

Records Management for Senior Managers, Administrators & Appointed Staff

Requirements 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 PUBLIC RECORDS MANAGEMENT?

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

WHAT PUBLIC RECORDS RESPONSIBILITIES MIGHT YOU HAVE?

- Enforce 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 a Records Officer or Records Custodian
- Safeguard confidential, sensitive, and personally identifiable information (PII) such as personnel records
- Identify and transfer records prior to your departure
- Support efficient response to discovery and public records requests

WHAT PUBLIC RECORDS DO SENIOR MANAGERS, ADMINISTRATORS AND APPOINTED STAFF TYPICALLY HAVE?

- Records pertaining to Boards, Councils, and Committees
- Materials for internal and external meetings
- Records that document the development of policies and programs
- Reports to the Secretary, Governor or other officials
- Business related memos or correspondence
- Information related to budget development and fiscal planning
- Materials that document decision making
- Calendars, schedules and logs of daily activities

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

What is a Public Record?

Created in the course of public business

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

Received for action

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

Mandated by statute or regulation

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

What Qualities do Public Records Have?

Document government unit 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*

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

Text and instant messages

Social media

Websites

Audio and video recordings

Calendars

Documents

Spreadsheets and databases

Personal devices if used for government unit business

Maps and blueprints

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 Do I Manage My Public Records?

Policies

- Learn your government unit's records management policies
- Know which records disposition authorization (RDA) relates to your program records

Filing

- File public records to allow for easy access over time
- File records in accordance with your government unit's approved filing system to simplify retrieval

People

- Contact your Records Officer or designated Records Custodian with questions

Disposition

- Dispose of records according to approved RDA

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

What is Not a Public Record under Wis. Stat. § 16.61(2)(b)?

Reference materials and stock copies

Examples: *vendor catalogs, blank forms*

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 for personal use*

(It should be noted that some drafts are needed to support a decision trail or are otherwise required by an RDA)

Unsolicited email (internal or external)

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