

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

Overview and Responsibilities

Wisconsin Public Records Board

Protecting legal, financial and historical interests of the state and local government in public records.

WHERE ARE PUBLIC RECORDS DEFINED?

- 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?

- Comply with applicable legal requirements
- Promotes transparency in government
- Documents governmental activities
- Fulfill obligations efficiently to the public
- Minimizes legal risk
- Facilitates decision making
- Retrieve information faster
- 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 disposition authorizations (RDAs) for all government units
- 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 all government units
- Recommend qualitative standards for storage of public records in electronic formats
- Create a registry of public record series which contain Personally identifiable Information (PII)

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

PRB Organization and Functions

- Established as Public Records Board in 1967
- Comprised of 8 members.
- Oversees several committees:
 - Records Management Committee
 - Policy and Governance Committee
 - Operations and Training Advisory Committee
- Develops rules and guidelines that promote responsible records management practices.
- Meets quarterly to address records management issues.
- Approves records disposition authorizations (RDAs) based on the recommendation of the Records Management Committee.

Key Wisconsin State Statutes

§ 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)	Ability to establish minimum time periods for any local government
§ 16.61(3)(u)	PRB PII registry requirement
§ 16.61(4)	Approval for disposition of records
§ 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

What is a Retention/Disposition Schedule?

Records Disposition Authorizations (RDAs):

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

How Government Units Manage Records?

Policies

- Government units create (and the PRB approves) RDAs
- Committees are charged by the PRB to develop General Records Schedules (GRSs) which address records common to governmental units

Records Designations:

- Wis. Stat. §15.04(j): Specifies each agency will appoint a Records Officer who coordinates records management
- Wis. Stat. § 19.32(1): Defines authority as it pertains to the custody of records
- Wis. Stat. § 19.33: Delineates who is the legal custodian of a record

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

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.