
6. The legal custodian is not required to create new records that do not presently exist in response to any request for information.
7. The records custodian is authorized by applicable law to reject “standing requests” for access to records that do not exist at the time of the request, but that may be created at a later date.

**Responses to Records Requests**

1. All requests will be processed as soon as practicable and without delay. The time it takes the custodian to respond to the request will depend on 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 limited circumstances.
2. Not all records created or maintained by KTEC High School are subject to inspection or copying by the public.  In some cases, only a portion of records is subject to public inspection, while the remaining portion must remain confidential.
3. In the event the records custodian denies a records request, either in whole or in part, the custodian shall identify the reasons that access to the records is being denied. Records may be exempted from disclosure as a matter of statute or common law or, under the balancing test, the public interest in disclosure may be outweighed by the public interest in non-disclosure.
4. 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.
   1. 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.

**Fees**

The following fees are authorized to be charged to persons who request to inspect or obtain a copy of records, to the extent such request is submitted, or responded to, under the Wisconsin Public Records Law:

1. $0.25 per side of a page for each paper copy that is made of any standard-size paper record. Separate charges, not to exceed the actual, necessary and direct costs, may apply for issuing copies of photographs, electronic records, records which require transcription, or other specialized records.
2. The actual, necessary and direct cost of photographing and photographic processing for providing a photograph of a record, when the record does not permit standard copying.
3. There shall be no charge for the costs associated with locating a record unless the actual, necessary and direct location costs associated with the request exceed $50, in which case the entire actual cost shall be imposed upon the requester. Where staff time is charged as an actual and necessary cost of responding to a records request, the charge shall be calculated using the compensation of the lowest-compensated employee having the knowledge and skills needed to competently perform the task(s), regardless of who actually performs the task(s).
4. If records are mailed to the requester, the actual, necessary and direct postage/shipping costs.
5. If a record is produced or collected by a person outside KTEC High School pursuant to a contract entered into by that person and KTEC High School, the fee charged for copying the record shall be the actual, direct and necessary cost of reproduction incurred by the person making the reproduction or transcription of the record, unless a fee is otherwise authorized or established by law.
6. Prepayment of authorized fees may be required for any request where the total fees exceed $5. A request for any prepayment of or deposit on fees shall be based upon a good faith estimate of the likely costs of responding to the request, with any difference to be refunded or collected once the actual amount is known.

Adopted 8/23/21