



PUBLIC RECORDS ACCESS

No: SAAP 13-4

Authority: ~~UWM Administration~~ Wisconsin's Public Records Law (Wis. Stat. §§19.31-.37)–
_____ - **Date:** April 2015 Federal Family Educational
Rights and Privacy Act(revised 2)
Wis. Statutes sec. 19.31-19.37 _____ December 2011
(revised)– February 1992 (original)
(20 U.S.C. 1232g)(sec. 438 of the _____ February 1992 (original)
General Education Provisions Act)–

Initiator: Vice Chancellor for University Relations & Communications

Responsible Party: Office of Public Records

A. Policy

UWM ~~reaffirms its committed~~ State of Wisconsin policy with respect to providing public access to its records consistent with as indicated in sec. 19.31, Wis. Stats., the Wisconsin Public Records law. This law recognizes a presumption of public access except in cases where exemptions apply. ~~A person making a request under this law is not required to provide identification or any reason for the request.~~

B. Legal Custodian

UWM has designated a Public Records Custodian to meet its obligations under Wisconsin public records laws. The Public Records Custodian is the legal custodian of all public records maintained at UWM, except for patient medical records that are under the control of the Norris Health Center.

C. Procedure for Requesting Records

Members of the public may obtain information and access to or copies of public records by making a request via telephone, mail, or email to the Public Records Custodian according to the procedures set forth in UWM's Public Records Notice. A person making a request is not required to provide identification or any reason for the request. Public records requests received by UWM employees should be directed to the Public Records Custodian.

The Public Records Notice is posted in the Office of Public Records, Chapman Hall, and on the Office of Public Records website. Members of the public may also email public-records@uwm.edu or call (414) 229-2849 to receive a copy of the Notice. ~~Public records requests received by UWM employees should be directed to the Public Records Custodian.~~

D. Temporary Ban on Destruction of Records

No requested records may be destroyed or disposed of until after the request is granted or until at least 60 days after the date the request is denied.

E. Fees

UWM may bill requesters \$.25 for each copy made, but will not charge reproduction costs for electronic copies of records that exist in electronic format. If mailing of records is requested, mailing or shipping fees may be charged. A location fee may be charged if the cost to locate the record(s) in question is \$50.00 or more. Location fees will be calculated at the hourly salary and benefit rate for the lowest-paid employee capable of performing the task. No fee will be charged for the cost of reviewing records for possible redaction or removal of confidential information. Requests which exceed a total cost of \$5.00 may require prepayment.

F. Audio and Video Records

~~Electronic audio and video records most often include body camera, voice, and other video camera recordings. The Office of Public Records does not have the capacity necessary resources to handle the process all requests for processing of electronic audio and video records created by the various departments on campus. Electronic audio and video records most often include body camera, voice and video camera recordings. To keep UW Milwaukee in compliance with open records law, FERPA, and other legal deadlines. Therefore, in consultation with the Public Records Custodian, the unit that create/maintains/owns of audio and video records is/are responsible for the initial review of such records. In the event of a request, Creator units must be required to review any requested audio and video records in their entirety and make any redactions required by law based on. The Public Records Custodian will provide guidance from the Public Records Custodian on what redactions may be necessary. Upon completion of the initial review, unit creators should electronic audio and video such records are typically to be redacted first by the home department which created them. It is the responsibility of that department to view or listen to the whole recording, make any necessary redactions, and then contact provide the audio or video records, with any proposed redactions, to the Office of Public Records for a final review. The final review will be completed as soon as practicable and without delay, and the Public Records Custodian ultimately determines the appropriateness of redactions. The Public Records Custodian is available to the department for consultation throughout the redaction process.~~

Commented [JBU1]: While there is an ease with the term "creator," I can see disputes about this since the person or group that created the recording may not be who maintains it.

~~Requests for audio and video records should still be made to public_records@uwm.edu. Requests will be passed along to the designee in the home department for processing.~~

~~It is the responsibility of the home department to view or listen to the whole recording, make any necessary redactions and then contact the Office of Public Records for a final~~

~~review. The Office of Public Records will then provide a final review of the audio or video record. Please note that the final review will be completed as soon as practicable and without delay. The Public Records Custodian is available for consultation throughout the process.~~

G. Employee Responsibility for Public Records Access and Retention

Records created and maintained by employees may be requested at any time by any person, subject to limited exceptions. Records created in Microsoft Teams such as chats, video and audio recordings, call histories, and transcriptions of voicemails are records under the law and may be subject to release upon request. Communications and documents created on other non-university platforms are also subject to public records law *if the communications and documents relate to university business*. Employees are responsible for retaining records created on other platforms according to [State-mandated records management schedules](#). Employees are also required to produce records created on other platforms when requested by UWM's Public Records Custodian. Examples of other platforms include, but are not limited to, Slack, WhatsApp, Snapchat, Facebook Messenger, Gmail, and text messaging on a personal device.

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