

## Public Meetings

Wisconsin open meetings law requires that all meetings of state governmental bodies shall be publicly held in places reasonably accessible to members of the public, and open to all citizens at all times unless otherwise provided by law.<sup>1</sup> A "governmental body" includes a state or local body created by statute, rule or order.<sup>2</sup> According to this definition, local apprenticeship committees, the Wisconsin Apprenticeship Advisory Council, and the State Trade Advisory Committees are considered "governmental bodies."

A "meeting" occurs whenever enough members of a committee to determine a course of action convene for the purpose of conducting governmental business.<sup>3</sup> Meetings of the local apprenticeship committees, Wisconsin Apprenticeship Advisory Council, and the State Trade Advisory Committees must be preceded by public notice that sets forth the time, date, place, and subject matter of the meeting.<sup>4</sup> If a closed session is contemplated, the notice must describe the subject matter to be considered in closed session with enough information for the public to discern if the subject is authorized for closed session.<sup>5</sup>

Meetings must be held in a public place that is open and reasonably accessible to all members of the public, including individuals with disabilities.<sup>6</sup> For this reason, BAS requires local apprenticeship meetings to allow for participation via online or telephonic means.

Meetings are to be held in open session.<sup>7</sup> The meeting may only move into closed session if the subject matter falls within a statutory exemption to the public meetings law, such as discussion of sensitive personal information that would have a substantial adverse effect upon an individual's reputation, or to confer with legal counsel about litigation strategy.<sup>8</sup> The motions and roll call votes of each meeting are to be recorded, preserved, and available to requesters.<sup>9</sup>

Local apprenticeship committees should consult with their ATR about ensuring compliance with the public meetings law, including providing proper notice, accessibility, whether it is appropriate to enter into closed session, and maintaining proper records.

## Public Records

Wisconsin public records law authorizes requesters to obtain copies of records maintained by government authorities. An "authority" includes committees created by a law, rule, or order.<sup>10</sup> Local apprenticeship committees, the Wisconsin Apprenticeship Advisory Council, and the State Trade Advisory Committees are each considered "authorities" and subject to Wisconsin's public records law.

A "record" is "[a]ny material on which written, drawn, printed, spoken, visual or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which **has been created or is being kept by** an authority."<sup>11</sup> Records are materials that are created or kept in connection with the official purpose or function

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<sup>1</sup> Wis. Stat. 19.81(2)

<sup>2</sup> Wis. Stat. 19.82(1)

<sup>3</sup> Wis. Stat. 19.82(2)

<sup>4</sup> Wis. Stat. 19.84(2)

<sup>5</sup> Wis. Stat. 19.84(2)

<sup>6</sup> Wis. Stat. 19.81(2)

<sup>7</sup> Wis. Stat. 19.83(1)

<sup>8</sup> Wis. Stat. 19.85

<sup>9</sup> Wis. Stat. 19.88(3)

<sup>10</sup> Wis. Stat. 19.32(1)

<sup>11</sup> Wis. Stat. 19.32(2)

of the authority. Whether something is a "record" is determined by the content of the document, not the medium, format, or location of the document.

Records **do** include, but are not limited to:

- Handwritten, typed, or printed documents
- Charts
- Recordings
- Electronic records and communications

Records **do not** include:

- Drafts, notes, preliminary documents, or similar materials prepared for the originator's personal use
- Materials that are purely personal property of the custodian that have no relation to the authority's official function
- Materials with access limited due to copyright or patent

Under Wisconsin's public records law, custodians of records are to respond to a request for records as soon as practicable without delay.<sup>12</sup> If a local apprenticeship committee, the Wisconsin Apprenticeship Advisory Council, the State Trade Advisory Committees, or any committee member receives such a request, the Department will assist with the response. The request should be immediately forwarded to [OpenRecords@dwd.wisconsin.gov](mailto:OpenRecords@dwd.wisconsin.gov). Committee members may need to search for responsive records.

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<sup>12</sup> Wis. Stat. 19.34(4)(a)