Informational Notice to Parents and Guardians under Subsection 118.07(6)(b) of the Wisconsin Statutes Regarding Access to Records Regarding School Employees under the Public Records Law

[No action is required in response to this informational notice.]

Subsection 118.07(6)(b) of the Wisconsin Statutes requires every school district to annually provide information to parents and guardians that addresses their rights to access records regarding school employee discipline under the Wisconsin Public Records Law (WPRL). Under the WPRL, existing records created or maintained by government "authorities" (including school districts) are presumed to be open to public inspection and copying, but there are exceptions. Any request for access to records regarding school employee discipline under the WPRL will be individually evaluated under the criteria and procedures established in the WPRL and in light of any other applicable laws. For example:

- If a request for access to records regarding school employee discipline is made prior to the disposition of an investigation into a pending matter, the WPRL often requires or permits a school district to deny access to certain records relating to the investigation. *See, for example, § 19.36(10)(b).*
- If a record that relates to a school employee disciplinary matter is also a record that contains personally identifiable information pertaining to a specific child/student, then the parent or guardian of the child/student may have greater rights to request and obtain access to the record (or specific portions of the record) than would another member of the general public. *See § 19.35(1)(am), § 118.125 (the Wisconsin pupil records law), and the federal Family Educational Rights and Privacy Act (the federal student records law).*

The general rights that parents, guardians, and other members of the public have under the WPRL include the following (1) the right to submit a records request to a government "authority" covered by the WPRL; (2) the right to receive a response that fulfills or denies the request; (3) the right to be informed of the reason(s) for any denial of access to requested records; and (4) if the request was made in writing, the right to request or directly pursue judicial review of a decision to deny access.

Additional information about access under the WPRL to records created or maintained by the School District of Sheboygan Falls is available in the District's formal notice of its public records policies and procedures. Additional general information about the WPRL is available in the *Wisconsin Public Records Law Compliance Guide,* which is published by the Wisconsin Department of Justice and available on the Department's website.

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