

# Introduction to Public Records for Wisconsin Public Records Board (PRB) Members

## Overview and Responsibilities

For More Information:  
<http://publicrecordsboard.wi.gov/>

### 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. Stat. § 19.32(2) defines "records" for purposes of the records access and disclosure provisions of Wis. Stat. §§ 19.31-19.39 (known as the public records law or the open records law)

### WHY A WISCONSIN RECORDS MANAGEMENT PROGRAM?

- Provides a framework for compliance with applicable legal requirements
- Promotes transparency in government
- Documents governmental activities
- Minimizes litigation risk
- Fulfills obligations to the public
- Facilitates decision making
- Improves effectiveness and information retrieval
- Promotes best practices in state agency record keeping

### WHAT ARE THE RESPONSIBILITIES OF THE PUBLIC RECORDS BOARD?

- Define and approve public records policy standards
- Develop and approve records schedules for state and local government agencies
- Create and promulgate records management rules and directives intended to protect and preserve public records
- Review and advise on electronic public records rules and standards
- Establish minimum retention periods for public records of local units of government
- Designate archival repositories
- Recommend qualitative standards for storage of public records in electronic formats
- Create a registry of public record series which contain Personally identifiable Information (PII)
- Review DOA electronic public records/optical disk rules and standards
- Review agency requests for microfilming of public records

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

## PRB Organization and Functions

- The PRB is comprised of 8 members.
- The PRB oversees several committees:
  - Records Management Committee
  - Policy Committee
  - Records Resource Management Committee
  - Records Officer Council
- Develops rules and guidelines that promote responsible records management practices.
- The PRB meets quarterly to address records management issues.
- The PRB, based on the recommendation of the Records Management Committee, approves retention schedules.

## Key Wisconsin State Statutes

§ 15.07(2)	PRB elections
§ 15.105	PRB membership makeup
§ 15.105(4)	PRB makeup
§ 16.61	Powers and duties of the PRB
§ 16.61(2)(b)	Definition of a public record and what is not a public record for record retention purposes
§ 16.61(3)(e)	PRB ability to establish minimum time periods for any local government
§ 16.61(3)(u)	PRB PII registry requirement
§ 16.61(4)	Retention scheduling
§ 16.62(1)(b)	Operation of a records center
§ 19.21(2)	Transition of records on administration change
§ 19.21(4)(a)	60 Day Notice To WHS
§ 19.21(4)(b)	7 year statute for municipal records
§ 19.21(5)(c)	7 year statute for county records
§ 19.21(7)	Tapes of meeting minutes retained for 90 days, if purpose of tape was to make minutes
§ 19.31-19.39	Public (open) records law
§ 19.32(2)	Definition of a record – for public records law purposes
§ 19.62(5)	PII definition
§ 19.82(1)	Definition of governmental body
§ 19.82(2)	Definition of a meeting
§ 59.20(3)(a)	County offices keep open books
§ 893.82(3)	120 day retention justification for video/monitoring recordings

*Note: Additional Wisconsin statutes or Federal codes may apply)*

## How Do Agencies Manage Records?

### Policies

- Agencies create (and the PRB approves) records schedules that mandate **how long** public records are kept (retention) and **what happens** to public records at the end of that time period (disposition).
- Committees are charged by the PRB to develop General Records Schedules (GRSs) which address records common to governmental agencies.

### Staff

- Each agency appoints a Records Officer (per Wis. Stat. §15.04(j)) who coordinates records management. In addition many agencies have Records Coordinators who are familiar with program area records.
- Records Officers are responsible for providing agency training on records issues.

### State Records Center

- The State Records Center (SRC) stores public records for agencies and facilitates the disposal of public records per approved schedule(s).

### Wisconsin Historical Society

- The Wisconsin Historical Society (WHS), as the State Archives, is charged with the permanent preservation of select government records. WHS public records staff is available to consult with agencies on records issues.

## What is a Retention/Disposition Schedule?

### Retention schedules:

- Group and describe related public 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 Schedules \(GRS\)](#) or agency specific Record Disposition Authorization (RDA).

## Publications

Publications are not considered public records per state statutes and therefore are not scheduled.

However, they are collected and preserved through the Wisconsin Document Depository Program. The program, managed by the Department of Public Instruction, collects, catalogs, and distributes paper and electronic government publications.