

POLICY TITLE: Public Records Policy

CATEGORY: Talent and Culture

POLICY OWNER/POSITION TITLE: Vice President of Talent and Culture

SCOPE

Northeast Wisconsin Technical College is a vocational, technical, and adult education district created and established pursuant to Chapter 38, Wisconsin Statutes. The College is subject to the requirements of the Wisconsin Public Records and Property Law (Sec. 19.31 – Sec. 19.39 Wis. Stats.). For purposes of the law, the following positions are public officials: President, Vice President of Business & Technology, and Dean of Regional Learning Services. The College recognizes that a part of the duties of designated employees of the College should be the responsibility to provide access to information concerning the public records of the College.

POLICY

1. DESIGNATION OF PUBLIC RECORDS

The College recognizes and designates public records as defined by Section 19.32(2), Wis. 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 PUBLIC RECORDS OF THE COLLEGE

The College designates the positions of President; Vice-President, Talent and Culture; and Vice-President, Student Services as the official legal custodians of the public records of the College. It shall be the responsibility of the individuals in these positions to execute all duties and responsibilities of the College pursuant to Wisconsin's Public Records and Property Law.

As the official legal custodian of the public records of the College, the individuals in these positions shall be responsible for timely response to any request for access to the public records of the College. The custodian shall be responsible for the release of the public records of the College, the conditions under which public records may be inspected and the collection of costs for the location or reproduction of public records.

All employees of the College will be informed in writing of the positions that have been designated the official legal custodians of the public records of the College. The employees shall be informed of the duties of the official legal custodian and shall also be made aware of the other requirements and provisions of this policy.

3. POWERS OF THE OFFICIAL LEGAL CUSTODIAN OF THE PUBLIC RECORDS OF THE COLLEGE

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

The official legal custodian is vested with authority to make all necessary decisions relative to the release, inspection and reproduction of public records and is granted authority necessary to carry out all duties and responsibilities required by the Wisconsin Public Records and Property Law (Sec. 19.31 – 19.39, Wis. Stats.).

4. PROCEDURE FOR THE RELEASE, INSPECTION AND REPRODUCTION OF PUBLIC RECORDS OF THE COLLEGE

The College adopts the following notice as the official procedure of the College in responding to requests for the release, inspection or reproduction of the public records and property of the College: *Attachment 1 - Public Records Release Policy Official Official Notice.*

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 public records of the College. Any questions in regard to this notice shall be directed to the official legal custodian of the public records of the College.

This notice may be modified from time to time, but absent such modification, the decisions of the official legal custodian of the public records of the College shall be in conformity with its provisions.

Copies of the notice shall be prominently displayed in appropriate locations throughout the College 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 PUBLIC RECORDS OF THE COLLEGE

The College adopts the attached fee schedule to cover the actual costs relating to the location and reproduction of any of the public records of the College. 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 public records of the College.

6. PUBLIC RECORD PRESERVATION

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

No record of the College 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 OFFICIAL LEGAL CUSTODIAN OF THE PUBLIC RECORDS OF THE COLLEGE

Any costs or fees incurred by the official legal custodian of the public records of the College shall be directly reimbursed by the College to the custodian.

Revision History

Revision Number	Effective Date	Description
1	10/3/2005	Approved – initial version
2	8/13/2012	Revised
3	12/7/2015	Revised
4	12/12/2023	Reviewed - no changes made, re-formatted

ATTACHMENT 1

PUBLIC RECORDS RELEASE POLICY OFFICIAL NOTICE

This Notice has been adopted by Northeast Wisconsin Technical College pursuant to Chapter 38, Wis. Stats.

Northeast Wisconsin Technical College has directed that this Notice be placed in prominent and conspicuous locations throughout the College so that the Notice can be viewed and inspected by any member of the public. In addition, individual copies of this Notice will be made available to any person who requests such a copy from the official legal custodian of the public records of the College.

The College is subject to the Wisconsin Public Records Law. The following information is provided to the public to assist them in obtaining access to the public records of the College.

1. The following positions have been designated as official Legal Custodians of the public records of the College: President; Vice President, Talent and Culture; and Vice President, Student Services. The names of the individuals presently holding these positions can be obtained by contacting the District Office of the College which is located at the following address:

NORTHEAST WISCONSIN TECHNICAL COLLEGE
2740 West Mason Street
P O Box 19042
Green Bay, WI 54307-9042
(920) 498-5500

2. Any public record of the College will be made available for inspection at the office of the official legal custodian during normal business hours (8:00 a.m. – 4:30 p.m.) upon proper request. No original public records of the College shall be removed from the possession of the official legal custodian. The official legal custodian shall be responsible for designating where, when and how the public records of the College may be inspected and copied. However, the decisions of the official legal custodian of the public records shall be governed by this Notice.
3. The policy of the College regarding the release, inspection and/or reproduction of public records is as follows:

After the receipt of any request for access to the public records of the College, the official legal custodian will attempt to make such public records available as soon thereafter as practical. If a request was in writing and is denied, it will be denied in writing. If a request was oral and is denied, it will be denied orally.

If the official legal custodian determines that portions of any public records requested contain information which should not be released, the custodian will edit such public records to remove the material not to be released and thereafter release the balance of the document.

Any requests for computer public records of the College will be referred by the official legal custodian to the individual in charge of the equipment involved to determine the cost of any computer search, printing charges, and possible time available on the machine.

4. All requests for any public records of the College must be submitted to the official legal custodian. It is not necessary that any person requesting access to the public records state any reason for his or her request.
5. Any request for a record must reasonably describe the record or information sought. If the official legal custodian cannot reasonably determine what public records or information are being requested, the request shall be denied in writing and the reason for the denial shall be stated.
6. Any person shall have not only the right to inspect the public records of the College, but also the right to receive a reproduction of such public records. In the event that a person files a request for reproduction of any of the public records of the College, that person shall be informed of the costs of locating and reproducing such public records. Fees charged by the College relative to the costs of producing any of the public records of the College are as follows: Fee Schedule Attached.

PUBLIC RECORDS RELEASE POLICY
FEE SCHEDULE

I. COSTS OF LOCATING DOCUMENTS:

There will be no fee imposed upon any person who requests a record if the cost of locating that record does not exceed \$50.00.

Some of the public records of the College are in off-site storage, archived, or otherwise not immediately available. In those cases where a record is not readily available for whatever reason and where it appears that the costs of locating a record will exceed \$50.00, the official legal custodian will seek the prior approval of the requestor before proceeding. In addition, the custodian will not be required to provide an estimate of the total anticipated costs for locating the record.

The College will determine the cost of locating a record by using the lowest hourly rate of someone qualified to conduct the search.

II. REPRODUCTION EXPENSES:

1. Costs of copying and reproduction of public records where equipment is available.

- A. Copy Machine Cost \$0.15/page for each page.
- B. There will be no cost charged for operational employees' time in photocopying any fewer than 50 copies in aggregate. If more than 50 copies are to be copied, then an hourly charge of \$15/hour shall be paid by the person making the request. Time shall be recorded in ¼-hourly basis.
- C. Hard copies of electronic imaging documents, \$1/page for each page. There will be no cost charged for operational employees' time in producing electronic imaging hard copies for fewer than 50 copies in aggregate. If more than 50 copies are to be copied, then an hourly charge of \$15/hour shall be paid by the person making the request. Time shall be recorded in ¼-hourly basis.
- D. The actual cost to the College of tapes or other medium used for reproduction shall also be paid by the person making the request. An hourly charge of \$15/hour shall be paid by the person making the request. Time shall be recorded on a ¼ hourly basis.

2. Costs of reproduction of public records where equipment is not available within the College.

- A. If equipment necessary for any reproduction is not available within the College, then the College will rent whatever equipment is necessary to perform the function and will bill the requestor for such rental fee. The cost charged will be the actual costs paid by the College to the third party vendor.
- B. The actual cost to the College of tape or other medium used for reproduction shall also be paid by the person making the request.

III. PAYMENT OF FEES:

- 1. The official legal custodian of the public records of the College may require the payment of costs provided herein in advance.
- 2. The official legal custodian of the public records of the College may, in his or her sole discretion, elect to waive the imposition of the costs provided for herein.