

Monday, February 10, 2025
Board of Education Meeting

APPLETON AREA SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
Scullen Leadership Center-Community Room
131 E. Washington Street, Suite 1A
Appleton, WI 54911
Time: 6:00 PM

Some participants may join remotely, and both members of the media and the public can attend the meeting in person or watch the live stream on the Appleton Area School District YouTube Channel: <https://www.youtube.com/channel/UChO-l09YGgt4uKnCWYvt8Pw>

Any special needs or any requests for accommodations related to accessing the meeting should be sent to Kayla Malott, at malottkayla@asd.k12.wi.us or (920) 852-5300 ext.60111, at least 24-hours in advance of the meeting.

1. Meeting Opening

Subject : A. Roll Call
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 1. Meeting Opening
Type : Procedural

Public Content

Subject : B. Pledge of Allegiance
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 1. Meeting Opening
Type : Procedural

2. Approval of Agenda (GC-2: Governing Commitments)

Subject : A. Board Member Request to Remove Consent Agenda Item(s) for Separate Consideration
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 2. Approval of Agenda (GC-2: Governing Commitments)
Type : Procedural
Subject : B. Approval of Agenda
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 2. Approval of Agenda (GC-2: Governing Commitments)
Type : Action, Procedural

3. Special Presentation

Subject : A. Student School Board Representative

Report

Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 3. Special Presentation
Type : Discussion, Information, Presentation

Public Content

Student School Board Representative, Olivia Feng, will provide updates from North High School.

Subject : B. WASB Board Member Recognition
Certificates
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 3. Special Presentation
Type : Discussion, Information, Recognition

Public Content

Board President Kay Eggert will present the WASB Board Member Recognition Certificates.

Subject : C. Career & Technical Education (CTE) Month:
Presentation by Appleton East DECA Officers
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 3. Special Presentation
Type : Discussion, Information, Presentation

Public Content

Appleton East DECA Officers, along with Advisor Stefanie Fude, will share what CTE means to them, how the AASD has helped them find their career paths, thank them, and answer any questions.

4. Public Input (GC-3.3: Initiate and maintain effective communication with the citizens.)

Subject : A. Public Input
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 4. Public Input (GC-3.3: Initiate and maintain effective communication with the citizens.)
Type : Procedural

Public Content

Public Input:

Members of the public wishing to address the Board may speak during public input or provide written comments in accordance with the procedures posted on the District's website and state law. The Wisconsin Open Meetings Law requires that Board of Education members do not discuss topics or respond to questions that are not listed on the agenda. The practice of the Board is to not respond to public comments during the meeting; however, when appropriate the Board may request the administration to reach out to a citizen regarding a concern they may have. Speakers will be bound by the guidelines and responsibilities outlined on the District's [website](#) and established in policy. The Board reserves the right to terminate remarks of any individual who does not adhere to established rules, whose comments are unduly repetitive of previous comments, who makes comments that are obscene, threatening, harassing, or defamatory, or whose conduct is otherwise disorderly. Comments that introduce complaints or concerns that are directed toward and that identify individual staff members or individual students are not permissible. The Board reserves the right to amend and adjust processes and procedures relating to public input as necessary to accomplish the business of the Board, which includes the ability of the Board to limit (in a viewpoint-neutral manner) the total time allotted for public input or the amount of time allotted to individual topics.

Policy References:

- [Board Policy and Rule 187 - Public Input at School Board and Board Subcommittee Meetings](#)
- [Board Policy 188 - Virtual Board Meetings in Emergency Situations](#)

5. Board Development (GC-2.2: The Board will assure that its members are provided with training and professional support necessary to govern effectively.)

Subject : A. None

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 5. Board Development (GC-2.2: The Board will assure that its members are provided with training and professional support necessary to govern effectively.)

Type : Discussion, Information, Presentation

6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)

Subject : A. Business Services Update(s): AP Check Register- January 2025

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)

Type : Discussion, Information, Report

Public Content

Executive Director of Finance, Holly Burr, will report on the Business Services item for consideration.

Subject : B. School/Student Services Update(s): None
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)
Type : Discussion, Information, Report

Public Content

Subject : C. Personnel Services Update(s): Professional Educator Resignation(s)
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)
Type : Discussion, Information, Report

Public Content

Chief Human Resources Officer, Julie King, will report on the Personnel Services item for consideration.

File Attachments

[IFC Professional Educator Resignations 2-10-25.pdf \(111 KB\)](#)

7. Board's Consent Agenda (GC-2.4: The Board will use a consent agenda as a means to expedite the disposition of routine matters and dispose of other items of business it chooses not to discuss.)

Subject : A. Board Meeting Minutes from January 27, 2025
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 7. Board's Consent Agenda (GC-2.4: The Board will use a consent agenda as a means to expedite the disposition of routine matters and dispose of other items of business it chooses not to discuss.)
Type : Action, Minutes

Public Content

Minutes aren't official until they are approved at the Board meeting.

8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)

Subject : A. Professional Educator Resignation(s)
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)
Type : Action

File Attachments

[IFC Professional Educator Resignations 2-10-25.pdf \(111 KB\)](#)

9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)

Subject : A. Business Services Report: None
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type : Discussion, Information, Presentation, Report

Public Content

Subject : B. School/Student Services Report: Social Studies Middle School Materials Purchase (3640 & 3740); K-12 Long Range Library Media Plan
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type : Discussion, Information, Presentation, Report

Public Content

Assistant Superintendent Mark McQuade and Director of ELA/SS Kelly Leopold will present the Social Studies Middle School Materials Purchase (3640 & 3740) and K-12 Long Range Library Media Plan.

File Attachments

[IOI K-12 Library Media Plan.pdf \(96 KB\)](#)

[KWKT- Middle School Materials Purchase- grade 6 7 Geography \(02_10_25\).pdf \(126 KB\)](#)

[Public Input Received - Cengage grade 6 7 Geography \(2_10_25\).pdf \(78 KB\)](#)

[IOI- Social Studies Middle School Materials Purchase 3640&3740.pdf \(119 KB\)](#)

[KWKT- Library Media Plan \(02_10_25\).pdf \(103 KB\)](#)

Subject : C. Personnel Services Report: None
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type : Discussion, Information, Presentation, Report

10. Board Business

Subject : A. AP Check Register- January 2025
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Action
Subject : B. Policy Adoption: Policy 822- Records Management and Retention
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Discussion, Information

Public Content

Assistant Superintendent, Sheree Garvey will present the Policy Adoption of Policy 822- Records Management and Retention.

File Attachments

[IOI - Policy 822 - Records Management and Retention \(1\).pdf \(77 KB\)](#)

[DRAFT Records Retention Schedule \(Personnel\) 526 & \(Finance\) 682.1.pdf \(140 KB\)](#)

Subject : C. Policy Update: Policy 823- Access to Public Records
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Discussion, Information

Public Content

Assistant Superintendent, Sheree Garvey will present the Policy Update on Policy 823- Access to Public Records.

File Attachments

[IOI - Policy 823 - Access to Public Records.pdf \(76 KB\)](#)

[Draft-Access to Public Records Policy 823 .docx.pdf \(419 KB\)](#)

Subject : D. Policy Update: Policy 120- School District Legal Status
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Discussion, Information

Public Content

Board President, Kay Eggert will present the Policy Update on Policy 120- School District Legal Status.

File Attachments

[IOI - Policy 120, School District Legal Status .pdf \(76 KB\)](#)

[DRAFT-Policy 120-School District Legal Status.pdf \(76 KB\)](#)

Subject : E. Board Policy Committee Updates
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Discussion, Information

Public Content

Members of the Board Policy Committee will present/discuss their latest updates.

Subject : F. Consent Agenda Item(s) Removed for Separate Consideration
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 10. Board Business
Type : Action, Discussion

11. Items of Information

Subject : A. None
Meeting : Feb 10, 2025 - Board of Education Meeting
Category : 11. Items of Information

Type : Information

12. Future Meetings

Subject : A. Board Work Session: Wednesday, February 19, 2025 7:30AM

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 12. Future Meetings

Type : Information

Subject : B. Board Meeting: Monday, February 24, 2025 6:00PM

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 12. Future Meetings

Type : Information

13. Closed Session

Subject : A. Motion to go into Closed Session

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 13. Closed Session

Type : Action

Subject : B. Wisconsin State Statute 19.85 (1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: for the purpose of discussion on the Superintendent Mid-Year Evaluation.

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 13. Closed Session

Type : Discussion, Information

Subject : C. Motion to Adjourn the Meeting

Meeting : Feb 10, 2025 - Board of Education Meeting

Category : 13. Closed Session

Type : Action

ITEM FOR CONSIDERATION

Topic: Professional Educator Resignation(s)

Background Information: The following Professional Educators have submitted a letter of resignation:

Jeanette M. Gorzelitz has been with the District for one year, most recently as a Grade 4/5 Teacher at Houdini Elementary School. Jeanette's resignation was effective at the end of the workday on Monday, January 27, 2025.

Hailey M. Hunse has been with the District for two and one-half months, most recently as a Special Education-I4K/ECSE Teacher with Appleton Community 4K and McKinley Elementary School. Hailey's resignation is effective at the end of the workday on Friday, February 21, 2025.

Brody J. Strachan has been with the District for six months, most recently as a Music Teacher at Wilson Middle School. Brody's resignation is effective at the end of the workday on Friday, February 14, 2025.

Ashley M. Szymanski has been with the District for ten years, most recently as a Special Education Teacher at Johnston Elementary School. Ashley's resignation was effective at the end of the workday on Monday, February 3, 2025.

Instructional Impact: Qualified replacements will be procured.

Fiscal Impact: Dependent upon replacements

Administrative Recommendation: Approval

Contact Person(s): Julie King, (920) 852-5302

ITEM OF INFORMATION

Topic: **Library Media:** K-12: Long-Range Library Media Plan

**Background
Information:**

The Wisconsin Department of Public Instruction requires that districts participate in future ready library planning. District long-range plans for library services should align to district mission and/or vision and should incorporate two to three program goals aligned to district priorities, that include planning instruction, and budgeting for resources to meet those goals. Future Ready Librarians design collaborative spaces, lead beyond the library, cultivate community partnerships, advocate for student privacy, build instructional partnerships, facilitate professional learning, and ensure equitable digital access.

**Fiscal
Note:**

Any cost in attaining these goals is covered within the Common School Fund budget allocated to the district. The costs pertain to the purchase of diverse and SEL texts, as well as the many resources available to staff and students.

**Instructional
Impact:**

The instructional impact will allow for student access to more current, diverse and SEL titles, staff training and professional development of library resources (print, digital, databases) aligned to grade levels and curriculum, co-teaching opportunities specific to middle school and high school, and the integration of digital citizenship lessons. The developed k-12 scope and sequence of grade-specific lessons will be aligned to the International Society for Technology in Education (ISTE) Standards and will range from Internet safety to copyright awareness. The AASD Library Media Specialists will collaborate with classroom teachers and assessment, curriculum, and instruction coordinators and directors.

[Long-Range Library Plan](#)

Contact

Person(s): Kelly Leopold, 920-832-6157 x60172 , leopoldkelly@asds.k12.wi.us
Mark McQuade, Ed.D., 920-852-5300 x60121,
mcquademark@asds.k12.wi.us

BOE: February 10, 2025



Social Studies: Middle School: Materials Purchase- *World Cultures & Geography: Western Hemisphere with Europe* for Grade 6 Geography (3640) and *World Cultures & Geography: Eastern Hemisphere* for Grade 7 Geography (3740).

<p>WHY will these textbooks be an appropriate instructional resource for the middle school Geography courses?</p>	<p>The textbooks offer:</p> <ul style="list-style-type: none"> ● Scope and Sequence that allows for flexibility ● Teacher Clarity <ul style="list-style-type: none"> ○ Essential questions & learning outcomes ○ Relevancy (project-based learning and cross-curricular projects to connect themes) ○ Academic vocabulary ○ Formative and Summative assessments ● Differentiation & Accessibility (Special Education and EL Supports and Resources) ● Digital Resources for teachers and students (videos, photos, music) ● Skill Development that aligns to the Wisconsin Social Studies State Standards ● Inquiry-based instruction ● Integration with Canvas ● Engaging stories and activities <ul style="list-style-type: none"> ○ Stories from Nat Geo explorers and photographers ○ Powerful visuals to deepen understanding & increase retention ○ Story maps, graphs, and images that students can manipulate ○ Critical thinking prompts to promote change in community ● Collaboration and diverse perspectives <ul style="list-style-type: none"> ○ Respect for students' diverse backgrounds and cultural identities ○ Strategies for inclusion and to meet student needs (MLL, SPED, Pre-AP) ● Document-based questions and close reading ● World Atlas ● Primary and secondary sources ● Culturally Responsive Connections
<p>WHAT are the skills and supports that are scaffolded throughout the texts?</p>	<p>The skills include:</p> <ul style="list-style-type: none"> ● Activating prior knowledge ● Analyzing and annotating primary and secondary sources ● Stating a claim ● Supporting the claim with contextual evidence ● Taking informed action ● Self-assessment <p>The supports include:</p> <ul style="list-style-type: none"> ● Visual vocabulary ● Modified texts (for reading level and language) ● Audio options ● Graphic organizers ● Review and extension activities ● Embedded skills practice to honor literacy ● Guided writing and templates (specific to argumentation)

HOW was public input solicited prior to making the administrative recommendation to the Board?	Copies of proposed instructional materials were made available to the public for over 30 days in order to submit written public input. Notification of requested feedback also publicized through the AASD website as well as through the superintendent’s family communication letter.
HOW will this benefit students in becoming future-ready citizens?	The textbook: <ul style="list-style-type: none">● Empowers students to make connections between the past and present, as well as one region of the world to another● Inspires students to look at the world through multiple lenses● Incorporates all elements of an inquiry arc● Practices discourse● Sparks curiosity● Thinks globally● Incorporates college and career readiness activities

Social Studies: Middle School: Materials Purchase- *World Cultures & Geography: Western Hemisphere with Europe* for Grade 6 Geography (3640) and *World Cultures & Geography: Eastern Hemisphere* for Grade 7 Geography (3740).

Time Period of Public Input
12/17/24 - 02/07/25
Number and Breakdown of Responses Received (Supportive/Unsupportive)
2 Total Response: 2 Comments Supportive / Unsupportive

ITEM OF INFORMATION

Topic: **Social Studies:** Middle School: Materials Purchase- *World Cultures & Geography: Western Hemisphere with Europe* for Grade 6 Geography (3640) and *World Cultures & Geography: Eastern Hemisphere* for Grade 7 Geography (3740).

Background Information: There is no current textbook being used in the AASD for either 6th or 7th grade Geography. In 2017 when the Social Studies department looked into purchasing a text for the 7th grade Geography course, the clear front runner was Cengage's National Geographic Geography book; however it was a survey book that covered both western and eastern hemispheres. The 7th grade course's units of study included foundations of geography and the eastern hemisphere. The book was not ideal for that reason, and it was not standards-based, which was the direction we knew we were heading. Beyond those two concerns, it was the book of choice and remained so when the 7th grade teachers learned that the 2025 edition would include standard alignment and would split the two hemispheres into separate texts. Until now, the 7th grade PLC has been using supplemental texts for their units of study (economics, religion, Africa, physical and human geography). The team was looking for a flexible scope and sequence, teacher clarity components, opportunities for differentiation, digital components, skill development aligned to Wisconsin Social Studies standards, and integration with Canvas, and found all in Cengage's National Geographic World Cultures and Geography. Additionally, this textbook offers the teachers the capabilities of modifying the language and the reading level for the students, and supports for visual vocabulary, audio options, review and extension activities and guided argumentative writing. Both courses are standards-based. 7th grade has common district assessments, while 6th grade has been developing their own assessments at the building level. The units of study connect content knowledge with inquiry-based instruction.

Fiscal Note: Referendum funds will be used in purchasing classroom sets of textbooks for the three middle schools and potentially the 3 middle school charter schools (Fox River Academy, Classical, and Kaleidoscope Academy). The purchase will also include digital access for three years, all teacher resources, and professional development for teachers/administrators. The cost is \$216,666.98.

Instructional Impact: The instructional impact will allow for SEL, grammar, and poetry integration, flexibility and choice in novel studies, and daily lessons that incorporate vocabulary building, collaboration in interpretation, and

development & presentation of ideas, while allowing for student reflection and independent work time. Teachers will continue to implement common summative assessments within the four domains of Speaking & Listening, Reading, Writing, and Language; however, there is additional opportunity for common formative assessments.

Course Overview Documents:

- [Geography Grade 6 \(#3460\)](#)
- [Geography Grade 7 \(#3740\)](#)

Contact

Person(s):

Kelly Leopold, 920-832-6157 x60172 , leopoldkelly@aad.k12.wi.us
Mark McQuade, Ed.D., 920-852-5300 x60121,
mcquademark@aad.k12.wi.us

BOE: February 10, 2025



Library Media: K-12: Long-Range Library Media Plan

<p>WHY will this benefit AASD students and staff?</p>	<p>The long-range plan:</p> <ul style="list-style-type: none"> ● Provides greater access to current, diverse and SEL titles for students ● Integrates K-12 digital literacy & citizenship learning for all students ● Develops a K-12 scope and sequence of digital citizenship lesson plans for educators ● Provides training and staff development of library media resources to be incorporated in classroom instruction ● Incorporates LMS collaboration with classroom teachers and AC&I coordinators and directors ● Incorporates LMS co-teaching opportunities with middle school and high school classroom teachers
<p>WHAT does the Wisconsin Department of Public Instruction require (Wisconsin Administrative Code PI8.01(2)(h).)?</p>	<p>The Wisconsin DPI requires:</p> <ul style="list-style-type: none"> ● A 3 year long-range library plan ● Alignment to district mission/vision ● 2-3 SMART goals aligned to district priorities ● Incorporation of instruction and budgeted resources ● Support of future-ready librarians framework
<p>HOW will AASD Library Media Specialists be future-ready?</p>	<p>AASD LMS will:</p> <ul style="list-style-type: none"> ● design collaborative spaces ● lead beyond the library ● cultivate community partnerships ● advocate for student privacy ● build instructional partnerships ● facilitate professional learning ● ensure equitable digital access

ITEM OF INFORMATION

Topic: District Policy - 822, Records Management and Retention

Background

Information: Earlier last year, the Wisconsin Association of School Boards (WASB) was contracted to conduct a comprehensive policy audit. The audit identified policies that require creation or revision. Responsibility for this work is assigned to administrators overseeing the respective policy areas, with the board of education retaining the authority to revise policies as appropriate. These administrators rely on WASB's recommended sample policies, conduct research on practices in other districts, or seek legal counsel when necessary, depending on the complexity of the policy.

As policies are created or revised, they will be Items of Information at Board of Education meetings for discussion and then be scheduled for a future meeting as an Item for Consideration.

The District currently has Policy 526, Records Retention Schedule (Personnel) and Policy 682.1, Records Retention Schedule (Finance), therefore it is recommended to combine these two and make one policy, with the updated language per WASB.

Instructional

Impact: Accurate and current Board policies are critical to school operations, establishing a safe and welcoming school environment, and providing high-quality instruction for our staff and students.

Contact

Person(s): Assistant Superintendent, Sheree Garvey, (920) 852-5300, ext. 60114

RECORDS MANAGEMENT AND RETENTION

RECORDS RETENTION SCHEDULE

Personnel Records

~~Records Retention Schedule for School Districts, which includes **Personnel Records** as adopted by the Wisconsin Public Records Board and endorsed by the Wisconsin Department of Public Instruction, which is available for public inspection.~~

The District has a responsibility to retain records in compliance with relevant state and federal laws. The School Board has adopted the Wisconsin General Records Schedule, as published by the Department of Public Instruction. Accordingly, District records covered by that schedule should be retained for at least the period of time outlined therein, subject to any local modifications to the schedule that have been adopted by the District and approved at the state level. +

Student records are maintained as required by applicable state and federal laws and as further detailed in the schedule and in the District's student records policies and procedures; Policy 347- Student Records.

Personnel records are maintained as required by applicable state and federal laws and as further detailed in the Wisconsin General Records Schedule- Human Resources and Related Records.

The Superintendent or designee are responsible for overseeing the creation and implementation of rules and operating procedures that further govern records management in the District, including the safekeeping of District records, the protection of personal privacy of record subjects, and maintaining the District's capacity to appropriately respond to requests for access to records. Records management protocols shall include means for informing employees who are involved in collecting, maintaining, using, providing access to, sharing, or archiving personally-identifiable information of their duties and responsibilities relating to protecting the personal privacy of record subjects.

Cross References: Student Records, 347
Access to Public Records, 823

Legal References: Wisconsin State Statutes 19.21, 19.35, 19.345, 19.65, and 118.125

Adoption Date: January 22, 2001

Amended Date: February 10, 2020

Updated Date: June 27, 2023

Revised: February 10, 2025

RECORDS RETENTION SCHEDULE

Finance Records

The District has adopted the Wisconsin Records Retention Schedule for School Districts, which includes **Finance Records** as adopted by the Wisconsin Public Records Board and endorsed by the Wisconsin Department of Public Instruction, which is available for public inspection.

~~Adoption Date: January 22, 2001~~

~~Amended Date: February 10, 2020~~

~~Updated Date: June 27, 2023~~

ITEM OF INFORMATION

Topic: District Policy - 823, Access to Public Records

Background

Information: Earlier last year, the Wisconsin Association of School Boards (WASB) was contracted to conduct a comprehensive policy audit. The audit identified policies that require creation or revision. Responsibility for this work is assigned to administrators overseeing the respective policy areas, with the board of education retaining the authority to revise policies as appropriate. These administrators rely on WASB's recommended sample policies, conduct research on practices in other districts, or seek legal counsel when necessary, depending on the complexity of the policy.

As policies are created or revised, they will be Items of Information at Board of Education meetings for discussion and then be scheduled for a future meeting as an Item for Consideration.

The District currently has Policy 823, Access to Public Records, therefore it is recommended to use the updated language per WASB.

Instructional

Impact: Accurate and current Board policies are critical to school operations, establishing a safe and welcoming school environment, and providing high-quality instruction for our staff and students.

Contact

Person(s): Assistant Superintendent, Sheree Garvey, (920) 852-5300 ext. 60113

ACCESS TO PUBLIC RECORDS

~~The Appleton Area School District Board of Education shall allow persons to have access to school district records in accordance with this policy and implementing procedures, and in accordance with State law.~~

The various records authorities of the Appleton Area School District shall maintain and provide access to public records in accordance with applicable laws and the policies and procedures of the District. In addition, all officials, employees, and authorized agents of the District shall, to the extent appropriate to the particular record, safeguard the confidentiality of personally-identifiable information in their possession and in the records created or maintained by any school District authority.

~~The Chief Financial Officer is designated as the legal custodian of records for the Appleton Area School District. The legal custodian shall safely keep and preserve records of each authority and shall have full legal power to render decisions and carry out duties related to those public records maintained by any school district authority. The legal custodian may deny access to records only in accordance with State law. The legal custodian is authorized and encouraged to consult with the District's legal counsel in determining whether to deny access to a record in whole or in part.~~

The *superintendent's designee* shall serve as the legal custodian of records for the following District records authorities:

1. The District, including the School Board as the governing body;
2. All committees which are subunits of the Board;
3. Other District records authorities created by law or by rule or order;
4. The individual members of the School Board, including the individual officers of the Board (i.e., President, Vice President, Clerk, Treasurer. However:
 - a. Each Board member remains a records authority and co-custodian of the records of their individual public office.
 - b. As to any records of his/her office that a Board member may create or maintain solely at any location or on any computer system that is not owned or controlled by the District, the Board member shall have responsibility for the proper maintenance and retention of such records.
 - c. Board members and officers shall cooperate with the Board-designated custodian of records in responding to public records requests encompassing records of their individual office,

except that an individual board member may take sole responsibility for responding to a request if all of the following apply: (1) the Board member (and not the Board-designated custodian of records) has individually received a request for records in the Board member's capacity as an individual records authority; (2) the Board member assumes all legal responsibility for responding to the request; and (3) the request deals exclusively with records of such Board member's office that are in the possession or control of the Board member and that are **not** otherwise available to the Board-designated custodian.

~~Public records may be inspected, copied, and/or abstracted at any time during established District office hours; however, the district will not create new records for any person, including any board member, by abstracting or compiling information from existing records, except by a decision of the board. The legal custodian may establish fees in accordance with applicable law. A list of such fees shall be available at the district office.~~

The legal custodian of records is vested with full legal power to render decisions and carry out the duties of each school District records authority designated above, as such duties are identified under the Wisconsin Public Records Law. For example, the legal custodian shall:

1. Receive, evaluate, and respond to requests to inspect or copy records;
2. Compel the prompt assistance of other District employees in responding to requests for access to public records, to the extent the custodian deems necessary;
3. Take an active role, either personally or via a designee or via written procedures, in supervising the proper maintenance and retention of records by District employees; and
4. Ensure that all employees who are entrusted with the records that are subject to the legal custodian's supervision are notified of the identity of the legal custodian and provided with a description of the legal custodian's duties under applicable law.

The Superintendent, or his/her designee, working in conjunction with the individual school official who has been assigned specific responsibility for ensuring the confidentiality of all personally-identifiable data, information, and records collected or maintained by the District under the Individuals with Disabilities Education Act (IDEA), shall (1) develop rules of conduct for District employees who are involved in collecting, maintaining, using, providing access to, sharing or archiving personally-identifiable information; and (2) ensure that all such employees know their duties and responsibilities relating to protecting personal privacy, including applicable state and federal laws.

Neither the designation of a legal custodian of records nor any other provision of this policy shall be interpreted to affect the powers and duties of any District records authority under the Public Records Law.

~~A public records notice shall be displayed in designated locations throughout the district and procedures shall be developed to implement this policy.~~

The District's public records notice, as adopted by the Board, shall be prominently posted in the District's buildings. The notice shall also promptly be made available to any member of the public for inspection and copying. *For additional convenience, the notice will be posted on the District's website.*

Authorized Fees under the Public Records Law

Fees may be charged for costs associated with locating and/or copying requested records and for related postage/shipping costs in accordance with the fee schedule adopted by the Board. The fee schedule shall be included in the District's posted public records notice.

The legal custodian of records may provide copies of a record without charge or at a reduced charge where the custodian determines that a waiver or reduction of the fee is in the public interest. These situations include, but are not necessarily limited to, situations where the records custodian determines that the costs the District would be likely to incur in processing a payment would be likely to exceed the amount of the payment itself; or where the requester is an elected official, the records in question are reasonably necessary for the proper performance of official duties, and the location costs associated with the request are negligible. The legal custodian shall apply any such waiver or reduction of fees with reasonable uniformity and without discrimination as to any status protected by law (e.g., race, sex, disability, etc.)

In a situation where any fees differing from the fees approved by the Board are established by law, or are authorized to be established by law, those other fees may be charged.

Assistance from Legal Counsel

When the legal custodian of records, or a deputy custodian in the absence of the legal custodian, determines that it is necessary or prudent to do so, he/she is authorized to seek specific legal advice from and engage the assistance of District legal counsel.

Local Public Offices

The offices and positions that are considered “local public offices” for purposes of the Wisconsin Public Records Law are listed in the District’s posted public records notice.

Cross References: Student Records, 347 and 347-Rule
[Records Management and Retention, 822](#)
Access to Public Records Procedures, 823 and 823-Rule
Board Member Use of Electronic Communications- 166

Legal References: Wisconsin State Statutes 19.21 through 19.39, 19.65, 19.70,
118.125, 120.13(28)
Federal Laws 34 C.F.R. Part 99 and 34 C.F.R. §300.623
Wisconsin Records Retention Schedule for School Districts

Adoption Date: April 11, 2011

Amended Date: July 23, 2012, March 12, 2018, February 10, 2020, [February 24, 2025](#)

Exhibit A

APPLETON AREA SCHOOL DISTRICT WISCONSIN OPEN RECORDS LAW NOTICE

Section 19.34, Wis. Stats. requires the Appleton Area School District to adopt, prominently display, and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records and the costs thereof. Section 19.34(1), Wis. Stats., also requires the district to separately identify each position in the district that constitutes a local public office.

Notice is hereby provided of the following information required by the Wisconsin Open Records Law:

1. **Description of the District:** The Appleton Area School District is a Wisconsin public school district providing instruction to students in grades pre-K-12. The District is comprised of three (3) high schools, three ~~(3)~~ (4) middle schools, fifteen ~~(15)~~ (16) elementary schools, ~~fourteen~~ ~~seventeen~~ ~~(14)~~-17 charter/magnet schools, and select alternative programs. The District is governed by a school board made up of seven (7) members.
2. **Legal Custodian:** ~~Greg Hartjes, Chief Financial Officer~~ Sheree Garvey-Assistant Superintendent of School Services
3. **Means of Requesting Records:** The public may seek access to records and/or request copies of records in the District's custody in person between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, at the District Offices located at 131 E. Washington Street, Suite 1A, Appleton, Wisconsin. In addition, the public may seek access to records and/or request copies of records in the District's custody by writing to the ~~Chief Financial Officer~~ Assistant Superintendent of School Services at 131 E. Washington Street, Suite 1A, Appleton, WI 54911 or by email to vandenbergekelly@asds.k12.wi.us.
4. **Costs of Obtaining Records:** The District will impose a fee of \$0.0135 per page for a black and white copy and \$0.0632 per page for a color copy upon any individual requesting records from the District as provided for in §19.35(3)(a)-(e), Wis. Stats. There may be additional fees for labor costs associated with photography and photography reproduction, computer programming, transcription, location, contractor costs, mailing/shipping, etc. The District may require prepayment from any individual requesting records from the District if the total amount exceeds \$5.00.
5. **Local Public Offices:** The District has deemed the following positions in the District as "local public offices" as defined by §19.32(1dm), Wis. Stats.:
 - a. Superintendent of Schools
 - b. ~~Chief Financial Officer~~
 - c. Assistant Superintendent/School Services
 - d. ~~Assistant Superintendent/Student Services~~ Executive Director of Student Services
 - e. Executive Director of Special Education
 - f. Executive Director of Operations

- g. Chief Human Resources Officer
- h. Assistant Superintendent Assessment, Curriculum and Instruction (ACI)
- i. ACI Directors and Coordinators
- j. Associate Directors
- k. School Principals

~~Procedures~~
General Procedures for Handling Public Record Requests

Individuals may obtain access to records maintained by the Appleton School District and the various District records authorities in accordance with applicable law, District policy, and the additional procedures outlined below.

A. Definitions

1. "Authority" means any of the following having custody of a record:
 - a. The Appleton Area School District School Board (including its officers, all Board committees, or other authorities created by the Board)
 - b. Superintendent of Schools
 - c. Those designated by the Superintendent of Schools

- ~~2. "Legal custodian" means the Superintendent of Schools and the Superintendent's designee or any person or position designated under 1(a) above or otherwise designated by law to carry out responsibilities under Board policy and the Wisconsin Public Records Law. In the Appleton Area School District, the Chief Financial Officer is the Legal Custodian.~~

- ~~3. "Local Public Offices" means those positions, which constitute "local public offices" under the Public Records Law. The statutes define the term "local public office" to include, among other positions, the following:~~
 - ~~a. An elective office of a local governmental unit.~~
 - ~~b. An appointive office or position of a local governmental unit in which an individual serves for a specified term, except a position limited to the exercise of ministerial action or a position filled by an independent contractor.~~
 - ~~c. An appointive office or position of a local government which is filled by the governing body of the local government or the executive or administrative head of the local government and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial action, or a position filled by an independent contractor.~~
 - ~~d. Any appointive office or position of a local governmental unit in which an individual serves as the head of a department, agency, or division of the local governmental unit, but does not include any office or position filled by a municipal employee, as defined in section 111.70(1)(i) of the state statutes.~~

~~Individual board members, the Superintendent, licensed district business managers, and school principals all hold positions that are almost certainly properly classified as “local public offices.” Additional administrative, managerial, and supervisory positions within some school districts may also need to be identified as local public offices. Generally, the larger the school district, the more positions that are likely to exist that should be identified as local public offices.~~

~~The primary significance of determining that a particular position qualifies as a local public office under the Public Records Law is that the individual holding the position will have different rights in regard to records of which they are a record subject, as compared to the rights of other district employees who do not hold a “local public office.” For example, while the standard performance evaluation of the typical classroom teacher or school custodian is statutorily protected from disclosure in response to a third party’s public records request, there is no such “automatic” protection from disclosure in the event a third party requests a copy of the performance evaluation of an individual who holds a local public office.~~

2. "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by the authority. "Record" includes, but is not limited to: handwritten, typed or printed pages, maps, charts, photographs, recordings, emails, computer printouts, and archived social media posts and their responses on approved channels.
3. "Record" does not include 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 which are purely the personal property of the custodian and have no relationship 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 which are available for sale, or which are available for inspection at a public library.

~~5. "Requester" means any person who requests inspection or copies of a record.~~

~~A. CUSTODY AND DELIVERY OF OFFICIAL PROPERTY~~

1. ~~Except as provided under Section H (following), each officer and employee of the school district shall safely keep and preserve all records received from his/her predecessor or other persons and required by law to be filed, deposited, or kept in his/her office, or which are in the lawful possession or control of which he/she or they may be lawfully entitled as such officer or employee.~~

- ~~2. Upon the expiration of an officer's term of office or an employee's term of employment, or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to his/her successor all records then in his/her custody and the successor shall receipt therefore to the officer or employee, who shall file said receipt with the Board Clerk. If a vacancy occurs before a successor is selected or qualified, such records shall be delivered to and receipted for by the Board Clerk, or the Clerk's designee, on behalf of the successor, to be delivered to such successor upon the latter's receipt.~~

~~C. LEGAL CUSTODIANS~~

- ~~1. On behalf of any school district authority as identified in A(1) above, the Chief Financial Officer, the Superintendent's designee, is designated as the legal custodian of records for the Appleton Area School District Board of Education.~~
- ~~2. The Superintendent's designee, the Chief Financial Officer, has full legal power to render decisions and carry out the duties of the authorities identified in A(1) above. The designation of a legal custodian does not affect the powers and duties of an authority under the Wisconsin Public Records Law.~~

B. Public Records Notices

The Superintendent/designee shall inform any authority identified in A 1 above about the notice requirements in section 19.33(4) and section 19.34(1) of the State Statutes and shall assist each identified authority in meeting the authority's obligations under those statutes.

~~E. PUBLIC ACCESS TO RECORDS: FEES~~

- ~~1. Except as provided in Section G below, any person has a right to inspect a record and to make or receive a copy of any record as provided in section 19.35(1) of the State Statutes.~~
- ~~2. Records will be available for inspection and copying during all posted regular office hours.~~
- ~~3. A requester shall be permitted to use facilities comparable to those available to School District employees to inspect, copy, or abstract a record.~~
- ~~4. The legal custodian may require supervision of the requester during inspection or may impose other reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.~~

~~5. A requester shall be charged a fee for the cost of copying and locating records as follows:~~

- ~~a. The fee for photocopying shall be \$0.0135 per page for a black and white copy and \$0.0632 per page for a color copy.~~
- ~~b. If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged, including school district labor.~~
- ~~c. 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 video tapes shall be charged, including school district labor.~~
- ~~d. If mailing or shipping is necessary, the actual cost thereof shall also be charged.~~
- ~~e. There shall be no charge for locating a record unless the actual cost therefore exceeds \$50.00, in which case the entire actual cost shall be determined by the legal custodian and billed to the requester. The actual cost will be calculated using the Wisconsin Department of Justice accepted rate of \$22.54 per hour. In some instances, an employee with special skills may be necessary to conduct a search and a higher hourly rate may be assessed.~~
- ~~f. The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds \$5.00.~~
- ~~g. Elected officials and employees of the school district shall not be required to pay for public records they may reasonably require for the proper performance of their official duties unless the fee for such records exceeds \$5.00. The fee can be waived by a majority vote of the Board.~~
- ~~h. The legal custodian may provide copies of a record without charge or at a reduced charge where he/she determines that waiver or reduction of the fee is in the public interest.~~

C. Authorized Fees

The fees that the District may charge in connection with a public records request are determined under Board policy and the fee schedule that appears in the District's posted public records notice. Information about such fees can also be obtained from the office of the District's legal custodian of records."

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

1. **Hard Copies of Records:**

- Black and White – The District will impose a fee of \$0.0135 per page for a black and white copy per side of a page for each paper copy that is made of any standard-size paper record or for any standard-sized printed copy of an electronic record that can be readily printed without substantial modification. There is no separate charge for any staff time that is required to make such standard-sized copies.
- Color – The District will impose a fee of \$0.0632 for color per side of a page for each paper copy that is made of any standard-size paper record or printed copy or for any standard-sized printed copy of an electronic record that can be readily printed without substantial modification. There is no separate charge for any staff time that is required to make such standard-sized copies.

2. **Electronic Copies of Records** (includes any electronic records provided by email, PDF, DVD, flash drive, or other electronic format):

- The unit cost of any physical medium supplied by the District when providing electronic copies of records via such medium, such as a DVD [\$.50, or other actual amount] or an 8GB flash drive [\$3.00, or other actual amount].

PLUS

- The lesser of the following:
 - The actual, necessary, and direct costs of applicable staff time to prepare the electronic copies for the format in which they will be transferred to the requester; or
 - To the extent the request involves creating standard, scanned electronic copies of standard-sized paper records, the per-page costs that would have applied to providing black-and-white physical copies of an equal number of record pages (as determined above).

The references, above, to the fees that are authorized to be charged for modifying the format of records in order to provide copies is not a commitment to modifying the format of any record when the District is not legally required to do so.

3. **Photographs:** The actual, necessary and direct cost of photographing and photographic processing (which may include any costs of processing or reproducing an electronic photograph), including applicable costs of staff time, will be charged for providing a photograph of a record when the record does not permit standard copying.
4. **Non-Standard Reproductions:** For any transcription or other specialized copying or reproduction of a record not otherwise covered in this fee

schedule, a fee equal to the actual, necessary, and direct costs of such reproduction and transcription, including applicable costs of staff time.

5. **Location Costs:** 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. "Locating" a record means to find it by searching, examining, or experimenting. The cost of staff time required for the location of records will be charged at the hourly rate of total compensation of the lowest-paid employee who is reasonably capable of performing the task.
6. **Shipping/Postage:** If records are mailed or shipped to the requester, the actual, necessary, and direct postage/shipping costs will be charged.
7. **Special Circumstances:** Notwithstanding the provisions above regarding copying or reproduction fees for records produced and maintained by the District or a District records authority:
 - a. If a record is produced or collected by a person who is not a records authority pursuant to a contract entered into by that person and the District, 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.
 - b. In a situation where any fees differing from the fees identified in these fee provisions are established by law or are authorized to be established by law for producing a particular record or type of record, those other fees may be charged.

If applicable, staff time that is charged in connection with any copying or reproduction costs will be calculated and charged at the hourly rate of total compensation of the lowest-paid employee capable of performing the applicable copying/reproduction.

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.

Requesters shall make checks for fees payable to Appleton Area School District.

~~F. ACCESS PROCEDURES~~

~~A request to inspect or copy a record shall be made to the legal custodian (Chief Financial Officer). The request shall be deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. No request may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. However, if the record is kept at a private residence or if security reasons or federal law so dictate, identification may be required. Mail requests may not be denied unless a fee prepayment is required.~~

D. 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 of the District's main Administrative Office, which are Monday through Friday from 8:00 A.M. - 4:00 A.M, except for holidays and such other exceptions as may be established in connection with the school calendar.
2. A requester will 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 requester during inspection or may impose other reasonable restrictions to maintain the security of the record(s).
4. The legal custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority's denial.

~~A request for a record may be denied as provided in Section G below. 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. 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 by mandamus under section 19.37(1) of the State Statutes, or upon application to the attorney general or a district attorney.~~

~~G. LIMITATIONS ON THE RIGHT TO ACCESS~~

- ~~1. As provided by section 19.36 of the State Statutes, the following records are exempt from disclosure under these procedures:~~

- ~~a. Records specifically exempted from disclosure by State or federal law or authorized to be exempted from disclosure by State law. Student records are exempted as provided by section 118.125 of the State Statutes.~~
 - ~~b. Any record relating to investigative information obtained for law enforcement purposes if federal law or regulations require exemption from disclosure or if exemption from disclosure is a condition to receipt of aids by the State.~~
 - ~~c. Computer programs, although material used as input for a program or the material produced as a product of a program is subject to inspection.~~
 - ~~d. A record or any portion of a record containing information qualifying as a common law trade secret.~~

 - ~~e. Additionally, there may exist other documents that may be exempt by law including, but not limited to, those documents relating to the subjects listed as exemptions from the open meeting law under section 19.85 of the State Statutes. Should there be a question as to whether the record is public or not, the legal custodian should contact the district's legal counsel.~~
- ~~2. If a record contains information that may be made public and information that may not be made public, the authority having custody of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release.~~

 - ~~3. A legal custodian may deny access to a record, in whole or in part, only if he/she determines that the harm to the public through disclosure of the record outweighs the public benefit of access to the record. The legal custodian is authorized and encouraged to consult with the district's legal counsel in making such determinations. The legal custodian shall follow the procedures in F(3) above and in section 19.35(4) of the State Statutes when the access to a record in whole or in part, is denied.~~

E. 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 of records or his/her designee.
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. Requesters may, but are not required to, contact the District to ensure receipt of the request.

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. Neither any records authority nor any legal custodian of records is required to create new records that do not presently exist in response to any request for information from the authority.
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.
8. The legal custodian of records or his/her designee shall not sell or rent a record containing an individual's name or address of residence, unless specifically authorized by state law. The collection of general fees applicable to a records request is not a sale or rental under these procedures.

F. 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 the District are subject to inspection or copying by the public. Examples of records to which access may be prohibited or restricted include, but are not limited to, certain student records and certain records concerning applicants for positions, district employees, or public officers. In some cases, only a portion of record is subject to public inspection, while the remaining portion must remain confidential.
3. If the legal custodian decides to permit access to certain types of records concerning employees or individuals who hold a local public office, the custodian shall first determine whether the law requires the custodian to provide the record subject with advance notice of the decision to release the records. If such notice is required, it shall be provided prior to any release of the records, and the record subject shall be afforded the rights further outlined in state law.

4. In the event a 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.
5. 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.
6. 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.

~~H. DESTRUCTION OF RECORDS~~

- ~~1. All school district records shall be kept for a period of time specified in the records retention schedule adopted by the Board and approved by the Public Records and Forms Board. This section does not apply to student records under section 118.125 of the State Statutes.~~
- ~~2. Any taped recording of a meeting of a governmental body in section 19.82(1) and (2) of the State Statutes, may be destroyed no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.~~
- ~~3. Prior to destruction of any records, the State Historical Society shall be notified at least 60 days in advance to determine if historical interest justifies preservation of such records. The State Historical Society may, upon application, waive this notice.~~

~~I. PRESERVATION OF RECORDS BY MICROFILM~~

~~The legal custodian may, subject to Board resolution, keep and preserve public records in his/her possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in section 16.61(7) of the State Statutes, and shall be considered original records for all purposes. Such records shall be preserved along with other files of the school district and shall be open to public inspection and copying according to the provisions of State law and these procedures.~~

Cross References: ~~347, Student Records~~
~~347 Rule, Procedures for the Maintenance and Confidentiality of~~
~~— Student Records~~
~~347.1 and 347.1 Rule, Maintenance of Pupil Health Care Records~~
~~526, Records Retention Schedule (Personnel Records)~~
~~682.1 Records Retention Schedule (Finance Records)~~
~~823, Access to Public Records~~

Student Records, 347 and 347-Rule
Records Management and Retention, 822
Access to Public Records Procedures, 823 and 823-Rule

Legal References: Wisconsin State Statutes Chapter 19 (Subchapter II), 16.61(7),
19.21 through 19.39, 19.65, 19.70, 118.125, 120.13(28), 120.44
Federal Laws 34 C.F.R. Part 99 and 34 C.F.R. §300.623
Wisconsin Records Retention Schedule for School Districts

Adoption Date: April 11, 2011

Amended Date: July 23, 2012, March 12, 2018 and February 10, 2020, [February 24, 2025](#)

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Section 19.34, Wis. Stats. requires the Appleton Area School District to adopt, prominently display, and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records and the costs thereof. Section 19.34(1), Wis. Stats., also requires the district to separately identify each position in the district that constitutes a local public office.

Notice is hereby provided of the following information required by the Wisconsin Open Records Law:

6. **Description of the District:** The Appleton Area School District is a Wisconsin public school district providing instruction to students in grades pre-K-12. The District is comprised of three (3) high schools, three ~~(3)~~ (4) middle schools, fifteen ~~(15)~~ (16) elementary schools, ~~fourteen~~ ~~seventeen~~ ~~(14)~~ 17 charter/magnet schools and alternative programs. The District is governed by a school board made up of seven (7) members.
7. **Legal Custodian:** ~~Greg Hartjes, Chief Financial Officer~~ Sheree Garvey-Assistant Superintendent of School Services
8. **Means of Requesting Records:** The public may seek access to records and/or request copies of records in the District's custody in person between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, at the District Offices located at 131 E. Washington Street, Suite 1A, Appleton, Wisconsin. In addition, the public may seek access to records and/or request copies of records in the District's custody by writing to the ~~Chief Financial Officer~~ Assistant Superintendent of School Services at 131 E. Washington Street, Suite 1A, Appleton, WI 54911 or by email to vandenbergekelly@asds.k12.wi.us.
9. **Costs of Obtaining Records:** The District will impose a fee of \$0.0135 per page for a black and white copy and \$0.0632 per page for a color copy upon any individual requesting records from the District as provided for in §19.35(3)(a)-(e), Wis. Stats. There may be additional fees for labor costs associated with photography and photography reproduction, computer programming, transcription, location, contractor costs, mailing/shipping, etc. The District may require prepayment from any individual requesting records from the District if the total amount exceeds \$5.00.
10. **Local Public Offices:** The District has deemed the following positions in the District as "local public offices" as defined by §19.32(1dm), Wis. Stats.:
 - l. Superintendent of Schools
 - ~~m. Chief Financial Officer~~
 - n. Assistant Superintendent/School Services
 - ~~e. Assistant Superintendent/Student Services~~ Executive Director of Student Services
 - p. Executive Director of Special Education
 - q. Executive Director of Operations

- r. Chief Human Resources Officer
- s. Assistant Superintendent Assessment, Curriculum and Instruction (ACI)
- t. ACI Directors and Coordinators
- u. Associate Directors
- v. School Principals

ITEM OF INFORMATION

Topic: District Policy - 120, School District Legal Status

Background

Information: Earlier last year, the Wisconsin Association of School Boards (WASB) was contracted to conduct a comprehensive policy audit. The audit identified policies that require creation or revision. Responsibility for this work is assigned to administrators overseeing the respective policy areas, with the board of education retaining the authority to revise policies as appropriate. These administrators rely on WASB's recommended sample policies, conduct research on practices in other districts, or seek legal counsel when necessary, depending on the complexity of the policy.

As policies are created or revised, they will be Items of Information at Board of Education meetings for discussion and then be scheduled for a future meeting as an Item for Consideration.

The District currently has Policy 120, School District Legal Status, therefore it is recommended to update the language per WASB.

Instructional

Impact: Accurate and current Board policies are critical to school operations, establishing a safe and welcoming school environment, and providing high-quality instruction for our staff and students.

Contact

Person(s): Superintendent, Greg Hartjes, (920) 852-5300, ext. 60111

SCHOOL DISTRICT LEGAL STATUS

~~The Constitution of the State of Wisconsin provides for the establishment of free public schools “...which shall be as nearly uniform as practical” and sets up the basis for School District organization and reorganization.~~

~~The State Constitution further provides for a State Department of Public Instruction, under the supervision of a State Superintendent, to provide leadership and services to local school districts.~~

~~State Delegations: Local school board members legally are regarded as State officers. The view that school boards are agents of the State rather than of a city, township or village has been established by numerous court decisions. General duties of a local school board are established in Section 120.12 of the Wisconsin Statutes. Powers and duties are further enumerated in Section 120.49.~~

~~Corporate Entity: The Board of Education is recognized as a corporate entity and as such exists only when its individual members are meeting together in legal session. The School Board is a continuing body independent of its separate members.~~

The legal and official name of the school district is the Appleton Area School District.

The District is organized and operated as a public school district under the Wisconsin Constitution, under Chapters 115 to 121 of the state statutes, and under other applicable laws and regulations.

The District is a unified school district that operates both elementary and high school grades.

In addition to the public school grades operated by the District, the District operates such other programs and conducts such other activities as may be required by applicable law, and the District may further operate other programs and activities to the extent permitted by applicable law.

Cross References: Board Member Authority and Responsibility, 161

Legal References: ~~Wisconsin Constitution Article X~~
Wisconsin State Statutes ~~115.01(3), (5); 120.12, 120.13, 120.41,~~

~~120.44, and 120.49~~ 115.01, 117.27, 118.50, Chapter 120, Section
120.12, 120.13, and 120.44 (1)

Adoption Date: September 14, 1987

Amended Date: February 24, 2025