

Title: PUBLIC AND OTHER RECORDS	Code: A0109
Authority: Wisconsin Public Records and Property Law; Wis. Stats. § 19.21 <i>et seq.</i> , 19.32(2); Board Minutes, 1/28/91; 3/28/94; 8/27/96; 11/18/97; 3/24/98; 9/28/99; 1/23/01; 11/25/08	Original Adoption: 12/15/82 Revised/Reviewed: 11/25/08 Effective: 11/26/08

1. Designation of Public Records

The district board hereby reaffirms the public policy that all of its records as defined in Section 19.32(2), Stats., are public records subject to release, inspection, and reproduction, except as otherwise provided for by law.

2. Designation of the Legal Custodian

The district board hereby designates the President as legal custodian of the records.

The President may designate duties and responsibilities of this district pursuant to the Wisconsin Public Records law to deputy legal custodians. The legal custodian or his/her deputy shall be responsible for the release of public records of the district, the conditions under which records may be inspected, and the collection of costs for the location and reproduction of records.

3. Powers of the Legal Custodian

All requests for the inspection, release, and/or reproduction of the public records of the district shall be directed or referred to the legal custodian or his or her deputy. The legal custodian is hereby vested with full legal power to make decisions concerning the inspection, release, or reproduction of records as permitted under Wisconsin's Public Records and property law.

Any costs or fees incurred by the district in the conduct and implementation of this policy shall be indemnified by the district and will not be treated as a personal liability of the custodian, unless penalties are incurred on account of the legal custodian or deputy's act or omission which is willful and in bad faith.

4. Procedure for the Inspection, Release, or Reproduction of Records and Property of the District

The official notice of the procedures for release of public records shall be prominently displayed at all campus locations and made available on request to any member of the public upon demand. It is further directed that all employees of the

district be informed of the requirements of the Wisconsin Public Records and property law and the provision of this policy.

5. **Preservation of Records** All public records of the district, as defined in Sec. 19.32 (2), shall be preserved in accordance with provisions of appropriate Wisconsin Statutes. Records of district board minutes and other documents are available in electronic format.

6. **Retention of Records Generally**

All MATC records, public or not, will be retained and disposed of in accordance with provisions of applicable federal and state statutes and MATC Administrative Regulations & Procedures and may be subject to a litigation hold on disposal of such records. The Office of the General Counsel oversees the retention and disposal of MATC records.

OFFICIAL NOTICE

Procedures for Release of Public Records

THE FOLLOWING INFORMATION IS PROVIDED TO THE PUBLIC TO ASSIST THEM IN OBTAINING ACCESS TO AND COPIES OF RECORDS OF THE DISTRICT UNDER THE WISCONSIN OPEN RECORDS LAW.

Copies of this notice are available from the legal custodian of the records.

I. LEGAL CUSTODIAN OF RECORDS

The MATC District has designated the president as the legal custodian of the records of the district.

A. Nonstudent Records

The president has designated the responsibility for release of all nonstudent records to the Vice President, General Counsel. Any request for nonstudent records shall be routed to and handled by the Vice President, General Counsel. No nonstudent records may be released by anyone other than the Vice President, General Counsel.

The Vice President, General Counsel can be contacted at:

Vice President, General Counsel
Milwaukee Area Technical College
700 West State Street
Milwaukee, WI 53233-1443
(414) 297-6600

B. Student Records

The release of student records is made in accordance with the Family Educational Rights and Privacy Act of 1974 and applicable state law. The procedures governing the release of student records are detailed in Administrative Regulation and Procedure FF0100.

The President has delegated the responsibility for release of all student records to the Vice President, Student Services. Any requests for student records shall be routed to and handled by the Vice President, Student Services. No student records may be released by anyone other than the Vice President, Student Services, or in his/her absence, the Registrar. The Vice President, Student Services can be contacted at:

Vice President, Student Services
Milwaukee Area Technical College
700 West State Street
Milwaukee, WI 53233-1443
(414) 297-6600

In his/her absence:

Registrar
Milwaukee Area Technical College
700 West State Street
Milwaukee, WI 53233-1443
(414) 297-6600

C. "Public File" Television Records

The President has delegated the responsibility for release of the public television records contained in the "Public File" under Federal Communication Commission regulations to the General Manager of Public Television, Channels 10 and 36. However, all Public Television records other than those in the "Public File" shall be requested and obtained only through Vice President, General Counsel (see A). Any request for "Public File" materials of the television station shall be routed to and handled by the

manager of Public Television. No "Public File" records may be released by anyone other than the manager of Public Television, or in his absence the Manager of TV Administration and Planning. The General Manager of Public Television can be contacted at:

General Manager of Public Television
Channels 10 and 36
Milwaukee Area Technical College
1036 North Eighth Street
Milwaukee, WI 53233-1443
(414) 297-6600

In his/her absence:

Manager of TV Administration and Planning
Channels 10 and 36
Milwaukee Area Technical College
1036 North Eighth Street
Milwaukee, WI 53233-1443
(414) 297-6600

II. OFFICE HOURS

Requests for records may be made by contacting the appropriate custodian between 8:00 a.m. and 4:00 p.m., Monday through Friday. The offices of the district are closed on Saturdays, Sundays, and legal holidays. Additional information can be obtained by contacting MATC through its web site at: <http://www.matc.edu>.

III. RELEASE, INSPECTION, AND REPRODUCTION OF PUBLIC RECORDS

Any person may request public records of the district. Any person requesting access to the records of the district need not identify himself or herself in order to obtain a record nor state any reasons for the request. Requests can be made orally or in writing and must contain contact information including a telephone number, address and/or e-mail address; or any other alternative arrangement for contact. In order to clarify the scope of the request, the Records Custodian may request that oral requests be put into writing.

No original public records of the district are to be removed from the possession of the legal custodian. The legal custodian shall be responsible for designating where, when, and how the public records of the district may be inspected and

copied. However, the decisions of the official custodian shall be governed by this notice. Any request for a record must reasonably describe the record sought. If the legal custodian cannot reasonably determine what records are being requested, the request shall be denied.

Upon request for any record, the legal custodian shall, as soon as practicable and without delay, either fill the request or notify the requestor of the district's determination to deny the request in whole or in part and the reasons therefor. If a written request is denied in whole or in part, the requestor shall receive a written statement of the reasons for denying the written request. If a request is made orally, the district may deny the request orally, unless a demand for a written statement of the reasons denying the request is made by the requestor within five (5) business days of the oral denial. A request must be put into writing before an action to enforce the request can be commenced.

If it is determined that portions of a requested record should not be released, the legal custodian shall edit those records and remove the material not to be released and thereafter release the balance of the record.

Any request for computer-generated records of the district will not be provided until the requestor is informed of the estimated costs and agrees to pay them.

IV. **FEES**

Fees charged by the district relative to the costs of locating or reproducing any records of the district are as follows:

A. **Fees for Locating Records**

There will be no location fee imposed upon any person who requests a record if the costs of locating that record do not exceed \$50.

The requestor shall pay to the district the actual, necessary and direct cost of location of appropriate records if the cost is \$50.00 or more.

B. **Reproduction Fees**

1. Fees for copying and reproducing existing records where equipment and staff service are available on-site shall be charged to the requestor as follows:
 - a. Records which are normally reproduced in multiple copies for general distribution (i.e., district agenda, annual budget report,

semester schedules) will continue to be made available upon request at no cost.

Other reproduction fees are:

- b. 25 cents per page - Photocopies
50 cents per page - Micro-fiche Reader Copies
Actual, necessary and direct cost for transcription of audio tapes or stenographic records, duplication of audio tapes, video tape, photographs, or other media.
 - c. Where the record is contained in the computer records of the district, the requestor will be charged prevailing data processing service center rates for CPU processing and printer time.
 - d. In addition to the transcription, duplication, or processing charges, the actual cost to the district of the tape or other medium used for reproduction shall also be paid by the requestor.
2. If it is necessary for the district to lease equipment or contract with a third party vendor to supply reproduction services, the requestor cost will be those actual costs incurred by the district.
 3. The requestor shall be charged for the actual necessary and direct cost of mailing or shipping of any copy of a record which is mailed or shipped to the requestor.
 4. MATC reserves the right to require prepayment by a requestor of any fee or fees imposed by this policy if the total amount exceeds \$5.00.