

## Chapter A-E 6

## ACCESS TO PUBLIC RECORDS

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**A-E 6.01 Authority and purpose.** Rules in this chapter are adopted pursuant to authority granted by ss. 15.08 and 227.04, Stats. Rules in this chapter implement s. 19.21, Stats.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80.

**A-E 6.02 Definitions.** In this chapter:

(1) "Board" means the examining board of architects, professional engineers, designers and land surveyors.

(2) "Public record" has the meaning described in s. 16.61 (2) (b), Stats., and includes property and other things referred to in s. 19.21 (1), Stats.

(3) "Legal custodian" means the director, bureau of design professions or, when the director is not in the office, the director's designee.

(4) "Office" means the following facilities at Room 288, 1400 East Washington Avenue, Madison, Wisconsin.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80.

**A-E 6.03 Access to board public records.** (1) **REQUEST TO INSPECT OR COPY MADE IN PERSON.** (a) Requests to inspect or copy board public records shall be made to the legal custodian during regular business hours.

(b) A request must identify with reasonable particularity the public record sought.

(2) **REQUESTS MADE BY MAIL OR TELEPHONE.** (a) Requests for copies of board public records made by mail or telephone must identify with reasonable particularity the public record sought.

(b) The legal custodian may withhold forwarding copies of any public record requested until payment for copies has been tendered.

(3) **TIME FOR COMPLYING WITH REQUESTS.** The legal custodian shall attempt to respond immediately to reasonable requests made in person at the office. The custodian shall respond to reasonable requests made by mail or telephone within 10 days from receipt of the request.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80.

**A-E 6.04 Records available; records not available.** (1) All public records of the board are available for inspection and copying by the public unless exempt under sub. (2) of this section.

(2) The legal custodian shall deny inspection or copying of any of the following:

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- (a) Transcripts of high school or college courses received as part of an application for a permit, certificate of registration or other license;
- (b) Examinations, grades, and materials used in preparing examinations; unless examination records are required by law to be made available for review by an applicant who has failed an exam and in such case the records may not be copied and may be inspected only in accordance with procedures sufficient to insure the security of the examination;
- (c) Records obtained as the result of a clear pledge of confidentiality if the pledge was made in order to obtain the record;
- (d) Records of or relating to an active investigation if release of the record would impede the investigation;
- (e) Records which include information which if disclosed would unduly damage reputation;
- (f) Records which concern advice from legal counsel concerning strategy, opinions, conclusions or legal theories with respect to litigation in which the board is or is likely to become involved;
- (g) Minutes of closed meetings;
- (h) Records of board deliberations on quasi-judicial proceedings; and
- (i) A record which, if released for public inspection, would cause harm to the public interest which outweighs any benefit that would result from granting inspection.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80.