

Department of Public Instruction

Christine Selk Chief Info Officer

Cal Potter

School Districts — Applying to License

Privacy statutes — what #

School districts — School performance
attendance suspensions expulsions Retentions
habitual truancy Dropouts School sponsored
see XA sheet

License information on Teachers
Special requests (conduct) are
made to legal council

Guidelines what things can + cannot
be asked of parents

- Number of lists turned over cost
Released every day
- shouldn't be release (for anything)

Do you check out if people have restraining order out against someone?

Who can see data? limited?

Fingerprinting - How long do you hold
Passed to DOJ Justice

Local School Districts have Privacy Policies?
DPI should have

Staff + School address is given out electronically?

Put a price on info - only cost and we can't really cover costs

Ask for a list to make profit
Can we put a tax on this?

Are those records owned by DPI - Not selling, releasing as we can and show our teachers are really the best



Subject	Effective Date	Page
CONFIDENTIALITY OF INDIVIDUAL PUPIL DATA AND DATA REDACTION (SCREENING)	DRAFT 7/1/99	1 of 3

A. Background

This policy was developed to ensure that state and federal pupil confidentiality laws are not violated in reports, issued by the department or its agents or contractors, that are based on test scores or contain other personally-identifiable information, such as that related to academic achievement, disciplinary status, or family income. The policy was developed after consultation with experts in the socioeconometric fields at UW-Madison and the U.S. Department of Education and review of the recommendations of the National Center for Education Statistics (NCES). The NCES standards also provide for the maintenance and safeguarding of individual pupil confidentiality if data is combined with other publicly-available data.

The policy is intended to address two competing interests:

1. The confidentiality requirements that exist in state and federal law; and
2. The needs and demands of the community and policy makers for detailed student achievement data by various demographic categories to ensure accountability for the achievement of all pupils and to promote community involvement in school improvement.

The balance struck by this policy meets the purposes and requirements of the pupil assessment law, ss. 118.30 and 121.02(1)(r), Stats.; the school performance report, s. 115.38, Stats.; the open records law; the disaggregation requirements in the federal Improving America's Schools Act of 1994, 20 USC 6311(b)(3)(I); and the federal and state pupil record confidentiality provisions (the Family Education Rights and Privacy Act (FERPA), 20 USC 1232g, 34 CFR 19; s.118.125, Wisconsin Statutes; and Use of Free and Reduced Price Meal Eligibility Information—Nondiscrimination or Identification of Recipients, 42 USC 1758(b)(2)(C)iii).

The confidentiality provisions of state and federal pupil records laws suggest that any concerns about the revelation of individual pupil identity through the dissemination of information should be resolved in favor of protecting the individual pupil's identity. Enactment of pupil assessment laws or program changes designed to define and track academic outcomes was not intended to abrogate individual pupil confidentiality. The department has sought to balance the public's interest in disclosure of important statistical information with the preservation of individual pupil confidentiality.

The need to address these issues is not unique to Wisconsin or to the dissemination of test results specific to the requirements of the Improving America's Schools Act (IASA). It is a general function of statistical information and analysis and occurs wherever individually-identifiable information is used as the basis for public reporting.

B. Policy

Any reports produced by the department or its contractors or agents that are based on raw data containing information about individual pupils may be supplied in three possible forms.



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Subject	Effective Date	Page
CONFIDENTIALITY OF INDIVIDUAL PUPIL DATA AND DATA REDACTION (SCREENING)	DRAFT 7/1/99	2 of 3

1. A complete set of raw data containing pupil names or identification codes and other pupil data, such as demographic information and test results. Data will be kept confidential and will be disclosed in raw form only to the school districts or educational agencies from which it was collected.
2. Raw pupil data aggregated by subpopulations (no names or identification codes) for use by persons directly connected with the administration or enforcement of state or federal educational programs. Data will be kept confidential and will be accessible only for legally authorized purposes.
3. Data intended for public use. This data will be similar to the second set except that the data will be screened (redacted) to ensure that individual pupils are not identifiable, directly or indirectly, either through information contained in the public data set or by combining information in the public data set with other data available to the public.

Aggregated data will not be reported for any category or cell with five or fewer pupils. Data for such small numbers of pupils will be combined with the results for pupils in the next smallest category.

C. Rationale

The greatest threat to confidentiality arises when the number of pupils in a particular reported category (gender, ethnicity, socioeconomic class, grade, school, or district) is very small. The smaller the number of children of a particular category, the easier it is for a child or children to be individually identified. The redaction policy will provide that, where the numbers of children in a particular category are very small, the information in that category will be combined into an adjoining grade, ethnicity, gender, or school category until the resulting number of grouped pupils is sufficiently large (no less than six) that it will not suggest an individual pupil's identity.

Any data redaction is problematic, because the more general and larger categorical numbers reported may be less meaningful, and measures of change for certain subpopulations will not be available. This policy will serve to provide as much information to the public as possible without allowing for the possibility that confidential information about any particular child is inappropriately revealed. The department has sought to balance the legal requirements of the confidentiality provisions of the pupil records laws with the public policies behind the open records laws that relate to government documents.

D. Legal Considerations

The federal Education Rights and Privacy Act (FERPA) applies to school districts that receive federal funds. The state pupil records law (s. 118.125, Stats.) was created by the Wisconsin legislature and applies to school districts and portions apply to DPI. Restrictions on the disclosure of income eligibility status for subsidized lunches are provided in federal law under the jurisdiction of the USDA, and compliance is the responsibility of the local school district. The open records law also applies, see department Policy Bulletin 1.130.

The department believes that disclosing an abbreviated public data set adequately protects the confidentiality of individual pupils within the meaning of FERPA and the state pupil records law. A school district may, under local authority, set aside the standards used by DPI in screening the public data set provided to it and choose its own more or less rigorous standard or method of screening and accept the legal risks involved in that decision.



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Subject
CONFIDENTIALITY OF INDIVIDUAL PUPIL DATA AND DATA REDACTION (SCREENING)

Effective Date
DRAFT 7/1/99

Districts should consult their legal counsel prior to the disclosure of any data that could result in a breach of the pupil confidentiality laws to determine the likely risks and the legal defenses that may be available.

Information Management has developed rules and procedures for execution of data redaction in department data files. Please contact the Chief Information Officer for a copy of those rules or with questions about this policy.

Linked reports may be viewed and/or downloaded, but please be aware that some of the files are quite large and will take time to access. You need Microsoft Excel or a spreadsheet program that can read Excel 5.0 files to view the downloaded files.

Reports are published on the following topics:

Basic Facts about Wisconsin Elementary and Secondary Schools

Dropouts by CESA
Download Excel file

Public Enrollment by Grade (50K)

Dropouts by County
Download Excel file

Public Enrollment Ranked by District (208K)
Download Excel file

Dropouts by District
Download Excel file

Public Graduate Intentions by District
Download Excel file

Five Year Analysis (38K)

Public Graduates by CESA
Download Excel file

Private Enrollment by CESA
Download Excel file

Public Graduates by County
Download Excel file

Private Enrollment by County
Download Excel file

Public Graduates by District
Download Excel file

Private Enrollment by District
Download Excel file

Public Graduates by Ethnicity (5K)

Private Enrollment by Grade (10K)

Public Graduates by Vocational College District
Download Excel file

Private Graduates by Public District
Download Excel file

Pupil/Professional Ratios by Public District
Download Excel file

Public Enrollment by CESA
Download Excel file

School Calendar (517K)
Download Excel file

Public Enrollment by County
Download Excel file

School Performance Report

Public Enrollment by Ethnicity (5K)

Suspensions (188K)

Public Enrollment by District
Download Excel file

Teacher, Staff & Enrollment (CD-ROM) Price \$40.00
To order email: linda.zach@dpi.state.wi.us

Truancy (134K)

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Wisconsin Department of Public Instruction
 Library And Statistical Information Center
 P.O. Box 7841
 Madison, WI 53707-7841
 608-267-3166
 1998-99 School Year

Public School Enrollment by Grade and Ethnicity

Enrollments are reported on the PI-1290 Enrollment report as part of the fall staff and enrollment report data collection on diskette. Enrollments are collected as of the third Friday in September.

For the 1998-99 school year, total state public school enrollment is 879,535 (881,720 for 1997-98). Total minority enrollment is 159,262 (156,684 for 1997-98), or 18.11% (17.77% for 1997-98) of the total public school enrollment.

	Asian/Pacific Islander			Black, not Hispanic			Hispanic			American Indian/ Alaskan Native			White, n	
	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male
B2 Special Ed birth through age 2	0	0	0	1	2	3	0	1	1	0	0	0	6	
E3 Special Ed for age 3	43	61	104	68	113	181	29	48	77	9	29	38	706	
E4 Special Ed for age 4	31	29	60	58	81	139	42	47	89	17	26	43	795	
E5 Special Ed for age 5	13	15	28	52	70	122	48	66	114	4	21	25	340	
C1 Title I preschool	25	24	49	37	33	70	26	30	56	4	2	6	445	
HD Headstart	13	14	27	349	334	683	53	56	109	8	4	12	192	
K4 4-year-old Kindergarten	361	359	720	1,698	1,804	3,502	416	479	895	36	53	89	2,843	
KG Kindergarten	1,076	1,082	2,158	3,148	3,435	6,583	1,354	1,468	2,822	383	437	820	22,618	2
01 First Grade	1,034	1,060	2,094	3,850	3,944	7,794	1,471	1,640	3,111	464	451	915	23,433	2
02 Second Grade	1,124	1,157	2,281	3,584	3,822	7,406	1,332	1,475	2,807	456	459	915	24,159	2
03 Third Grade	1,063	1,134	2,197	3,658	3,661	7,319	1,346	1,389	2,735	488	486	974	24,829	2
04 Fourth Grade	1,114	1,120	2,234	3,369	3,583	6,952	1,226	1,376	2,602	478	479	957	24,861	2
05 Fifth Grade	1,013	1,127	2,140	3,197	3,269	6,466	1,269	1,307	2,576	458	501	959	25,034	2
06 Sixth Grade	985	1,024	2,009	3,203	3,323	6,526	1,110	1,284	2,394	456	497	953	26,031	2
07 Seventh Grade	1,074	1,038	2,112	2,983	3,205	6,188	1,098	1,247	2,345	491	509	1,000	27,248	2
08 Eighth Grade	999	1,037	2,036	2,920	2,923	5,843	1,129	1,181	2,310	483	501	984	27,714	2
09 Ninth Grade	982	1,113	2,095	3,777	4,100	7,877	1,369	1,530	2,899	541	532	1,073	30,427	3
10 Tenth Grade	947	907	1,854	2,684	2,576	5,260	1,162	1,198	2,360	431	492	923	29,380	3
11 Eleventh Grade	818	897	1,715	2,107	1,829	3,936	893	947	1,840	381	390	771	28,853	3
12 Twelfth Grade	771	741	1,512	1,671	1,379	3,050	791	796	1,587	403	348	751	27,981	2
State totals:	13,486	13,939	27,425	42,414	43,486	85,900	16,164	17,565	33,729	5,991	6,217	12,208	347,895	37
% of total enrollment:			3.12%			9.77%			3.83%			1.39%		

Last Modified August 04, 1999



State of Wisconsin
Department of Public Instruction
 LEADERSHIP FOR EXCELLENCE IN PUBLIC EDUCATION

WISCONSIN SCHOOL PERFORMANCE REPORT

1997-98 Attendance

Attendance Rates (PK-12)			
Year	Possible Days of Attendance	Actual Days of Attendance	Attendance Rate
1993-94	145,046,974.0	136,489,967.0	94.11%
1994-95	148,434,260.5	139,329,846.0	93.87%
1995-96	150,276,679.0	141,208,503.0	93.97%
1996-97	150,400,046.0	141,753,764.0	94.25%
1997-98	150,652,061.0	142,289,746.0	94.43%

The complete statewide *Attendance* statistics are available for downloading in Excel 4.0 format. You need Microsoft Excel or a spreadsheet program that can read Excel 4.0 files to view the downloaded file.

- [Download the Excel file. \(406K\)](#)
- [Codes used in the Student Profile tables of the School Performance Report.](#)

There is little doubt that there is a definite link between learning and being in school. Although there is much more to education than seat time, attendance is a key component.

This report defines attendance as face-to-face contact between an instructor and a student. The number of days students can expect this contact, according to the school calendar, is possible days of attendance. The number of days a student is actually in contact with a teacher is actual days of attendance. The smallest reportable unit of attendance, for purposes of the School Performance Report, is one-half day.

The attendance rate reported in the book is calculated by dividing the actual days by the possible days of attendance.

For more information regarding statewide attendance statistics, see:



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**State of Wisconsin
Department of Public Instruction**

LEADERSHIP FOR EXCELLENCE IN PUBLIC EDUCATION

Wisconsin School Performance Report

Knowledge and Concepts Examination Results

Level: State | District | School

Year: 1997/98 | 1998/99

Grade: 4 | 8 | 10

Font size: ++/--

District: Arcadia

Reading

Language Arts

Mathematics

Science

Social Studies

Total Enrolled in Grade
Number Included in %s
% Not Tested on WACE
% Minimal
% Basic
% Proficient
% Advanced
Proficiency Levels
National Percentile Rank (Students Tested Only)

	N/A	N/A	N/A	29	25	29	17	50
Students in Nationwide Sample	N/A	N/A	N/A	29	25	29	17	50
Students in Wisconsin Public Schools	69586	69586	8	10	14	37	31	71
Arcadia School District	68	*	*	*	*	*	*	72
Students Not in Dist Full Academic Yr.	4	*	*	*	*	*	*	*
Students in This District Full Academic Yr.	64	All	3	6	11	52	28	
In Single School	64	All	3	6	11	52	28	
Not in a Single School	0	All	*	*	*	*	*	
With Disabilities Attending Another District	0	All	*	*	*	*	*	
Combined Above Two Groups	0	*	*	*	*	*	*	

Students in Arcadia District Full Academic Year By Demographic Group

	25	25	8	4	8	56	24	
Female	25	25	8	4	8	56	24	
Male	39	39	0	8	13	49	31	
Gender Missing or Invalid	0	*	*	*	*	*	*	
American Indian/Alaska Native	0	*	*	*	*	*	*	
Asian Pacific Islander	0	*	*	*	*	*	*	
Black (Not of Hispanic Origin)	0	*	*	*	*	*	*	
Hispanic	1	*	*	*	*	*	*	
White (Not of Hispanic Origin)	63	*	*	*	*	*	*	
Race/Ethnicity Missing or Invalid	0	*	*	*	*	*	*	
Combined Groups(Small Number)	0	64	3	6	11	52	28	
Limited English Proficient	0	*	*	*	*	*	*	
English Proficient	64	64	3	6	11	52	28	
Migrant	0	*	*	*	*	*	*	
Nonmigrant	64	64	3	6	11	52	28	
Students with Disabilities	4	*	*	*	*	*	*	
Nondisabled	60	*	*	*	*	*	*	
Economically Disadvantaged	10	10	10	10	10	30	40	
Not Economically Disadvantaged	54	54	2	6	11	56	26	
Eligible, Not Excluded or Excused	62	All	0	6	11	53	29	

Results by: Summary Demographic Group Both

Submit questions regarding the Knowledge and Concepts Examinations to: Rajah Farah

Copyright: State of Wisconsin, Department of Public Instruction

P.O. Box 7841, 125 S. Webster St., Madison, WI 53707-7481 USA

Phone 1-800-441-4563 (U.S. only) or 608-266-3390.



**State of Wisconsin
Department of Public Instruction**

LEADERSHIP FOR EXCELLENCE IN PUBLIC EDUCATION

Wisconsin School Performance Report

Knowledge and Concepts Examination Results

Level: State | District | School Year: 1997/98 | 1998/99 Grade: 4 8 10 Font size: ++/--

District: Mosinee

- Reading
- Language Arts
- Mathematics
- Science
- Social Studies

Total Enrolled in Grade
 Number Included in %s
 % Not Tested on WKCE
 % Minimal
 % Basic
 % Proficient
 % Advanced
 National Percentile Rank
 (Students Tested Only)

	N/A	N/A	N/A	29	25	29	17	30
Students in Nationwide Sample	N/A	N/A	N/A	29	25	29	17	30
Students in Wisconsin Public Schools	69586	69586	8	10	14	37	31	71
Mosinee School District	157	All	3	17	15	36	29	65
Students Not in Dist Full Academic Yr.	6	All	0	33	17	33	17	
Students in This District Full Academic Yr.	151	All	3	16	15	36	30	
In Single School	151	All	3	16	15	36	30	
Not in a Single School	0	All	*	*	*	*	*	
With Disabilities Attending Another District	0	All	*	*	*	*	*	
Combined Above Two Groups	0	*	*	*	*	*	*	

Students in Mosinee District Full Academic Year By Demographic Group

	82	82	1	12	12	40	34
Female	82	82	1	12	12	40	34
Male	68	68	3	21	19	32	25
Gender Missing or Invalid	1	*	*	*	*	*	*
American Indian/Alaska Native	0	*	*	*	*	*	*
Asian Pacific Islander	0	*	*	*	*	*	*
Black (Not of Hispanic Origin)	2	*	*	*	*	*	*
Hispanic	1	*	*	*	*	*	*
White (Not of Hispanic Origin)	145	145	3	16	14	37	30
Race/Ethnicity Missing or Invalid	3	*	*	*	*	*	*
Combined Groups(Small Number)	0	6	0	17	50	17	17
Limited English Proficient	0	*	*	*	*	*	*
English Proficient	151	151	3	16	15	36	30
Migrant	0	*	*	*	*	*	*
Nonmigrant	151	151	3	16	15	36	30
Students with Disabilities	27	27	11	74	4	11	0
Nondisabled	124	124	1	3	18	42	36
Economically Disadvantaged	10	10	0	50	10	30	10
Not Economically Disadvantaged	141	141	3	13	16	37	31
Eligible, Not Excluded or Excused	147	All	0	16	16	37	31

Results by: Summary Demographic Group **Both**

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Secretary of State

Jana Krajewski + Marjorie Robb

Everything is available
under open records policy

Bond companies - want to
market to notaries

Trade weeks - national
research outfits to
compile info

No interagency agreements

Any info not released

- personnel records
- notary public applications
- convicted felon question
- background info

OPEN RECORDS POLICY

Office of the Secretary of State

Wisconsin's Constitution requires the Secretary of State to maintain the official acts of the Legislature and Governor, and to keep the Great Seal of the State of Wisconsin and to affix it to all official acts of the Governor. Currently the Secretary of State is responsible for overseeing the Government Records Division, with support from the Administrative Services Division. The Supervisor of the Government Records Division is the records custodian for this Division, while the Business Manager is the records custodian for Administrative Services within the Office of Secretary of State.

The Government Records Division administers program responsibilities set forth in approximately 100 sections of the Wisconsin Statutes, including issuing notary public commissions; issuing notary authentications and apostilles; recording annexations and charter ordinances of municipalities; registering trade names and trademarks; publishing legislative acts; recording official acts of the Legislature and the Governor; and filing oaths of office and deeds for state lands and buildings.

The Administrative Services Division responsibilities include accounting for all receipts and disbursements of the Agency, managing agency printing and procurement programs, and maintenance of the office-wide inventory system. In addition to certain personnel and budget duties, this Division administers the Agency's payroll operations, the fringe benefit programs, and all other agency business services.

Procedures for Obtaining Records

1. Request for access to a public record may be made orally or in writing. Request should be directed to the Records Custodian of the division believed to have the records desired.
2. A request for access to a public record must reasonably describe the record sought and must be reasonably limited as to the subject matter and/or length of time represented by the record.
3. Request for access to, and inspection of, any public records may be made during the Office's regular business hours, which are Mon.-Fri., 7:45 a.m.- 4:30 p.m., exclusive of legal holidays.
4. A request may be denied if the particular document is excepted by state law from the definition of a public "record", or exempted from public access by state or federal law, or where the custodian determines that the right of access shall be limited or denied when the harm done to the public interest by disclosure outweighs the right to inspect a certain record.
5. No request will be denied for any refusal to be identified or to state the purpose of the request. However, reasonable restrictions (including identification) may be imposed on the manner of access to an original record if the record is irreplaceable or easily damaged.
6. A photocopying fee will be charged to obtain copies of records. Except where otherwise specifically provided by Statute, the cost of obtaining photocopies of records is as follows:

Self-service Copying -- \$.10 per page
Staff Copying -- \$2.00 per document (up to 20 pages)
\$.10 per page after 20 pages

INSTRUCTIONS

Form This application is for a permanent Wisconsin Notary Public commission. If you are a Wisconsin resident who is NOT licensed to practice law in Wisconsin who wishes to apply for a notary commission, request the "Four Year Notary Public Application and Bond" forms. Do NOT use this permanent application.

General Requirements In order to become a Notary Public under §137.01(2), Wisconsin Statutes, you must be a Wisconsin resident who is licensed to practice law in this state. (Note that under current law, persons convicted in state or federal court of a felony, or persons convicted of a misdemeanor involving a violation of the public trust, may not be commissioned as Notaries Public for the State of Wisconsin unless they have been pardoned of the conviction.) **You must buy an engraved official seal or official rubber stamp, obtain a "Certificate of Good Standing" from the Supreme Court, and submit this application, \$50 filing fee, and the certificate of good standing to the Office of the Secretary of State. YOU MAY NOT PERFORM NOTARIAL ACTS UNTIL NOTIFIED BY THIS OFFICE THAT YOUR COMMISSION HAS BEEN ISSUED.**

Seal and Signature Requirements To complete #1 of this application, you will need to buy a notary seal or rubber stamp. The Office of the Secretary of State does not provide seals/stamps. For suppliers, check the yellow pages in the telephone book under "office supplies", "rubber stamp suppliers", or "seals". **The seal or stamp may be of any size, but must state only the words "Notary Public", "State of Wisconsin", and your printed name.** Initials, or a shortened first name may be used. Current last name must be in full. No title such as "Atty." or "Esq." should appear before or after your name; no extra words, as "My commission is permanent" may appear on the seal/stamp. When ordering a seal/stamp, **keep in mind that when performing a notarial act, you must always sign your name exactly as set forth on your seal/stamp.**

An application submitted with an unclear seal/stamp impression, or with additional non-notarial seals affixed, cannot be accepted for filing and will be returned. When you receive your seal or stamp, practice using it before attempting to affix it on this application. If necessary, affix the impression on a separate piece of paper and attach it to your application.

Certificate of Good Standing Request a Certificate of Good Standing from the Supreme Court, P.O. Box 1688, Madison, WI 53701-1688. A fee of \$3 (payable to "Wisconsin Supreme Court") must accompany the written request. **The certificate must be no more than two months old when submitted to the Secretary of State's office.**

Completing Your Application (The numbers below correspond to the questions on the reverse side.)

- 1) Affix a distinct impression of your notary seal/stamp in the space provided.
- 2) Sign your official notarial signature using the exact spelling shown on your notary seal/stamp.
- 3) Print or type your name exactly as signed.
- 4) Print or type your complete mailing address.
- 5) Answer "yes" or "no" and provide expiration or revocation data if needed.
- 6) Print or type your full name.
- 7) Indicate your Wisconsin home address.
- 8) Print or type your birthdate.
- 9) Answer "yes" or "no". Attach an explanation if you answered "yes".
- 10) Answer "yes" or "no". If "yes", attach complete documentation as appropriate. The Office of the Secretary of State will determine if you are eligible to become a notary.
- 11) Sign your name after you have completed the application to certify that you are a Wisconsin resident who is licensed to practice law in Wisconsin, and that the information you have set forth on the application is true.

Submit the completed application with the \$50 filing fee and an original certificate of good standing to the Office of the Secretary of State. Make your \$50 check payable to "Secretary of State". Commissions are issued every Wednesday. Remember, you may not perform notarial acts until notified by this office that your commission has been issued. A commission certificate will be sent to the mailing address indicated on this application.

Notice You are hereby informed that the information you provide on this form may be considered a public record available for public inspection. Wisconsin Statutes require that you provide written notice of any change of address to the Secretary of State within 5 days of such change. Grounds for revocation of your commission may include: providing false information on this application, submitting an application fee which is unredeemable due to insufficient funds, or conviction for certain crimes while holding a commission, or supreme court notice (to the Office of the Secretary of State) of the surrender, suspension or revocation of your license to practice law in Wisconsin.

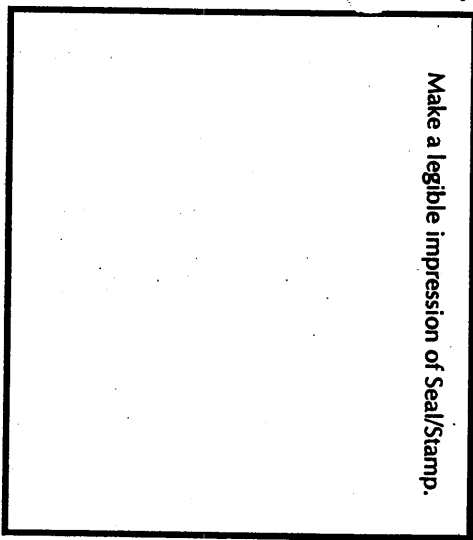
Office of the Secretary of State
Notary Records Section
P.O. Box 7848
Madison WI 53707-7848
(608) 266-5594

NOTARY PUBLIC APPLICATION

Permanent Commission
Fee \$50 effective Oct. 14, 1997

OFFICE USE ONLY
Commission issued: _____

READ ALL INSTRUCTIONS ON BACK CAREFULLY
BEFORE COMPLETING THE APPLICATION.



2. Signature sample exactly as on seal/stamp.
3. Print name as signed: _____

4. Mailing Address: (print or type) _____

c/o _____
Street _____

y/State _____ ZIP _____
5. Is this your first commission? YES or NO
Expiration of present or last commission: _____

COMPLETE ALL SECTIONS OR APPLICATION CANNOT BE ACCEPTED FOR FILING.
(instructions on back)

6. Current Full Name: _____
first middle Last Name(s)

7. Home Address: _____
Street Address, NOT a P.O. Box City State ZIP

8. Birthdate: _____

9. Did you ever have a notary commission or state-awarded license suspended or revoked in Wisconsin or any other state? Yes or No. If "Yes", attach a separate letter explaining the situation.

10. Do you have a pending arrest, or have you ever been convicted of a violation of Wisconsin, U.S., or any other state's or country's laws? Yes or No. If "Yes", submit the documentation of all such arrests, including discharge papers, for each violation. Copies are acceptable. This information must be submitted each time you apply.

NOTE that under current law, persons convicted in state or federal court of a felony, or persons convicted of a misdemeanor involving a violation of the public trust, may not be commissioned as Notaries Public for the State of Wisconsin unless they have been pardoned of the conviction.

11. To the Secretary of State of Wisconsin: I hereby apply for permanent appointment as a Wisconsin Notary Public. I certify that I am a Wisconsin resident licensed to practice law in Wisconsin, and that all of the information I have provided is true.

Signature: _____

Submit completed application and certificate of good standing together with the \$50 fee to:

Office of the Secretary of State/Notary Records
P.O. Box 7848
Madison 53707-78

Make check payable to: Secretary of State. Any questions? Call (608)266-5594.

7. The date on which you first use the mark is extremely important. **Indicate month and year.**

Date of First Use: _____

8. This is an _____ **original** application or a _____ **renewal** application.

9. If an attorney or agent is completing this application, please provide the following:

Name (Please Print) _____

Business Address _____

Telephone () _____

10. **I, Being Duly Sworn, state that:** I am the registrant or a duly authorized representative of the registrant; the facts set forth in this application are true; the registrant has the right to the use of the subject of the registration applied for, and that no other person or persons, firm, partnership, corporation, association or union of workers has such right either in the identical form or in any such near resemblance thereto as may be calculated to deceive; that any accompanying originals, copies, photographs, cuts, counterparts, facsimiles, or drawings filed herewith are correct; that the registrant is not required to be licensed or registered by any government office, or if the registrant is required to be licensed or registered, true and correct copies of the most recent license or registration documents are attached; and that the registrant is a resident of the United States.

Registrant or Agent must sign below in the presence of a notary public.

Signature of Registrant Or Agent: _____

Print Name as Signed Above: _____

Title of Party who signed above: _____

State of: _____

County of: _____

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DATE: _____

Notary Signature: _____

My Commission Expires on: _____

Notary must Affix Notarial Seal/Stamp

Office Location

30 W. Mifflin St., 10th floor, Madison, WI 53702

Mailing Address

Secretary of State

Trademark Records

PO Box 7848

Madison, WI 53707-7848

Telephone: (608) 266-5653

**OFFICE OF THE SECRETARY OF STATE OF WISCONSIN
APPLICATION FOR REGISTRATION OF MARKS**

per chapter 132, Wisconsin Statutes

Filing Fee is \$15.00, make checks payable to Secretary of State

Registration is effective for 10 years

1. State Full Exact Name of Registrant (Party Registering Mark)

2. If registrant is **not an individual person**, state the nature or structure of the registrant - for example, corporation, bank, limited liability company, association, club, partnership, etc.

NOTE: If registrant is required to be licensed or registered with any government office, attach copies of the most recent registration documents. Copies are not necessary if the registrant's documents are on file with the Corporations Division of the Wisconsin Department of Financial Institutions. For-profit foreign corporations must be licensed to do business in Wisconsin before this registration can be granted.

3. Describe the **type of business and/or goods** for which this registration will be used:

4. State **registrant's residence, location, or place of business**. An actual physical site is required, not a post office box.

5. State **registrant's mailing address and telephone:**

PHONE: ()

NOTE: The certificate of registration will be mailed to the above address, unless another is listed here:

6. Complete "**A**" or "**B**". A separate application and fee are required for each mark.

A. If the mark you wish to register consists of **words only**, print the word(s) here:

B. If the mark you wish to register consists of **words, symbols, pictures, or a combination with a distinctive appearance**, describe the mark clearly with a **written description**, (what does your mark look like?), and enclose **two samples of the mark**.

**FOUR-YEAR
NOTARY PUBLIC BOND**

Check one:

- First Application in Wisconsin
- Renewal

If renewal, show expiration date: _____

Name: _____

Address: _____

Daytime Telephone: _____

All applicants should complete the information above. When the Oath of Office and bond sections have been properly completed, submit together with the completed application and the fee as specified on the application to:

NOTARY RECORDS
OFFICE OF THE SECRETARY OF STATE
P.O. BOX 7848
MADISON, WI 53707-7848
PHONE: (608)266-5594

4/99

**SECTION B - REQUIRED FOR PERSONAL SURETY BOND
NOTARIES PUBLIC MAY NOT NOTARIZE THEIR OWN SIGNATURES!!**

NOTE: An individual who provides the personal surety must have the Oath below administered to him/her by a notary, or other person qualified under Wis. Stats. 887.01. The personal surety must sign the oath in the presence of a notary, or other qualified person who has administered it. All blanks must be completed, and the party administering the Oath must affix seal or stamp where indicated.

I agree to act as surety for the notary applicant and to be held liable for damages not exceeding in the aggregate \$500.00 incurred by the applicant for failure to discharge his or her duties as a Notary Public during the four-year commission. I understand this bond cannot be cancelled. I, duly sworn on oath, say that I am worth the sum of Five Hundred Dollars in property within this state over and above all debts and liabilities, and exclusive of all property exempt from execution.

11. _____
Signature of Individual Personal Surety

12. State of Wisconsin
County of _____

13. Subscribed and sworn to before me on this day:

15. _____
OFFICIAL SEAL/STAMP
MUST BE AFFIXED!

14. _____
Signature of Notary Officer

16. Complete one:
 My notary commission expires on: _____
 My notary commission is permanent.
 My term of office expires on: _____
and my term is: _____

SECTION C - REQUIRED FOR PERSONAL SURETY BOND

NOTE: When all blanks of section A and B and the Oath of Office have been completed, your Bond must be approved below by the Clerk of Circuit Court, or other person qualified under Wis. Stats. 59.40. Contact the Clerk of Circuit Court in your county of residence for more information. (The Secretary of State cannot complete this section.) If this portion is left blank, your forms cannot be accepted for filing.

I am satisfied and do believe this person, acting as individual personal surety, to be worth the sum of five hundred dollars (\$500) in property exempt from execution. I hereby approve this bond and the surety therein.

17. State of Wisconsin
County of _____

18. _____
Signature of Clerk of Circuit Court

Title

COURT SEAL/STAMP MUST BE AFFIXED!

Date

**NOTARY PUBLIC BOND
INSTRUCTIONS - READ CAREFULLY**

A \$500 surety bond is required by all applicants applying or reapplying for a four-year notary public commission. This bond is an insurance agreement making the surety legally liable for up to \$500 damages for failure of the notary applicant herein to discharge his or her duties. Any damages beyond this amount are the responsibility of the notary. This bond cannot be cancelled and will expire in four years with the notary commission.

The surety must be: an insurance company licensed to write surety bonds in Wisconsin; OR
one individual person (not the notary applicant)

If you choose an insurance company you must complete the Oath of Office and Section A of the bond below. Leave Sections B and C blank on the reverse side. The Secretary of State's Office cannot recommend insurance companies and cannot provide bonding. Some insurance companies are listed in the yellow pages of the telephone book under Notaries Public, Insurance Companies, and Bonds.

If you choose to have a personal surety provided by one individual, you must complete the Oath of Office and Section A below, as well as Sections B and C on the reverse side. Every blank must be filled in, or your forms cannot be accepted for filing. Only one person may assume liability as your surety and that person cannot act on behalf of a company, city, corporation, etc. Both sides of this form must be completed if an individual acts as your surety.

OATH OF OFFICE (REQUIRED SECTION)

NOTARIES PUBLIC MAY NOT NOTARIZE THEIR OWN SIGNATURES!

Note: In addition to the filing of the official Bond, notary applicants must have the Oath of Office below administered to them by a notary or other person qualified under Wis. Stats. 887.01. Sign your oath in the presence of a notary, or other qualified person who has administered it. All blanks must be filled in below, including the county in which signing took place. An impression of the seal or stamp of the party administering the Oath must be affixed.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Wisconsin, and will faithfully discharge the duties of the office of Notary Public, in and for the State of Wisconsin, to the best of my ability; that I am a resident of the State of Wisconsin, and am 18 years of age or older.

1. _____
Signature of Notary Applicant

2. State of Wisconsin
County of _____

3. Subscribed and sworn to before me on this day: _____

4. _____
Signature of Notarial Officer

5. OFFICIAL SEAL/STAMP
MUST BE AFFIXED!

6. Complete one:
 My notary commission expires on: _____
 My notary commission is permanent.
 My term of office expires on: _____

and my title is: _____

NOTARY PUBLIC BOND - SECTION A (REQUIRED SECTION)

KNOW ALL TO WHOM THESE PRESENTS SHALL COME, that we (notary applicant and surety), jointly and severally, undertake and agree that the notary applicant, upon appointment to the office of Notary Public, will faithfully discharge the duties of said office according to law, and that the surety will pay to the parties entitled to receive the same, such damages, not exceeding the aggregate of FIVE HUNDRED DOLLARS (\$500) as may be suffered by them in consequences of the failure of the notary applicant herein to discharge his or her duties as a Notary Public.

7. _____
Signature of Notary Applicant

8. _____
Signature of Surety Company Agent or individual personal surety

9. _____
Print name of surety company or individual personal surety

Surety company seal, stamp,
or power of attorney must be affixed;
this is not necessary for personal surety.

Street address of surety

_____ City _____ State _____ Zip Code _____

10. _____
Date

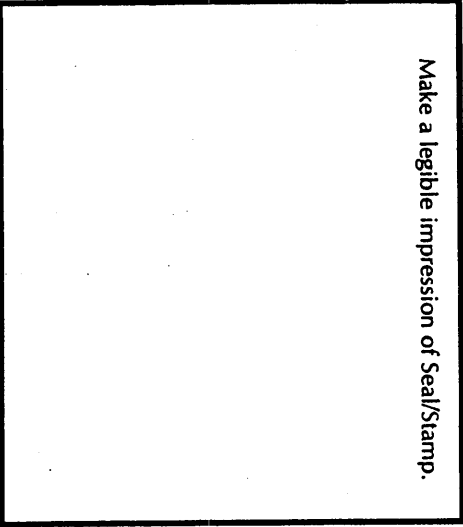
NOTARY PUBLIC APPLICATION

Four-Year Commission
Fee \$20 (effective Oct. 14, 1997)

OFFICE USE ONLY
Commission issued: _____

READ ALL INSTRUCTIONS ON BACK CAREFULLY
BEFORE COMPLETING THE APPLICATION.

1. Make a legible impression of Seal/Stamp.



2. Signature sample exactly as on seal/stamp.

3. Print name as signed: _____

4. Mailing Address: (print or type) _____

c/o _____

Street _____

City & State _____ ZIP _____

5. Is this your first commission? YES or NO
Expiration of present or last commission: _____

ALL APPLICANTS MUST COMPLETE ALL SECTIONS OR APPLICATION WILL BE RETURNED.
(INSTRUCTIONS ON BACK)

6. Current Full Name: _____ first middle Last Name(s)

7. Home Address: _____
Street Address, NOT a P.O. Box City State ZIP Code

8. Birthdate: _____

9. Did you ever have a notary commission or state-awarded license suspended or revoked in Wisconsin or any other state? Yes or No. If "Yes", attach a letter of explanation.

10. Do you have a pending arrest, or have you ever been convicted of a violation of Wisconsin, U.S., or any other state's or country's laws? Yes or No. If "Yes", submit the documentation of all such arrests, including discharge paper for each violation. Copies are acceptable. This information must be submitted each time you apply.

NOTE that under current law, persons convicted in state or federal court of a felony, or persons convicted of a misdemeanor involving a violation of the public trust, may not be commissioned as Notaries Public for the State of Wisconsin unless they have been pardoned of the conviction.

11. Applicants must be familiar with the duties and responsibilities of a Wisconsin Notary Public, which include (but are not limited to) knowing how to perform/document the following notarial acts: taking an acknowledgment; administering an oath or affirmation, witnessing/attesting a signature; attesting a copy of a document.

Are you familiar with these duties and responsibilities? Yes or No.
If you have answered "No" STOP HERE! Your application cannot be accepted for filing. To obtain a notary brochure, send a self-addressed envelope with two stamps to the address listed below.*

12. To the Governor of the State of Wisconsin: I hereby apply for a four-year appointment as a Wisconsin Notary Public. I certify that I am a Wisconsin resident familiar with the duties and responsibilities of a Notary Public, that I have at least the equivalent of an eighth grade education, and that all of the information I have provided is true.

Signature: _____

Submit the completed application and bond forms together with the \$20 fee to:

*Office of the Secretary of State/Notary Records

Madison, WI 53707-3448
Box 784

Make check payable to: Secretary of State. Any questions? Call (608)266-5594.

If the name under which your last commission was issued has changed and you have not notified us, please show former name: _____

INSTRUCTIONS

Form This application is for a four-year Wisconsin Notary Public commission. A Wisconsin resident licensed to practice law in Wisconsin should request the attorney's "Permanent Commission Application".

General Requirements In order to become a Notary Public under §137.01, Wisconsin Statutes, you must be a Wisconsin resident 18 years of age or older, have at least the equivalent of an eighth grade education, be familiar with the duties and responsibilities of a Notary Public, and not have an arrest or conviction record which is unacceptable under Wisconsin Statutes. (Note that under current law, persons convicted in state or federal court of a felony, or persons convicted of a misdemeanor involving a violation of the public trust, may not be commissioned as Notaries Public for the State of Wisconsin unless they have been pardoned of the conviction.) **You must buy an engraved official seal or official rubber stamp, and submit this application, \$20 filing fee, and a completed bond form to the Office of the Secretary of State. YOU MAY NOT PERFORM NOTARIAL ACTS UNTIL NOTIFIED BY THIS OFFICE THAT YOUR COMMISSION HAS BEEN ISSUED.**

Seal and Signature Requirements To complete #1 of this application, you will need to buy a notary seal or rubber stamp. The Office of the Secretary of State does not provide seals/stamps. For suppliers, check the yellow pages in the telephone book under "office supplies"; "rubber stamp suppliers", or "seals". **The seal or stamp may be of any size, but must state only the words "Notary Public", "State of Wisconsin", and your printed name. Any notarial seal in use by August 1, 1959 shall be considered in compliance. Initials, or a shortened first name may be used. Current last name must be in full. No title such as "Dr." or "CPA" should appear before or after your name. When ordering a seal/stamp, keep in mind that when performing a notarial act, you must always sign your name exactly as set forth on your seal/stamp.**

An application submitted with an unclear seal/stamp impression, or with additional non-notarial seals affixed, cannot be accepted for filing and will be returned. When you receive your seal or stamp, practice using it before attempting to affix it on this application. If you have held a previous commission and are reapplying and employing a seal/stamp previously used, be certain your seal/stamp impression is still totally clear and legible. If necessary, affix the impression on a separate piece of paper and attach it to your application. Do not affix other seals/stamps (as those showing county or expiration dates) on the application form, as these seals/stamps are not considered "official" notary seals, and may not appear on the application.

Completing Your Application (The numbers below correspond to the questions on the reverse side.)

- 1) Affix a distinct impression of your notary seal/stamp in the space provided.
- 2) Sign your official notarial signature using the exact spelling shown on your notary seal/stamp.
- 3) Print or type your name exactly as signed.
- 4) Print or type your complete mailing address.
- 5) Indicate the expiration date of your most recent Wisconsin notary commission unless this is your first commission.
- 6) Print or type your full name.
- 7) Indicate your Wisconsin home address.
- 8) Print or type your birthdate.
- 9) Answer "yes" or "no". Attach an explanation if you answered "yes".
- 10) Answer "yes" or "no". If "yes", attach complete documentation as appropriate. The Office of the Secretary of State will determine if you are eligible to become a notary.
- 11) Answer "yes" or "no".
- 12) Sign your name after you have completed the application to certify that you are a Wisconsin resident, are familiar with the duties, and that all information you have set forth on the application is true.

Submit the completed application with the \$20 filing fee and a completed bond form to the Office of the Secretary of State. Make your \$20 check payable to "Secretary of State". Commissions are issued every Wednesday. Applications for reappointment of commission are held until the Wednesday before the old commission expires. Remember, you may not perform notarial acts until notified by this office that your commission has been issued, or reissued in the case of a reappointment. A commission certificate will be sent to the mailing address indicated on this application.

Notice You are hereby informed that the information you provide on this form may be considered a public record available for public inspection. Wisconsin Statutes require that you provide written notice of any change of address to the Secretary of State within 5 days of such change. Grounds for revocation of your commission may include: providing false information on this application, submitting an application fee which is unredeemable due to insufficient funds, or conviction for certain crimes while holding a commission.

Office of the Secretary of State
Notary Records Section
P.O. Box 7848
Madison WI 53707-7848
(608) 266-5594

Jean Hale -
IT Director

David Vergara - Legal Council

Employment Relations

David Vergara - Legal Council

Bob ~~Montano~~ Lavinia - Director of Recruitment

Gender / Market / to prepare reports to the
legislatures + to assist in planning
for diverse workforce

Using balancing test? Pay ranges
History + Salary

Balancing Test - court determines harm
vs benefit -

Discovery process is another way to see records

Applications for State Employment - use social
security # or other number if they
request

Chapter 230.13 - info available to public
on request 2008 mayor may not be
released

Workforce analysis / Studies

Social Security # never used on release

Best qualified candidates certified by
the agencies

INAZ ADMIN - all candidates

List of state employees in agency "A"

Collective bargaining / a grievance request
They make requests (union is often)

230.13 talks about personnel matters
closed - dismissals, disciplinary
Not as rigid - not an absolute
that the info can be released

Reports / Unions / appeals to personnel
commission / employee

According to Krueger decision - unless
employee comes with exception (fear for
safety) must give out.

Other state agencies request info -

reference situation

Applications are stored electronically

Privacy Policies - [request a copy]

State of Wisconsin

DEPARTMENT OF EMPLOYMENT RELATIONS

**- OFFICE OF THE SECRETARY BULLETIN-
- DIVISION OF MERIT RECRUITMENT AND SELECTION BULLETIN-**

Date: November 12, 1998

Locator No.: OS- 76 & MRS- 194

Subject: Status of "P-File" Material Under the
Open Records Law

The purpose of this Bulletin is to provide general guidelines to assist agency personnel and legal staff in determining which documents in the Employee Personnel Record ("P-file") of state civil service employees are open to the public and which may be closed to the public, pursuant to the Open Records Law, §§ 19.31-19.39, Wis. Stats.

This *Bulletin* supersedes Division of Merit Recruitment and Selection Bulletin MRS-19, dated April 26, 1985, which is obsolete and should be destroyed.

According to §§ 230.01(2), 230.04(1) & (2), and 230.05(1) & (2), Wis. Stats., the Secretary of the Department of Employment Relations (DER) and the Administrator of the Division of Merit Recruitment and Selection (DMRS) are responsible for maintaining a system of personnel management which applies merit principles with adequate civil service safeguards. As provided in §§ 230.04(10) and 230.06(3), Wis. Stats., the DER Secretary and the DMRS Administrator have the authority to prescribe how records shall be prepared and presented. The DER Secretary and the DMRS Administrator, however, may establish guidelines for dealing with requests from the public for information which may be found in an employee's official personnel file, commonly referred to as the "P-file", and jointly issue this Bulletin to provide these guidelines.

Under §§ 230.04(1m) and 230.05(2), Wis. Stats., the DER Secretary and the DMRS Administrator have the authority to delegate functions to appointing authorities. The DER Secretary and the DMRS Administrator have delegated to each State agency appointing authority the responsibility for creating and maintaining employee P-files, which includes accuracy and security. According to § 19.33 (4), Wis. Stats., the legal custodian of the P-files is the agency's highest ranking officer, although the legal custodian may delegate to others within the agency the duties and responsibilities necessary to respond to open record requests (see §19.33 (6), Wis. Stats.).

GENERAL CONSIDERATIONS

The Open Records Law establishes a presumption that the public has a right to inspect public records, subject to certain legal and/or policy exceptions: (1) specific state or federal laws or common law which preclude disclosure or require confidentiality; (2) exemptions to the Open Meeting Law; and (3) the balancing test.

With respect to records in an employe's P-file, some records in the P-file may be closed to the public under state or federal law. Those which are deemed open records are available for inspection by the public. A record may contain some data which is "closed." In such situations, the entire document cannot be deemed "closed;" rather, the data which is "closed" must be edited before the document is released. The reasons why certain data was edited from the record must be provided to the requester. **NOTE:** § 103.13, Wis. Stats., permits the inspection of an employe's records by the employe or his/her representative, subject to certain limitations set forth in that section. Chapter 748, Wisconsin Personnel Manual-Administration, Classification and Compensation, also addresses issues allowing the employe, his/her representative, and/or supervisor the opportunity to review his/her P-file.

Collective Bargaining agreements should be consulted to determine whether they contain any language which addresses matters set forth in this Bulletin.

Some key points to keep in mind are:

A "record" is anything recorded or preserved that has been created and is being kept by the agency (§ 19.32(2), Wis. Stats.).

- Excepted from the definition of "records" are drafts, notes and preliminary documents prepared for the originator's personal use or circulated within the preparer's level of authority.
- An agency is not required to create a new record by extracting and compiling information from existing records into a new format.
- A request does not have to be in writing and the requester does not have to identify him/herself, (§ 19.35(1)(h) and (i), Wis. Stats.). When a request is made in writing, the response must also be in writing. (§ 19.35(4)(b), Wis. Stats.). However, a lawsuit to compel disclosure cannot be commenced, unless a request is made in writing (§19.37 (1), Wis. Stats.).

STEPS TO TAKE WHEN AN AGENCY RECEIVES AN OPEN RECORDS REQUEST:

1. If a record does not exist, inform the requester that no such record exists.
2. Respond "as soon as practicable and without delay" (§ 19.35(4)(a), Wis. Stats.). This phrase has been interpreted by the Wisconsin Department of Justice to require the agency to reply within ten (10) business days. However, there may be legitimate reasons why that deadline cannot be met. In such cases, the requester should be advised of the delay and the reason(s).
3. Some agencies seek to view the P-file of a state employe who is under consideration for employment at the agency. Such requests should be denied, unless the employe has given his/her written permission.
4. P-file custodians are reminded that when a question arises about whether a record is open or closed, the custodian of the records in question for that agency should consult with his/her agency legal counsel. A custodian can also contact Department of Justice attorneys who are current on "open records" issues and can provide instructive literature, including "A Checklist for Record Custodians: How to Comply With the Act and Still Do your Work" and a memorandum on "Wisconsin Public Records Law."

CONFIDENTIAL INFORMATION; OPEN MEETING EXEMPTIONS

The following table contains information that requires confidentiality or prohibits disclosure, pursuant to state and/or federal laws:

STATE AND/OR FEDERAL LAWS THAT PROHIBIT DISCLOSURE OR REQUIRE CONFIDENTIALITY	
MEM	AUTHORITY
Right of privacy	§ 895.50, Wis. Stats.
Records of personnel matters NOTE: Some courts, e.g., <i>Armada Broadcasting, Inc., v. Stirn</i> , 177 Wis. 2d 272 (Ct. App. 1993), have held that this section: (1) allows for discretion on the part of the appointing authority or Administrator and is not a right to be exercised by the individual whose P-file or parts are sought; and (2) represents an indication of public policy favoring non-disclosure which the custodian should weigh against the public policy favoring disclosure, i.e., the balancing test.	§ 230.13, Wis. Stats.
Examination information	§ ER-MRS 6.08(2), Wis. Adm. Code
Information received based on a pledge of confidentiality meets the balancing test where the pledge was clear, specific as to the information obtained and the pledge was necessary to obtain the information and maintain confidentiality.	60 OAG 284 (1971); 61 OAG 361 (1972); and 63 OAG 407 (1974)
Open Meeting Law exemptions are <u>indicators</u> of public policy and <u>may</u> provide a basis for withholding disclosure: (a) personnel matters; (b) personal information and investigations "which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to;" (c) legal advice as to pending or probable litigation. NOTE: The "balancing test" must be applied. See <i>Wis. Newspress v. Sheboygan Falls, infra</i> . If one of these exemptions is used, the reason(s) why the exemption applies must be stated with specificity.	(a) § 19.85(1)(b), (c) or (d), Wis. Stats. (b) § 19.85(1)(b), (c), (d) or (f), Wis. Stats. (c) § 19.85(1)(g), Wis. Stats.

"P-FILE" DOCUMENTS

The following tables contain the most commonly found materials in the P-file and specify DER's and DMRS' best guidance as to their status as "open records" or "closed records" and, if closed, the authority for keeping such records closed. **This list is not all inclusive.** Some parts of certain records may be closed and editing of the "closed" data will be necessary. If access to a record or any part will be denied because it is a "closed record," one should first consult with the agency's legal counsel to ensure that the statutory references apply to the specific request the agency has received.

NOTE: There are "gray areas" which require extra caution when responding to open records requests. One of these areas concerns requests for the home address and phone number of state employes. Under the "balancing test" (see Bulletin, *infra*), an employe's home address and phone number may be withheld from an open records request when "concern for the safety and well-being of the prison staff and their families and institutional morale" outweighs disclosure. *Morke v. Record Custodian*, 159 Wis. 2d 722 (Ct. of App. 1990). Judge Moria Krueger concluded that unless a particular employe's position would cause the employe to reasonably believe that release of his/her home address will endanger the employe's life or safety or that of his/her family, the employe's home address must be disclosed. However, the phone number need be disclosed only if the agency has the number and there are no requests for nondisclosure by the employe. *FPE & Klusinske v. Secretary Litscher*, (Dane Co. Cir. Crt.) 94-CV-1703, 10/7/94. Some labor agreements, e.g., WSEU- Article 2/4/4- provide that specific information, including home addresses and phone numbers, may not be released "unless required to do so by the Wisconsin Employment Relations Commission, or a court of law." The legal issue of whether the approval of the labor agreement by the Legislature creates a specific exemption which does not require the "balancing test" has not been decided, although a good argument could be made for that position. These "gray areas" highlight why it is crucial for record custodians to consult with their agency's legal counsel or the Department of Justice.

RECORDS OF CLASSIFIED AND UNCLASSIFIED EMPLOYEES WHICH ARE CONSIDERED OPEN	
ITEM	COMMENTS
Appointment Letter	In any document in which the home address appears, it should be blocked out when appropriate. (See Bulletin Note at p. 5.)
Arbitration Decisions	Generally, these are open records, unless the balancing test provides a valid basis to keep the records closed, e.g., the misconduct is so extreme that publicity of the conduct would have a "substantial adverse effect upon the reputation" of the person involved. See § 19.85(1)(f), Wis. Stats.
Apprenticeship Agreements, Formal	
Awards and Commendations Received	
Certification Request	The custodian <u>must</u> block out information about the social security number (per Federal law), sex, ethnic origin and disability (per AG Opinion), and home address (when appropriate) on this document and other documents where this data appears before releasing it.
Continuing Education Unit (CEU) Record	
Current Rate of Pay and Pay Increases	
Employe Interchange Agreements	
Equity and Performance Awards, Records of Amounts	The Attorney General issued an informal opinion (10/6/93) which concluded that: (1) policies & procedures for determining merit awards; (2) documents which contain the final determination regarding merit awards; and (3) performance evaluations are open records which usually must be disclosed upon request. However, DER takes the position that performance evaluations are <u>not</u> open records. See § 19.85(1)(b) and (c), Wis. Stats. P-file custodians are reminded that when a question arises about whether a record is open or closed, the custodian of the records in question for that agency should consult with his/her agency legal counsel or the Department of Justice.

Grievances	Except for a reference to discipline imposed which is exempt from disclosure (§ 230.13(1)(c), Wis. Stats.), or other information which is exempt (e.g., social security number), these records are generally open. See 73 OAG 20 (1984).
Leave of Absence With Pay Due to Injury Request (after blocking out any confidential medical information)	
Moving Expense Request/Authorization	The home address, where it appears, should be blocked out when appropriate. (See Bulletin NOTE at p.5)
Payroll-related documents - Electronic Deposit - Deferred Compensation - Employee Reimbursement Account	While these documents are not closed per se, they may contain certain personal information (e.g., social security number, bank accounts, etc.) which should be blocked out [see §§ 40.07(1), and 19.85(1)(f), Wis. Stats., other authorities discussed hereafter and the balancing test] and other data (e.g., home addresses) which must be handled on a case-by-case basis.
Personnel Transfer Record	
Position Description and Addendum (s) (Such as Supervisory Analysis Forms, organization chart, Confidential Analysis Forms and Management Analysis Forms.)	
Reallocation Notice	
Reclassification Request/Report	
Resignation Letter	
Settlement Agreements	Generally, settlement agreements are considered open. <i>Journal/Sentinel v. Shorewood Sch. Bd.</i> , 186 Wis 2d 443 (Ct. App. 1994). However, they may be confidential and "closed" if, using the "balancing test", it is in the public's interest to settle and a settlement cannot be reached without a pledge of confidentiality. See 74 OAG 14 (1985).
Termination Due to Layoff Notice	
Training Agreements	

RECORDS OF CLASSIFIED AND UNCLASSIFIED EMPLOYEES THAT ARE CONSIDERED CLOSED	
ITEM	AUTHORITY
<p>Materials used for evaluating an applicant:</p> <p>(a) Examination materials in any form including a resumé if used to screen to an "eligible" register.</p> <p>NOTE: These include: AHQ benchmarks, as well as questions and answers to "paper and pencil" tests.</p> <p>(b) Reference materials, e.g., letters or notes from former employers or others commenting on the applicant's qualifications, etc.</p> <p>NOTE: A resumé which is not used as a "screen" would be a reference material which would be an open record.</p>	<p>(a) §§ 103.13(6), 230.13(1)(a) and (2), Wis. Stats., and ER-MRS 6.08(2), Wis. Adm. Code</p> <p>(b) § 103.13(6), Wis. Stats.</p>
<p>Disability Verification for the Handicapped Certification Program</p>	<p>29 C.F.R. § 32.15(a), (b) and (d); and 73 OAG 26 (1984)</p>
<p>Materials regarding employe participation or enrollment in an Employee Assistance Program.</p> <p>NOTE: These documents <u>may not</u> be filed in a P-file.</p>	<p>4 C.F.R. § 2, <i>et seq.</i>; and ADA: EEOC Reg. 29 C.F.R. § 1630.14</p>
<p>Medical records of an employe</p> <p>NOTE: These documents <u>may not</u> be filed in a "P-file."</p>	<p>§§ 40.07(1) and (2), 103.13(5), and 252.12(3), Wis. Stats.; and ADA:EEOC Reg. 29 C.F.R. § 1630.14</p>
<p>Notice of involuntary dismissal</p>	<p>§ 230.13(1)(c), Wis. Stats.</p>
<p>Notice of reprimand or disciplinary action.</p> <p>NOTE (1): There are some exceptions, e.g., <i>State Journal v. UW-Platteville</i>, 160 Wis. 2d 31 (Ct. of App. 1990) where the Court used a balancing test to conclude that the public interest of disclosure outweighed the possible harm to the reputation to the employe, where the employe was a dean and because of his position in the university his conduct was subject to greater scrutiny than most employes and where the conduct which resulted in discipline involved nepotism.</p>	<p>§§ 19.85(1)(b) and (f); and 230.13(1)(c), Wis. Stats.</p>

<p>NOTE (2): Agencies investigate employe complaints of misconduct, e.g., sexual harassment filed by co-workers. A decision on whether to impose discipline may be reduced to writing. The Attorney General believes that the "may" in § 230.13, Wis. Stats., gives an agency discretion to provide the document to the complainant, upon request. However, it is recommended that the agency notify the target of the investigation of such a request and advise him/her that the document will be released after 30 days unless an action is commenced in Circuit Court which seeks to prevent disclosure. (See the discussion at p. 10 regarding the Balancing Test and <i>Woznicki v. Erickson</i>, 202 Wis 2d 178 (1996) and subsequent cases.)</p>	
<p>Annual Employe Performance Evaluations or Performance Improvement Plans</p> <p>NOTE: The Attorney General has issued an informal opinion (10/6/93) which concludes that such evaluations are <u>not</u> closed records. DER takes the position that such evaluations <u>are</u> closed. P-file custodians are reminded that when a question arises about whether a record is open or closed, the custodian of the records in question for that agency should consult with his/her agency legal counsel or the Department of Justice.</p>	<p>§ 19.85(1)(b) and (c), Wis. Stats.</p>
<p>Physical disability retirement examination</p>	<p>§ 40.07(2), Wis. Stats.</p>
<p>Probationary Service Report (Evaluation)</p>	<p>§ 19.85(1)(b) and (c), Wis. Stats.</p>
<p>Sex, race and ethnic group information.</p> <p>NOTE: This may be disclosed only when the custodian determines that the user's purpose relates to equal opportunity programs; otherwise the record is closed.</p>	<p>29 C.F.R. § 1607.4B; and 73 OAG 26 (1984)</p>
<p>Social Security Number</p>	<p>5 U.S.C.S. § 552a</p>
<p>I-9 Form</p> <p>NOTE: Related documents <u>may not</u> be filed in a P-file.</p>	<p>8 U.S.C.S. § 1324a</p>
<p>ETF documents containing individual personal information</p>	<p>§ 40.07(1), Wis. Stats.</p>
<p>Lists of participants, annuitants or beneficiaries</p>	<p>§ 40.07(3), Wis. Stats.</p>

THE BALANCING TEST

The balancing test is applied on a case-by-case basis and involves balancing "the harm to the public interest from public examination of the records against the benefit to the public interest from opening [the] records to examination, giving much weight to the beneficial public interest in open public records." Decisions concerning availability of information from records which may be closed and to which the balancing test is applied must be made on a case-by-case basis. When applying the balancing test, the custodian may determine that the right to inspect a record may be denied because the harm likely to result to the public interest by permitting the inspection outweighs the benefit to be gained by granting inspection. Questions that the custodian might consider in applying the balancing test include: (1) How will the public benefit by opening for inspection the record being sought? or (2) How will the public suffer if the record is not made public? Reasons given for withholding documents or any parts of documents must be specific to the particular situation.

The "balancing test" was used by the Wisconsin Supreme Court in two recent decisions which illustrate some of the relevant considerations when dealing with employe disciplinary or personnel records. *Wis. Newspress v. Sheboygan Falls Sch. Dist.*, 199 Wis. 2d 768 (1996) held: (1) there are no blanket exceptions for employe disciplinary or personnel records; (2) policy exceptions, e.g., §19.85, Wis. Stats., do not provide a per se exception; and (3) prominent public officials or officials in positions of authority should have a lower expectation of privacy regarding his/her employment records. Several months later, the Court held: (1) personal telephone records gathered by the DA in an investigation of alleged wrongdoing are "records"; (2) an individual whose personal records are to be released by the DA can have the decision to release reviewed by a court; and (3) the DA cannot release the records without giving notice and allowing reasonable time to appeal the decision to court. *Woznicki v. Erickson*, 202 Wis. 2d 178 (1996).

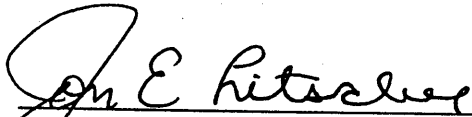
Woznicki, supra, has been cited in two Court of Appeals cases which have extended its application. In *Klein v. Wisconsin Resource Center, et al.*, No. 97-0679 (Ct. App., Dist. II) (4/1/98) the court held: (1) a person who is confined pursuant to a civil commitment procedure is not an "incarcerated person;" (2) where access is sought under the open records law to a record which pertains to an individual, the "targeted" person has a right to notification if the custodian agrees to release the information and the right to seek circuit court review of that decision; (3) a state employe who is the "target" of a request for personnel records has the right to challenge a record custodian's decision to release such information; and (4) the procedures set forth in *Woznicki* apply to public sector employes. *Klein* was followed by *MTEA v. Journal/Sentinel*, No. 97-0308 (Ct. App., Dist. I) (5/12/98). That case held that *Woznicki* is not restricted only to situations where a district attorney acts as record custodian.

When information concerning an individual's pay status is requested, the custodian must apply the balancing test. This must be done on a case-by-case basis. Records which disclose the amount of a state employee's salary have long been held to be open since a bona fide benefit is obtained by providing public access which outweighs one's interest in individual privacy. However, where the requested records contain information about how an individual state employee uses his/her salary, the benefit of disclosure may not be as clear, and the balancing test should be applied. For example, the balancing test should be used before releasing such information from a P-file as garnishment proceedings, receipts of benefits, payment of union dues, payments to a credit union or charitable donations such as gifts to the State and University Employees Combined Campaign.

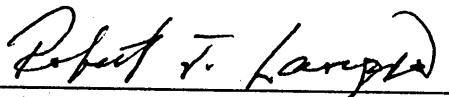
While this Bulletin has provided several reminders, it cannot be stressed enough that whenever a question arises regarding whether a record or any part is open or closed, the custodian of the records in question for that agency should consult with his/her agency legal counsel or the Department of Justice.

The policies in this Bulletin regarding handling requests from the public for information from P-files supersede any other policies contained in previous Bulletins or the current Chapter 748 of the Wisconsin Personnel Manual-Administration, Classification and Compensation which is entitled "Classified Employee Personnel Records." The policies in this Bulletin should be followed when dealing with a request for information about a document in an employee's P-file.

If you have any questions about this Bulletin, please contact Denny Huett, DMRS Policy Advisor at (608) 266-7296.



Jon E. Litscher, Secretary
Department of Employment Relations



Robert J. Lavigna, Administrator
Division of Merit Recruitment and Selection

JEL:RJL:DJV

State of Wisconsin

Department of Employment Relations

APPLICATION FOR STATE EMPLOYMENT

GENERAL INFORMATION

- Each job listed in our job bulletins includes specific application instructions. Please follow the application instructions closely.
- This *Application* will register you to compete for specific jobs in Wisconsin State Government.
- You **must** include the following information: Social Security Number or written request for a nine-digit number, job announcement code, last name, mailing address, type of employment, and employment areas where you will work. You must also sign the *Application* at the bottom of page 4.
- If you provide incomplete or inaccurate information, we may be unable to consider you for vacancies.
- You must ensure that pages 3 and 4 of this *Application* are received on the announced deadline date, at the announced location. We are not responsible for late, lost, misdirected or damaged mail.
- All mail will be sent to you at the address you provide on this form.
- For jobs requiring a written exam at one of our examination centers, bring your completed *Application* with you to the exam site.
- You may make clear photocopies of pages 3 and 4 of this form, printed front and back on one sheet of paper, and submit that as the official application.

DETAILED INSTRUCTIONS FOR COMPLETING PAGES 3 AND 4

1. SOCIAL SECURITY NUMBER -- We must have a nine-digit number to process your *application*. If you do not want to use your Social Security Number, attach a letter to your *application* requesting an alternate nine-digit number.

NOTE: You must provide a Social Security Number or a letter requesting an alternate nine-digit number for us to process your *Application*.

2. CIVIL SERVICE TITLE -- Use one *Application* for each job you apply for unless the job titles were announced together in the same announcement.
3. JOB ANNOUNCEMENT CODE -- Job Announcement Code(s) are listed in the job announcement.

NOTE: An accurate Job Announcement Code is required to process your *Application*.

4. NAME -- Print your name clearly.

NOTE: You must provide your last name for us to process your *Application*.

5. RACIAL/ETHNIC CODE -- We use this information for affirmative action and equal employment opportunity purposes. If you do provide this information, you may be eligible for job opportunities under the State's Affirmative Action/Equal Employment Opportunity Plan. Check the appropriate box in item #5 using the following definitions:

Black--Not of Hispanic origin: All persons having origins in any of the black racial groups of Africa. *Asian or Pacific Islander*: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. *American Indian or Alaskan Native*: Persons descending from any of the original peoples of North America who possess ¼ degree of documented tribal descendancy or are enrolled with a federally or state recognized tribe, or are recognized by a federally or state recognized tribe as American Indians for state affirmative action purposes. *Hispanic*: All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race. *White*--Not of Hispanic origin: All persons having origins in any of the original peoples of Europe, North Africa, or the Middle-East.

NOTE: You may be required to verify the racial/ethnic status you claim.

6. ADDRESS -- Provide your complete mailing address. Notify us in writing of any change in your address. If you send application materials to another state agency, also notify that agency. We will send all mail to you at the address you provide on this form.

NOTE: We must have your complete address to process your *Application*.

7. GENDER -- We use this information for affirmative action/equal employment opportunity purposes. If you do provide this information, you may be eligible for job opportunities under the State's Affirmative Action/Equal Employment Opportunity Plan.

137 East Wilson Street • PO Box 7855 • Madison, WI 53707-7855
An Equal Opportunity Employer Functioning Under An Affirmative Action Plan

Detailed Instructions for Completing Pages 3 and 4 (cont'd)

8. **HOME AND WORK TELEPHONE** -- Provide telephone numbers where you can be reached between 7:45 a.m. and 4:30 p.m., Monday through Friday
9. **BIRTH DATE** -- We use this information for affirmative action/equal employment opportunity purposes. It has no effect on your job opportunities unless specifically stated in the job announcement. Use numbers giving the month/day/year you were born.
10. **TYPE OF EMPLOYMENT** --

NOTE: You must include the type of employment you will accept for us to process your Application.

11. **EXAMINATION CITY** -- Indicate where you intend to take the civil service exam, if an exam at a test center is required.

EXAM SCORE REUSE -- Your exam score is valid for six months from the day you test. If the same exam is offered again within six months of your last test date, you cannot take the exam, but you may request to reuse your original score (for six more months). If you choose to reuse your score, it will be valid for six months from the register date listed in the new *Notice of Examination Results* that you will receive several weeks after your request. This *Notice* will show your reused score along with your current rank on the employment register.

To request an exam score reuse: Check the box "SCORE REUSE" located in the upper right-hand corner of the *Application* and send your completed *Application* (DER-DMRS-38) to DMRS/Application Processing Unit; P.O. Box 7855; Madison, WI 53707-7855. We must receive the form no later than 4:30 p.m. on the day before the exam date listed in the job announcement.

12. **DISABILITY STATUS** --

- 12a. **AA/EEO:** Wisconsin law defines a person with a disability as someone who: (1) has a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; (2) has a record of such impairment; or (3) is perceived as having such an impairment. Check box 12a if you identify yourself as disabled under this definition. This is for record-keeping purposes only.
- 12b. **Handicapped Expanded Certification (HEC):** Persons with permanent physical or mental disabilities may be eligible for additional employment consideration under HEC. Check box 12b and submit the *Handicapped Expanded Certification Verification* form (DER-MRS-159). The form is available at all job service, state personnel, and college placement offices, or by writing to: DER/DMRS; P.O. Box 7855; Madison, WI 53707-7855.

NOTE: You will need to verify your disability before being referred for state jobs under HEC.

SPECIAL EXAM ACCOMMODATIONS: We will provide reasonable accommodations for test takers with mental or physical disabilities that affect their ability to take employment exams.

If you need special accommodations, complete the *Request for Examination Accommodations* form (DER-MRS-40). If you need the form, please call the Division of Merit Recruitment and Selection at (608) 266-1731 or (608) 266-1498 (TDD). You may fax the completed form to (608) 267-1000.

NOTE: We may not be able to arrange an accommodation unless we receive your request at least one week before the exam.

13. **WISCONSIN RESIDENCY** -- Indicate if you are a current Wisconsin resident. If the job vacancy bulletin in which the job was announced indicated that state residency is required, do you meet the requirements for residency listed on page 2 of that job bulletin?
14. **CAREER EXECUTIVE** -- Indicate if you are a Career Executive employe in the Wisconsin classified civil service.
15. **SHORTHAND** -- Minimum shorthand speed is 80 words per minute. You will be required to verify your shorthand ability if you are interviewed.
16. **EDUCATIONAL LEVEL** -- Indicate your single highest level of education. Check only one box.
17. **VETERANS' PREFERENCE** -- Qualifying wartime veterans and certain spouses of veterans are eligible for preference points on civil service exams. If you are a veteran of the U.S. Armed Forces or are a spouse of a disabled or deceased veteran, obtain the *Veterans Preference Supplement* (DER-MRS-38-L) and submit it with your *Application*. This form is available at all job service, state personnel, and college placement offices, or by writing to DER/DMRS; PO Box 7855; Madison, WI 53707-7855.

NOTE: You will be required to verify your veteran status.

18. **EMPLOYMENT AREAS** -- Use the map on page 4 to identify the areas where you will accept employment.

NOTE: We will only consider you for jobs in the locations where you tell us you will work. You must check at least one employment area for us to process your Application.

19. **PRIMARY SOURCE OF INFORMATION** -- Check one box that best represents the primary source of information which prompted you to apply for the job vacancy.
20. **REFERRAL PERMISSION** -- Check "yes" to give us permission to refer your name to other public employers such as a Wisconsin county or city. Your response will not affect eligibility for state employment.
21. **FOREIGN LANGUAGE FLUENCY** -- Check the appropriate box only if you are fluent in a foreign language in addition to English, or if you are fluent in American Sign Language (ASL) and English. Your response will not affect eligibility for employment unless the job announcement requires proficiency in a foreign language or ASL.
22. **STATE EMPLOYMENT STATUS** -- Check this box only if you are a current permanent classified employe in Wisconsin State Government. You may use abbreviations (e.g., Department of Natural Resources can be abbreviated as DNR).
23. List any professional or trade certifications, registrations, or licenses you hold.
24. Instructions for active duty military members. Active duty members in the U.S. armed forces may test out of state if they are unable to test at our regularly scheduled exam centers. Complete item #24, blocks a - h., and send your completed *Application* to DER/DMRS for processing.
25. Read the certifying statement and sign your name.

NOTE: Your signature is required to process your Application.

APPLICATION FOR STATE EMPLOYMENT

SCORE REUSE:

Complete all items accurately. Print or type all information using black or blue-black ink. Separate this page from the instructions and send or bring the completed *Application* to the address listed in the job announcement. See pages 1 and 2 for detailed instructions.

1. Social Security Number (9 digits) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>			For DMRS Use Only		
2. Civil Service Title as it Appears in the Announcement					
3. Job Announcement Code(s)		3b. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		3c. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
4. Last Name		First Name		M.I.	
6. Complete Mailing Address				5. Racial/Ethnic (Check only <u>one</u> box):	
				<input type="checkbox"/> 1 Black (Not Hispanic) <input type="checkbox"/> 2 Asian or Pacific Islander <input type="checkbox"/> 3 American Indian/Alaskan Native <input type="checkbox"/> 4 Hispanic <input type="checkbox"/> 5 White (Not Hispanic)	
City			State		Zip Code
8. Home Telephone Number (Include area code)			Work Telephone Number (Include area code)		
9. Birth Date (Use numbers, e.g., 02/24/71):		10. Type of Employment (Check ALL that you will accept):			
		<input type="checkbox"/> FT - Full-time (40 hrs/wk) <input type="checkbox"/> PT - Part-time (Less than 40 hrs/wk) <input type="checkbox"/> EH - Evening (2nd and 3rd shifts) <input type="checkbox"/> SE - Seasonal (Min. 600 hrs/yr)			
11. Examination City (if a written exam is required) (Check only <u>one</u> box):					
<input type="checkbox"/> AD - Ashland		<input type="checkbox"/> GB - Green Bay		<input type="checkbox"/> MD - Madison	
<input type="checkbox"/> EC - Eau Claire		<input type="checkbox"/> KE - Kenosha		<input type="checkbox"/> MW - Milwaukee	
<input type="checkbox"/> FD - Fond du Lac		<input type="checkbox"/> LX - La Crosse		<input type="checkbox"/> PL - Platteville	
				<input type="checkbox"/> RH - Rhinelander	
				<input type="checkbox"/> RL - Rice Lake	
				<input type="checkbox"/> SU - Superior	
				<input type="checkbox"/> WA - Wausau	
				<input type="checkbox"/> WR - WI Rapids	
				<input type="checkbox"/> OT - Military*	
*See #24 on page 4.					
12. Disability Status: a. <input type="checkbox"/> AA/EEO b. <input type="checkbox"/> HEC [See <i>Handicapped Expanded Certification Verification form</i> (DER-MRS -159)]					
13. Wisconsin Resident: <input type="checkbox"/> Yes <input type="checkbox"/> No			16. Educational Level (Check only <u>one</u> box):		
14. Career Executive Employee: <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> 01 -Did not complete high school or GED <input type="checkbox"/> 02 -Completed GED <input type="checkbox"/> 06 -Two year associate degree <input type="checkbox"/> 03 -Graduated from high school <input type="checkbox"/> 07 -Bachelor's degree <input type="checkbox"/> 04 -Some college, no degree <input type="checkbox"/> 08 -Some graduate degree courses <input type="checkbox"/> 05 -One year vocational diploma <input type="checkbox"/> 09 -Graduate college degree		
15. Shorthand: <input type="checkbox"/> Shorthand (Min. 80 wpm)					
17. Veterans' Preference Points: [Use the <i>Veterans' Preference Supplement form</i> (DER-MRS-38L)]					
18. Employment Areas (see map on page 4) (Check ALL that you will accept):					
<input type="checkbox"/> 01 <input type="checkbox"/> 02 <input type="checkbox"/> 03 <input type="checkbox"/> 04 <input type="checkbox"/> 05 <input type="checkbox"/> 06 <input type="checkbox"/> 07 <input type="checkbox"/> 08 <input type="checkbox"/> 09 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 31					
19. Primary Source of Information (Check only <u>one</u> box):					
<input type="checkbox"/> 01 Bulletin Subscription		<input type="checkbox"/> 04 Another State Agency		<input type="checkbox"/> 07 Current State Employee	
<input type="checkbox"/> 02 Dept. of Employment Relations		<input type="checkbox"/> 05 College		<input type="checkbox"/> 08 Newspaper/Journal Ad.--Name: _____	
<input type="checkbox"/> 03 Job Service Office		<input type="checkbox"/> 06 Community Organization		<input type="checkbox"/> 09 Radio/TV Ad. -- Name: _____	
				<input type="checkbox"/> 10 Other: _____	
20. Referral Permission : <input type="checkbox"/> Yes <input type="checkbox"/> No					
21. Check the appropriate box if you are fluent in both English and another language:					
<input type="checkbox"/> Spanish <input type="checkbox"/> American Sign Language (ASL) <input type="checkbox"/> German <input type="checkbox"/> Hmong <input type="checkbox"/> Laotian <input type="checkbox"/> Other: _____					
22. <input type="checkbox"/> Check this box if you are presently a permanent State of Wisconsin classified civil service employe, and complete the following:					
Job Classification Title		Department		Division	
				Bureau or next Unit level	

APPLICATION FOR STATE EMPLOYMENT

23. List any current licenses, registrations, or certifications you hold as a member of a trade or profession:

24. We will test active duty military members stationed out of state who are unable to test at our regularly scheduled exam centers. We will test only at approved U.S. military installations and only if the exam is administered by a Test Control Officer or equivalent person. Please provide the following information for the person who has agreed to administer the exam. A fee may be charged for this service.

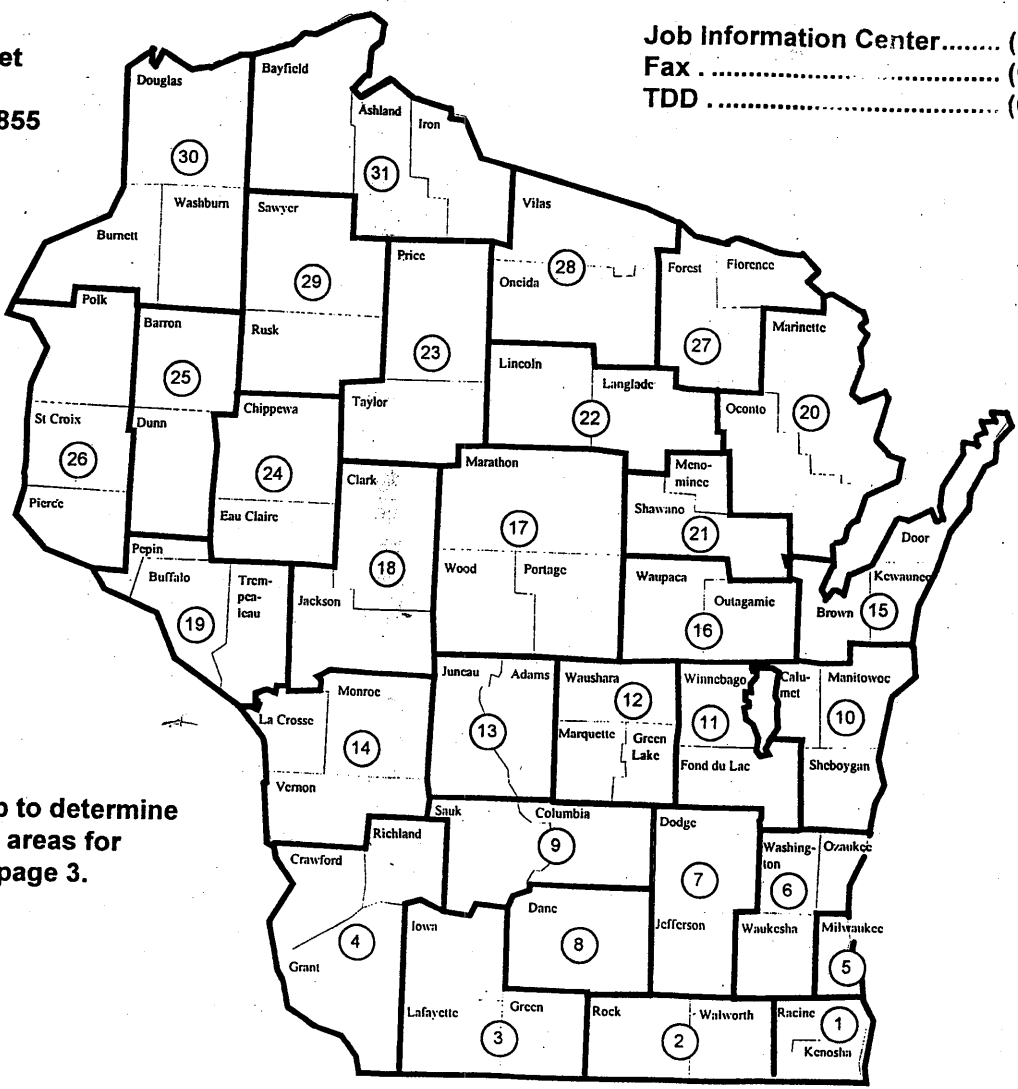
a. Exam Administrator: Last Name, First Name M.I.		f. Title	
b. Complete Mailing Address		g. Agency	
c. City	d. State	e. Zip Code	h. Telephone (Include area code)

If you need to write to us, our address is:

Our telephone numbers are:

DER/DMRS
 137 East Wilson Street
 P.O. Box 7855
 Madison, WI 53707-7855

Job Information Center..... (608) 266-1731
Fax (608) 267-1000
TDD (608) 266-1498



Use this map to determine employment areas for Item #18 on page 3.

25. I certify that the information in this application is true to the best of my knowledge and I understand that I may be required to verify the information before being appointed. I understand that any false, misleading, or missing information may disqualify me from employment consideration.

Signature	Date
-----------	------

(b) Developed in such a manner as to establish the relationship between skills and knowledges required for successful performance on the test and skills and knowledges required for successful performance on the job;

(c) Supported by data documenting that the skills and knowledges required for successful performance on the test are related to skills and knowledges which differentiate among levels of job performance if the examination results are to be used as a basis for ranking candidates;

(d) Sufficiently reliable to comply with appropriate standards for test validation; and

(e) Objectively rated or scored.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and recr. (1) and (3), am. (2), r. (4) and (5), Register, February, 1981, No. 302, eff. 3-1-81; correction in (1) made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1994, No. 466.

ER-MRS 6.07 Examination results. The administrator shall make available to each examinee the final results of his or her examinations through such methods as written notice, public posting or any other means deemed appropriate by the administrator.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, May, 1988, No. 389, eff. 6-1-88.

ER-MRS 6.08 Release of examination information. (1) The following examination information may be released to an examinee:

(a) The composition of the examination;

(b) The weight of, the total possible score of, and the examinee's score on, each separately scored component of the examination; and

(c) Information as to whether veterans preference was included in his or her final grade.

(2) Examination information which may not be released includes but is not limited to the following:

(a) copies of examination booklets, rating guides and scoring keys;

(b) copies of written comments of examination raters including oral board members;

(c) tapes of oral examinations;

(d) results of medical examinations except through the examinee's designated physician;

(e) scores of candidates identified by name; and

(f) answers to specific items on written examinations.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (1) (a) and (b) and (2), Register, February, 1981, No. 302, eff. 3-1-81; r. (2), am. (1), Register, May, 1988, No. 389, eff. 6-1-88.

ER-MRS 6.09 Anonymity of examinees and security for examinations. (1) The administrator shall delete the names of the examinees from written examination papers that will be scored by raters and instruct raters who nonetheless recognize the identity of examinees to disqualify themselves from rating any examinee whom they cannot objectively evaluate.

Register, October, 1994, No. 466

(2) The administrator shall provide appropriate security for all examination materials.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, February, 1981, No. 302, eff. 3-1-81; am. (1), Register, May, 1988, No. 389, eff. 6-1-88.

ER-MRS 6.095 Cancellation of register or certification. The administrator may cancel a register or certification at any time the administrator determines that:

(1) The register was not established in compliance with s. 230.16 (4), Stats.; or

(2) One or more applicants gained knowledge of the content of the examination not available to every applicant; or

(3) The establishment of a register was not consistent with the principles of merit and fitness as set forth in the law and these rules.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81; am. (1), Register, February, 1983, No. 326, eff. 3-1-83.

ER-MRS 6.10 Disqualification of applicants. In addition to provisions stated elsewhere in the law or rules, the administrator may refuse to examine or certify an applicant, or may remove an applicant from a certification:

(1) Who is found to lack any of the preliminary requirements established for the position;

(2) Who has participated in the scheduled selection process so recently that the results of a reexamination would provide an undue advantage;

(3) Who has been convicted of any felony, misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity. In considering such conviction records, the administrator shall take into account such factors as age at the time of the offense, rehabilitation, and seriousness and nature of the violation in relation to the duties and responsibilities of the position;

(4) Who has been dismissed from the state service for cause, and the action is requested by the appointing authority;

(5) Who has made a false statement of any material fact in any part of the selection process;

(6) Who directly or indirectly gives, receives, renders, or pays or promises to give, receive, render or pay any money, service or other valuable thing to or from any person for or on account of, or in connection with, appointment or proposed appointment;

(7) Who practices, or attempts to practice, any deception or fraud in his or her application, certification, examination, or in securing eligibility or appointment;

(8) Whose work record or employment references are unsatisfactory;

(9) Who refuses to furnish testimony as required in s. 230.07 (3) or 230.44 (4), Stats.; or

approved by the committee under this section to employes who did not receive the adjustment on the effective date of the adjustment set forth in the plan. No general wage or parity adjustment may become effective for any employe prior to the effective date of the individual employe transaction, but the secretary may authorize an appointing authority to grant a lump sum payment to an employe to reflect any wage or parity adjustment that the employe did not receive during the period between the effective date of the adjustment set forth in the plan and the effective date of the individual employe transaction.

(5) **WITHIN RANGE PAY ADJUSTMENTS.** (a) *Pay advancement techniques, application.* The varying circumstances and needs of the widely diverse occupational groups of state service must be recognized and met through several methods of systematic pay advancement. To this end the compensation program shall contain either individual or combinations of pay advancement techniques, and the pay schedules therein may contain provisions for a variety of methods of within range progression, including, but not limited to discretionary performance awards, equity adjustments, "time in grade" adjustments, and other appropriate within range adjustments as may be provided in the compensation schedule.

(b) *Date.* Any authorized pay adjustments under this section shall be awarded by each appointing authority for the agency subject to par. (d) on the date or dates in the approved plan.

(c) *Increase limits.* Unless otherwise defined in the pay schedule the total amount for all such within range increases shall not exceed the amount for such increases specified and approved by the joint committee on employment relations in its action on the secretary's proposal for such increases.

(d) *Individual increase limit.* Except as authorized in s. 36.09 (1) (j) for a position specified in s. 20.923 (4m), no appointing authority shall award an employe cumulative performance award increases or other types of cumulative within range pay adjustments exceeding a total of 10% of the employe's base pay during a fiscal year. This paragraph does not apply to a specific type of pay increase authorized by the compensation plan if the plan specifically refers to this paragraph and specifically provides that the type of pay increase referenced in the plan is not subject to this paragraph.

(e) *Appeal of discretionary performance award.* An employe who is dissatisfied with the evaluation methodology and results used by an agency to determine any discretionary performance award, or the amount of such an award, may grieve the decision to the appointing authority under the agency's grievance procedure. The decision of the appointing authority is final and may not be appealed to the commission under s. 230.44 or 230.45 (1) (c).

(6) **ADDITIONAL HOURS OF WORK PROVISIONS.** Provisions relating to compensation for hours of work in addition to the standard basis of employment under s. 230.35 (5) (a) shall be provided for in the compensation plan. The provisions shall include the rate or rates to be paid to employes and the standards for determining which employes receive such compensation.

(7m) **PAY ADJUSTMENT FILING REQUIREMENTS.** Except as provided in the rules of the secretary and in the compensation plan, pay increases shall be made only on the dates prescribed under sub. (8). Appointing authorities shall at such times each year as specified by the secretary file with the secretary and with the department of administration a list of employes showing their then existing pay rates and their proposed new pay rates.

(8) **EFFECTIVE DATE OF COMPENSATION ADJUSTMENTS.** Except as provided in s. 20.923 (3), all compensation adjustments for state employes shall be effective on the beginning date of the pay period nearest the statutory or administrative date.

(9) **HEALTH INSURANCE PREMIUM CREDITS.** The secretary may recommend to the joint committee on employment relations a program, administered by the department of employe trust funds, that provides health insurance premium credits to employes whose compensation is established under this section or s. 20.923 (2) or

(3). The health insurance premium credits shall be used for the purchase of health insurance for a retired employe, or the retired employe's surviving insured dependents, and shall be based on the employe's years of continuous service, accumulated unused sick leave and any other factor recommended by the secretary. The approval process for the program is the same as that provided under sub. (3) (b) and the program shall be incorporated into the compensation plan under sub. (1).

History: 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237.

230.13 Closed records. (1) Except as provided in sub. (3) and s. 103.13, the secretary and the administrator may keep records of the following personnel matters closed to the public:

(a) Examination scores and ranks and other evaluations of applicants.

(c) Dismissals, demotions and other disciplinary actions.

(d) Pay survey data obtained from identifiable nonpublic employers.

(e) Names of nonpublic employers contributing pay survey data.

(2) Unless the name of an applicant is certified under s. 230.25, the secretary and the administrator shall keep records of the identity of an applicant for a position closed to the public, except as provided in sub. (3).

(3) The secretary and the administrator shall provide to the department of workforce development or a county child support agency under s. 59.53 (5) information requested under s. 49.22 (2m) that would otherwise be closed to the public under this section. Information provided under this subsection may only include an individual's name and address, an individual's employer and financial information related to an individual.

History: 1971 c. 270; 1977 c. 196 s. 37; Stats. 1977 s. 230.13; 1979 c. 339; 1989 a. 31; 1991 a. 269, 317; 1997 a. 191.

Only names of applicants for classified positions not certified for employment may be withheld under (2). Milwaukee Journal v. UW Board of Regents, 163 W (2d) 933, 472 NW (2d) 607 (Ct. App. 1991).

230.14 Recruitment. (1) Recruitment for classified positions shall be an active continuous process conducted in a manner that assures a diverse, highly qualified group of applicants; and shall be conducted on the broadest possible base consistent with sound personnel management practices and an approved affirmative action plan or program. Due consideration shall be given to the provisions of s. 230.19.

(3m) In advertising openings in the classified civil service, the state may not require as a condition of application that an applicant be a college graduate unless the opening must be filled by an incumbent holding a credential, as defined in s. 440.01 (2) (a), or other license, permit, certificate or registration in an occupation regulated by law and college graduation is required to obtain the occupational credential, license, permit, certificate or registration.

(4) The administrator may charge an agency a fee to announce any vacancy to be filled in a classified or unclassified position in that agency. Funds received under this subsection shall be credited to the appropriation account under s. 20.512 (1) (ka).

History: 1977 c. 196; 1981 c. 26; 1987 a. 32; 1991 a. 132; 1995 a. 27; 1997 a. 307.

230.147 Employment of aid recipients. (1) Each appointing authority of an agency with more than 100 authorized permanent full-time equivalent positions shall prepare and implement a plan of action to employ persons who, at the time determined under sub. (4), receive aid under s. 49.19, or benefits under s. 49.147 (3) to (5), with the goal of making the ratio of those persons occupying permanent positions in the agency to the total number of persons occupying permanent positions in the agency equal to the ratio of the average case load receiving aid under s. 49.19, or benefits under s. 49.147 (3) to (5), in this state in the pre-

Laundrie, Julie

From: Reinwald, Elizabeth
Sent: Friday, August 27, 1999 2:45 PM
To: Laundrie, Julie
Cc: Hale, Jean; Lavigna, Robert; Vergeront, David; Mason, Jan Monica
Subject: Security agreements used by DER

At yesterday's hearing, Senator Erpenbach requested copies of the security agreements used by DER for access to sensitive material in electronic databases. We use two forms of security agreement.

The first, OIS-119, is sent to other state agencies who have the obligation to grant staff security access only to specific data needed for their jobs. Human resources staff in state agencies are defined as "confidential employees" who are trained in what data is closed to open records requests.

The other form, OIS-200, is used to record a written security and privacy agreement with Information Technology staff from other state agencies, or contracted from private vendors, who will be working with sensitive data on our system.

I am attaching WORD versions of both these forms. If you cannot retrieve them, and/or if you would like us to send you hardcopy, please call Jean Hale at 267-5167, or e-mail her at Jean.Hale@der.state.wi.us

Thank you for inviting us to speak.



Ois199-AddChangeDel
eteMainfram...



OIS200-AppIAccessSe
curityAgree...

ADD, CHANGE OR DELETE DER MAINFRAME APPLICATION USER

ADD CHANGE DELETE Platform: Production Test Training

Request Date: _____ Application: SHRS OTHER _____

Info-Tech Mainframe Logon ID: _____ UID: _____
(Obtain from local security administrator)

User Name: _____ Title: _____
(First) (Last) (M.I.)

Telephone #: () ext. _____ Email: _____

For SHRS Security Officer Completion

Activation Date	Expiration Date	Deletion Date
-----------------	-----------------	---------------

Restrict to Read Only (Y/N): _____ SHRS ONLY – You must complete reverse side by checking all tasks needed for this specific user.

Agency or University/Emp. Unit Name: _____ / _____ Organization Code _____

Agency/University HR Director Name (print) _____ Signature: _____

Telephone #: () ext. _____ Email: _____

DER Division Approval: Name (print): _____ Signature: _____

DER OIS Approval: Name (print): _____ Completion Date: _____

Routing: 1) Agency Initiated 2) DER OIS 3) DER Division Administrator

(OVER)

SHRS TASK LIST FOR SECURITY ACCESS

Agency or University/Emp. Unit Name: _____

Organization Code _____ User Name: _____

Must be the same as on the reverse side

Please check the following tasks that are applicable for the above user.

- View (not update) announcements
- View (not update) applicant records
- View (not update) certified requests and certified lists
- View registers including scores
- Enter or update announcements
- Enter or update applications
- Enter, update or calculate test scoring data
- Approve exam plans or passing points
- Determine which register to use for a given certified request
- Create certified lists
- Re-run certified lists to get more names after reports of actions have been entered
- Enter reports of actions on certified lists
- Close certifications with reinstate, transfer, etc.

Department of Employment Relations Application Access Security Agreement

I understand that in the course of my work assignments for the Shared Human Resource System project, I may have access to human resources information, which is classified as confidential. This information includes, but is not limited to, applicant names and social security numbers, applicant scores, examination questions, answers to examination questions, scoring guides and benchmarks for scoring responses to examination questions, examination plans, examination development resource materials and verbal information on the content or planned content of civil service examinations.

I understand that the above information, whether I have access to it in oral, electronic or paper form is confidential information within the meaning of certain laws and rules, including Wis. Stats. 230.13 (1) and (2), 230.16 (10) and 230.43 (1) and (3), related administrative rules and various federal laws. I agree to keep all such information confidential, and I understand this is a condition of my continued employment with the SHRS Project. I will not copy confidential materials, discuss them with unauthorized persons, or allow unauthorized persons to access them. I further understand that discussing or in any way disclosing this information to unauthorized persons is a violation of Wis. Stats. 230.43. This violation is a misdemeanor punishable by a fine of not less than \$50 nor more than \$1,000 or by imprisonment for not more than one year in the county jail or both.

I recognize my continuing obligation to exercise all reasonable precautions to preserve the security of confidential information in my custody and to comply with the meaning and intent of the laws and rules referenced above.

By completing and signing this form, I acknowledge that I understand the requirements set forth in this statement and will adhere to them and that I will be provided with a copy of the laws and rules referenced above upon request. (Please Print or Type)

Last Name _____ First _____ MI _____

Department/Agency/Company Name _____

Work address _____

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

NOTE: This security agreement must be completed and signed by each individual working on SHRS within five working days of the initial starting date. The individual completing and signing this security agreement should keep a copy of the signed document. Send the original to:

DER/DMRS
Attention: Jeanne Benck
SHRS Security Unit
P.O. Box 7855
345 W. Washington Ave.
Madison, WI 53707-7855

DNR

Jim Kurtz - Legal Council

~~Frank~~ Craig Carr -

29.02426A Collect from licenses their social security # - copy of instructions

Chapter 49 of statutes - child support enforcement

** Department has budget ~~to~~ to sell information
Did that get dumped?

Corrections guests - Park program - reservation system not used

Labor outside - stuff envelopes - data entry ???

Jim said no - Craig said ye
asked twice xxx

→ Hunter + Fisher survey responses to questionnaire also includes name + address. What facility
- Portage (maximum) Tcheta

Do you think DNR should continue to use prisoners? There has been a push to use prisoners for work. Probably.

Who came up with the idea to let inmates have this information? Correction markets themselves - markets data entry.

Will the department still use corrections?
we will use until we cannot.

Should DNR ~~we~~ tell people when their info
can be accessed by prisoners?

How many ppl SocSec #
4 people have access to SS# (+ plus vendor)
* Central Bank of Missouri is ~~the~~
contract - Jan requested copy of
Contract

Who accesses database?

- po/s
- hotels
- hunting groups

require people to sign in (probably violate
open records law)

Who sees credit card # when
people pay for things??

→ Request a copy of policy on financial info policy

Envoys - hunting + fishing licenses over
Nashville the phone

~~Copy of the contract~~

DNR owns info because of open records
law. Proactive of legislature
to decide

Collect info that you shouldn't be collecting?
Probably -

Example of a Trade Secret -

- Architectural plan -

- How someone can make \$ -

Amish - hunting + fishing

licenses → ~~licenses~~

they are finding exemption
way (have special #)

DATE: February 15, 1999

TO: All DNR employees

FROM: George E. Meyer, Secretary *George*

SUBJECT: Protecting the privacy of Social Security Numbers in the DNR's new automated license sales system

Selling hunting and fishing licenses is a major DNR responsibility. The department has invested in an Automated License Issuance System (ALIS) that will offer many customer conveniences our previous license sales system lacked. Whether you work in Air Management, Finance or Wildlife Management – or happen to be a DNR license-buyer yourself – it's important for DNR employees to be aware of:

- ◆ actions the department has taken to preserve the privacy of customer Social Security numbers required by the new license sales system, and
- ◆ the benefits ALIS offers license-buyers.

The department is getting many calls and letters from the public and inquiries or comments from DNR employees questioning the need to provide a Social Security Number when buying a fishing or hunting license. While customer service and licensing staff statewide are handling most of the public's inquiries, please feel free to use the information that follows to answer questions you or others you interact with may have about this issue:

1. Federal law gives states the authority to ask for social security numbers in enforcing certain activities, including child support and tax delinquency. To aid collection of child support payments in Wisconsin, the state Legislature enacted a new law in spring, 1998 that **REQUIRES** the DNR to collect social security numbers before issuing hunting and fishing licenses to customers. Besides helping to enforce the collection of child support, the new law enables Wisconsin to receive federal assistance for state child support efforts.
2. The new automated license issuance system (ALIS) the department is establishing throughout the state to improve the convenience of license sales has been carefully designed to collect a social security number (SSN) from each license applicant only one time. A license won't be issued unless a customer provides their SSN, but once entered as part of a customer's first transaction in the DNR's automated license sales system, a unique DNR customer number is assigned and printed on any license(s) issued. From that point on, customers may use their DNR customer number to purchase licenses in the future or handle other license-related transactions, allowing the SSN requirement to be bypassed.
3. License sales agents at more than 1,100 sites statewide selling hunting and fishing licenses have been instructed to recognize customers' potential sensitivity about the SSN requirement – similar to the same confidentiality and protection used to handle customer credit card information. Each agent has been instructed to give customers the option of entering their SSN into the license sales terminal themselves. No one can search for or view this information from a sales terminal location once it is entered.

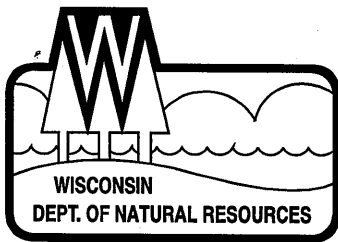
4. Access to customer SSNs stored in DNR customer records is strictly limited to a few members of the DNR's customer service and licensing staff and to the Department of Workforce Development's Bureau of Child Support.

5. The DNR is specifically excluded under the state's open records law from providing customer social security numbers in records the DNR maintains.

6. ALIS greatly modernizes DNR license sales and offers significant benefits to the license-buying public in and outside of Wisconsin. For a three-dollar fee, people will be able to use a new toll-free number, 1-877-945-4236, to purchase licenses over the phone 24 hours a day, seven days a week. Fees may be charged to Visa or MasterCard. Confirmation numbers may be issued over the phone allowing callers to immediately enjoy most outdoor recreational privileges (exceptions include activities that require a back tag or carcass tag) before they receive their new license in the mail. All types of DNR licenses instead of just a few will be available for sale at more than 1,100 license sales outlets, including sporting goods stores, bait shops, hardware stores and DNR Service Centers. Admission to state parks may be purchased at license sales outlets. Records errors will be reduced; there'll be fewer forms to fill out; and some types of conservation law enforcement will be easier for the DNR to handle.

The department has taken every precaution to protect the privacy of our license-buying customers, offer the conveniences of an automated license sales system and comply with state law designed to aid the efforts of Wisconsin's child support program.

It is our responsibility to convey clear and factual information when responding to questions and concerns about department policies and procedures. I call on each of you to help the department comply with state law and to support and assist the agency's response to this issue. A DNR fact sheet with further information on the Social Security number requirement is available from regional customer service team leaders, the Bureau of Customer Service and Licensing and the online service center featured on the Bureau of Customer Service and Licensing page on the DNR's Web site at <<http://www.dnr.state.wi.us>>.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

October 18, 1999

SENATOR JON ERPENBACH
STATE CAPITOL

OCT 20 1999

TO JIM
FR JULIE

SUBJECT: Personally Identifiable Information

Dear Senator *Jon* Erpenbach:

At a recent hearing, you inquired what use the Department was making of Department of Corrections and Badger State Industry personnel to enter personally identifiable data. This question was sent to the Department program leaders, in the Central and Regional offices.

We also asked if credit card information was taken for any program where security systems had not been set up; ie, the State parks, forests, DNR service centers, wardens, and law enforcement accepting credit cards for citations, and the Natural Resources magazine. We came up with no identified unsecured receipt of credit card information.

Use of Department Corrections personnel for data entry:

Western Region in Eau Claire reported that from July 1, 1997, to July 31, 1998, Corrections personnel from Oshkosh were used to record car/kill stubs with name and address entered. Archery stubs information entered name, address, telephone number, date of birth, and sex.

Northeast Region has historically used Oshkosh personnel to record deer stub data, which include name, address, telephone number, and alike. Our Northern Region at the Hayward Nursery, reports the use of work release inmates from local jails and labor from the Gordon & Flambeau camps to pack trees and shrubs from the nursery that are ordered in the spring. In this process, personnel will see shipping labels on materials which contain customer name, address and telephone number.

Two of our Regions, the Southeast Region out of Milwaukee, and our South Central Region in Madison, have no record of use of correctional personnel.

The Bureau of Forestry contracts the Badger State Industry to print a directory of Independent & Industrial Foresters, which includes name, address, phone, fax number, and professional qualifications of these Foresters.

The prime use of correctional personnel is by our research program.

A summary of the information reported from research is:

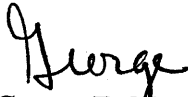
- 1996, black bear, ages, name, address and some phone numbers, 1500 entries;
- 1996-1997, small game license stubs, name, address, and license type, 5,000 transactions;
- 1996-1997, fur trapper license stubs, name, address, and license type, 2,500 transactions;
- 1996-1997, archery license stubs, name, address, license type, 10,000 transactions;



1997, Southeast Goosehunter applicants, name, address, phone number, 20,000 transactions;
1997, black bear, ages, name, address, some phone numbers, 2,000 transactions;
1997-1998, small game license stubs, name, address and license type, 5,000 transactions;
1997-1998, fur trapper license stubs, name, address and license type, 2,500 transactions;
1998 HIP applicants, name, address, date of birth, 110,000 transactions; list of landowners of
greater than 80,000 acres, name, address, 5,000 transactions;
1998, black bear, ages, name, address, and some phone numbers, 2,500 transactions.

If you need further clarification, don't hesitate to contact either Craig Karr, in the CAER Division at 266-5896, or Jim Kurtz, our Director of the Bureau of Legal Services at 266-3695. Thank you for your interest in this issue.

Sincerely,



George E. Meyer, Secretary

cc: Jim Kurtz - LS/5
Craig Karr - AD/5

JonEltr

TRANSPORTATION

Joe MAASSEN -

DOT releases a significant amount of information

Do you collect SS#s? With statutory authority
used internally only. 1989 Legislative Authority

~~Administrators~~
Have contracts with DOR + DWD?

Drivers licenses 343.14 Application Section

Do we need to have race? counties use
for jury selection (Don collected for
jury purposes only)

DOT - would support making info private

How much do you make per year off DL
info? \$9 million ← Insurance / Database
Individuals / Press

Name, Address, DOB, Hair, Eye, Weight

Create an alpha file - public record - can
come in for \$250 get this info.

Data on Organ donors → Joe get back to me

Drivers license info on minors released -
not released citation

Tom wants to be notified when someone
sees his driving record.

How significant is the outcry about DOT
releasing info?

Opt Out Procedure - outlined on the application
form. - what would happen if
we made opt in? would make difficult

Costs - \$14 million to run records make 9.5
million

Agreements with DOC - did have

RP updates no longer an active contract
When active inmates were helping reg plate
update information data entry.
Cross check with data base

~~DOB~~ DOB, address, financial info,

How much Corrections paid.

** What are you doing now ?? - who inputs
Sex offender info. correct - check address

- Jan Ask for ^{cars} Copy of Corrections Agreement **
* Screening for inmates ** Secretary of DOT ~~edit~~ in?
* Any incidents when inmates misused info?
Department have policy on inmates doing work? *

Alphafile \$250

Rudol

341,177 people who have registered a new vehicle. Why public at all? Should we collect ???

Dollar amount of sale of alpha file alone?
\$4,000 ~~20,000~~

Charge a sales tax ?? Joe not qualified
NO - not charge

Laundrie, Julie

To: Jon Erpenbach
Subject: FW: DOT Appearance Before Senate Committee on Privacy

Julie Laundrie
Office of Senator Jon Erpenbach
State Capitol, Room 20 South, 266-6670

-----Original Message-----

From: Maassen, Joe
Sent: Wednesday, September 15, 1999 11:29 AM
To: Cook, Robert; Czeshinski, Jane; Larson, Beverly; Clark, Julie; Poplawski, Judith
Cc: Laundrie, Julie; Wornson, Bryon
Subject: DOT Appearance Before Senate Committee on Privacy

To: Bob Cook, Executive Assistant, WisDOT; Jane Czeshinski, Deputy Administrator, DMV; Bev Larson, Director-DMV Bureau of Driver Services; Julie Clark, DMV Bureau of Driver Services, Judy Poplawski, DMV- Administrator's Office

CC: Bryon Wornson, Office of the Governor; Julie Laundrie, Office of Sen. Erpanbach.

I testified at the Senate Privacy Committee Hearing Tuesday. I provided a package of information to members of the committee and the Office of the Governor on Monday afternoon. Senator Erpanbach indicated that the information DOT provided was the most comprehensive information the committee has received from an agency to date.

My appearance went, in my judgement, as I anticipated. I used the documentation as the outline I followed. Primarily however, I responded to questions from members of the committee.

There were three areas where the committee asked for some follow-up from DOT. They are:

1. Access to organ donor information. It occurs to me now, it didn't at the hearing, that DOT may not have any listing of organ donors. Can someone confirm that? Alternatively, if DOT does have organ donor info, the question is twofold: has anyone ever requested such info? Is so, what was the DOT response?
2. Why does DOT collect race information on the driver license application?
What problems might arise if DOT eliminated the box requesting/requiring racial information?
3. The committee wants substantially more detail on DOT's contracts/agreements with the Department of Corrections. What access inmates have to personal identifier information of Wisconsin Citizens. How much DOT pays DOC for performing any services. The length of any such agreements. The terms of any such agreements. DOC indicated that it has a number of active agreements with DOT. One is apparently in the Geographical Information Services arena, the rest in DMV. Can the appropriate person in DMV gather info on all DOC/DOT agreements in DMV, and pass that info on to me. I will make separate e-mail contact with DTID to get info on the GIS agreement!

It is my understanding that the Wisconsin State Journal carried an article today that included reference to information I provided and comments I made yesterday. I also believe a story either has appeared or will appear in the Milwaukee Journal.

Joe Maassen
Deputy General Counsel
WisDOT
10/15/99