

Records Management for Senior Managers, Administrators and Appointed Staff

Requirements and Responsibilities

For More Information:
<http://publicrecordsboard.wi.gov> or
Contact Your Agency Records Officer

WHAT ARE WISCONSIN'S LAWS RELATED TO PUBLIC RECORDS?

- Wis. Stat. § 16.61(2)(b) defines public records for the purposes of records retention and disposition.
- Wis. Stats. § 19.31-19.39 define public records for the purposes of records access and disclosure. (sometimes called the open records law)

WHY RECORDS MANAGEMENT?

- Ensure statutory and regulatory compliance
- Minimize litigation risk
- Preserve the rights of citizens to have access to public records
- Support better decision making
- Improve transparency and access to public decision making
- Safeguard vital information
- Preserve organizational memory
- Reduce operating costs

WHAT PUBLIC RECORDS RESPONSIBILITIES MIGHT YOU HAVE?

- Enforce state public records laws
- Ensure public records are managed appropriately and can be accessed by authorized staff
- Create public records necessary to document your activities and actions taken on behalf of the department
- Communicate public records policies to employees
- Appoint an agency records officer
- Safeguard confidential, sensitive and personally identifiable information (PII)
- Identify and transfer public records prior to your departure
- Support efficient agency response to discovery and public records requests

WHAT PUBLIC RECORDS MIGHT YOU HAVE?

- Records pertaining to committees, advisory boards and councils
- Materials for internal and external meetings
 - May include briefing materials, agendas, minutes
- Records that document the development of agency policies and programs
 - May include memos, briefings, papers, reports regarding policies, strategies, research, legislative priorities, program evaluations and planning
- Reports to the Secretary, Governor or other officials
- Speeches and testimony
- Business related memos and/or correspondence
- Calendars, schedules and logs of daily activities
- Materials that document agency decision making
- Personnel related documentation
- Information related to budget development and fiscal planning
- Travel related materials

Wisconsin Public Records Board (PRB): Protecting the legal, financial and historical interests of the state in public records.

What is a Public Record?

Created in the course of business

Examples: *correspondence and memos (paper and electronic), agreements, studies, reports*

Received for action

Examples: *Information or public records requests, controlled correspondence*

Mandated by statute or regulation

Examples: *statutorily required programs, administrative records, dockets, equal rights complaints*

How Do I Manage My Public Records?

Policies-Records Schedules

- Identify public records and how long to keep them
- Know what to do with them afterwards

Filing

- Use or develop a filing system to organize and categorize records

People

- Communicate records roles and responsibilities
- Know your Records Officer or coordinators. Contact them with questions.

*Note: Your agency may **only** legally dispose of public records as approved by an authorized records schedule*

What Qualities Do Public Records Have?

Document state activities

Examples: *calendars, meeting minutes, project reports*

Support financial obligations or legal claims

Examples: *grants, contracts, litigation case files or audits*

Communicate agency requirements

Examples: *guidance documents, policies, procedures*

What is a Retention/Disposition Schedule?

Retention schedules:

- Group and describe related records.
- Mandate **how long** public records are kept (retention).
- Mandate **what happens** to public records at the end of that time period (disposition).
- Are promulgated as policy via statewide [General Records Schedule \(GRS\)](#) or agency specific Record Disposition Authorization (RDA).

Where Might Public Records Occur?

*Note: **Information content** determines what constitutes a public record and not the format in which the information is generated.*

Email and Voicemail

Social media: Facebook, Twitter, YouTube, etc.

Websites

Videotapes/DVDs

Webcasts/Webinars

Calendars

Documents, spreadsheets, databases

Personal devices if used for agency business

Audio recordings

Maps and blueprints

What is Not a Public Record?

Reference materials and stock copies

Examples: *vendor catalogs, phone books, agency publications, blank forms*

Duplicate copies

Examples: *copies of records (paper or electronic) for convenience or reference purposes only*

Draft or working papers

Examples: *draft documents without substantive comments, rough notes, calculations.*
(It should be noted that some drafts are needed to support a decision trail or are otherwise required by an RDA)

General announcements and unsolicited email (internal or external)

Examples: *reminders received by all staff, listserv messages, spam*