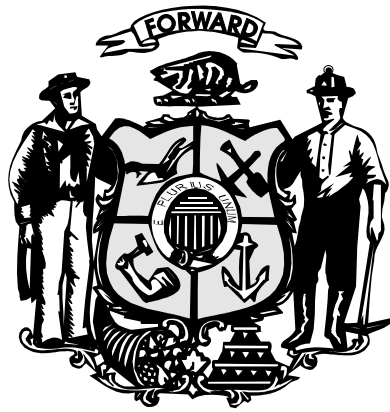


# Introduction to General Records Schedules



Revised 11/2017

For use by

All units of Wisconsin Government at the State, County, and Municipal level

## INTRODUCTION

Records are a basic tool of transacting business on behalf of all units of Wisconsin Government at the State, County, and Municipal level. They are also the foundation for government accountability.

Records management is regulated by Wisconsin state law, and accordingly, General Records Schedules (GRSs) provide legal authorization to dispose of records common to a business function on a regularly scheduled basis. General Records Schedules are a mechanism for consistent retention and disposition of similar types of records across all government units and provide assurance of accountability to the public. GRSs also contain guidelines for complying with legal, fiscal, and archival requirements for records retention and facilitate cost-effective management of records commonly found in all government units.

The records retention obligations of state agencies are governed by [Wis. Stat. § 16.61](#) and apply to “public records” as defined in [Wis. Stat. § 16.61\(2\)\(b\)](#). These materials are referred to as “records” in this document for ease of reference. Records that are unique to a specific government unit require the creation of a separate Records Disposition Authorization (RDA) that must be submitted by the entity, and approved by, the Public Records Board (PRB).

## I. PURPOSE

The purpose of a General Record Schedule is to:

- Provide agencies with uniform guidelines for the retention and disposition of records common to a business function;
- Ensure that agencies retain records as long as needed in order to complete the transaction of business on behalf of the State of Wisconsin, and to meet legal, audit, archival, and other State of Wisconsin and federal requirements;
- Provide agencies with legal authorization to dispose of records eligible for disposition on a regularly scheduled basis after the minimum retention periods are met. Records may not be disposed of in a shorter period of time; and
- Promote the cost-effective management of records.

## II. WHO MAY USE GENERAL RECORDS SCHEDULES

When the PRB approves a General Records Schedule, its use is **mandatory** for all state agencies except the UW System Administration (UWSA) and its institutions. State agencies may request, and gain approval from, the PRB to either: adopt some, but not all, of the schedules contained within the document, or adopt an independent set of records schedules. Wisconsin counties, municipalities, other local units of government and the UWSA are encouraged to use the applicable GRS. To do so, each entity must take affirmative action to adopt a GRS by completing the Notification of General Schedules Adoption (PRB-002) form. Units of Wisconsin Government are then expected to supersede previously approved, unique, RDAs now covered by an approved GRS. For additional information on opting in to and out of a GRS see the General Records Schedule Policy.

## III. RECORDS RESPONSIBILITIES

Most agencies do not create or receive all of the records listed within a General Records Schedule. Thus it is important to note that GRSs **do not** require records to be created by agencies. Rather, an approved GRS provides guidance for records that are actually created or received by government agencies in their course of work.

Under Wisconsin law, each government unit is responsible for properly managing its records with approval from the Public Records Board. Proper records management can become complex, especially

when: the same records are held by more than one department within a government unit, or multiple units possess the same records. Accordingly, GRSs provide guidance for:

- a) Records management among the departments of a single government unit, all of which have custody of the same or similar records; and
- b) Records management among different government units, all of which have custody of the same or similar records. This primarily occurs between an operating state agency and agencies with statewide oversight such as the Department of Administration (DOA). An example would be the agency biennial budget request submittal to the State Budget Office in DOA. This is a record for both the state agency that develops and submits the biennial budget request as well as the State Budget Office in DOA which receives the agency biennial budget request as a starting point in developing the Governor’s Biennial Budget. Both DOA and the state agency have official public records in this example.

#### IV. RECORD SERIES TITLES AND CATEGORIES

Each GRS contains a table listing the series title and categories for that particular record series. Below is an example of the format used in GRSs and an explanation of each column.

RDA Number	Record Series Title	Series Description	PII	Confidential	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
[Functional Area]								

**RDA Number:** A unique identifying number for each record series.

**Record Series Title:** A descriptive title that defines the record series.

**Series Description:** A brief description of the record series.

**PII:** Indicates whether or not records in the record series may contain personally identifiable information as defined in [Wis. Stat. § 19.62\(5\)](#). See section V. a) of this document for more information.

**Confidential:** Indicates whether or not records in the record series may contain confidential information. If yes, the GRS requires a rationale for the confidential designation such as a statute, administrative rule, or other legal authority. See section V. b) of this document for more information.

**Minimum Retention and Disposition:** Indicates the minimum time period a record series must be maintained expressed in years, months or days and the designation of whether or not the record series has been identified as having historical value warranting preservation at the State Archives or University of Wisconsin Archives. This section also notes if a record is to be destroyed confidentially. Records must be retained for the minimum retention time approved in the GRS and cannot be disposed of in a shorter amount of time.

**Event Description:** The description of what initiates the start of the retention clock. For example, the retention of some record series may be the close of the state fiscal year (June 30, xxxx) and for others the close of the calendar year (December 31, xxxx). Other record series have events based upon something occurring, such as the date a person leaves state employment or the date a loan is repaid.

**Example/Notes:** Provides additional guidance and/or provides applicable examples to assist in interpreting the relevancy of the record series.

**Previous RDA Number (if applicable):** Identifies prior RDA numbers for record series that have been superseded or closed by the current GRS.

## **V. CONFIDENTIALITY AND PERSONALLY IDENTIFIABLE INFORMATION (PII) OF RECORD SERIES CONTAINED WITHIN GENERAL RECORDS SCHEDULES**

### **a) Personally Identifiable Information (PII)**

Wisconsin law defines Personally Identifiable Information (PII) as information that can be associated with a particular individual through one or more identifiers or other information or circumstances ([Wis. Stat. § 19.62\(5\)](#)), and requires authorities to identify certain record series within a GRS that contain PII.

Despite the broad definition, [Wis. Stat. § 16.61\(3\)\(u\)](#) requires that record series within a schedule containing the following types of PII need not be identified as such: a) mailing lists; b) the results of certain computer matching programs; c) telephone or e-mail directories; d) record series pertaining exclusively to agency employees; and e) those relating to state agency procurement or budgeting.

Some, but not all, records in a record series may contain PII. The PII column should be marked “yes” if some records in the series may contain PII. As to those record series identified as containing PII, the schedule further indicates whether the PII is incidental to the primary purpose for which the record series is created. If in doubt as to whether a specific record series contains PII, check first with your designated records officer. If necessary check with legal counsel.

Some PII, but not all, is confidential. In addition, some records in a series, but not all records in the same series, might contain confidential information. Finally, records not containing PII may be required by law to be kept confidential. The designation of a particular record series as “confidential” relates primarily to the schedule’s function in regulating the retention and disposition, including destruction, of the record series. See the next section for more information. In contrast, public access to records is determined by the Public Records Law and not simply by the designation of confidentiality in a record schedule.

### **b) Confidentiality of Records**

Some records series may contain confidential or restricted access records. The GRS will identify any record series containing information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. Some, but not all, records in a records series may contain confidential information. The confidential column should be marked “yes” if some records in the series may contain confidential information. Even when specific confidentiality statutes do not apply, application of substantive common law principles through the balancing test considerations under [Wis. Stat. § 19.35\(1\)\(a\)](#) may affect disclosure of the record under the public records law. For example, some of those considerations include information relating to mental and physical health, victim information, privacy, and records protected by attorney client privilege or attorney work product. In addition, when an individual or an individual’s representative makes an open records request for records containing personally identifiable information about that individual, there is no balancing test but the disclosure exceptions under [Wis. Stat. § 19.35\(1\)\(am\)](#) must be considered. The [Wis. Stat. § 19.35\(1\)\(am\)](#) exceptions include endangering an individual’s life or safety; endangering the security of a prison, including the security of the population or staff; identifying a confidential informant; and records collected or maintained in

connection with complaints, investigations, or other circumstances that may lead to various administrative or court proceedings. Consultation with agency legal counsel is recommended when responding to an open records request.

## VI. RECORDS FORMAT

Records retention guidelines apply regardless of record format. Records covered by any GRS may be retained in electronic, paper, or other formats. The schedule applies to all records born digital (including those created or transmitted via e-mail), data contained in database systems, tapes/cartridges and other types of electronic records and information systems maintained by agencies. To safeguard the information contained in records maintained *exclusively* in electronic format, agencies must meet the standards and requirements for the management of electronic records outlined in [Wis. Admin. Code ch. Admin 12](#).

## VII. RETAINING RECORDS

General Record Schedules provide the minimum retention time a government unit must retain records. Records may not be destroyed earlier under any circumstances. Also, if a record series is identified as having historical value, those records must be transferred to the appropriate designated archival repository for preservation instead of being destroyed by the government unit.

After the required minimum retention time period has been met, records should be destroyed or transferred unless any of the following conditions apply:

- a) Records are required for financial or performance audits either currently underway or known to be planned.
- b) Records are subject to a “legal hold” because they may be relevant to an existing, pending, or anticipated legal proceeding.
- c) A related open records request has been received and not completed, or statutorily required time periods have expired.

## VIII. REPOSITORIES

### a) Archival

For records series that have been appraised as having long-term value, the disposition will indicate “transfer to an archival repository.” An archival repository is responsible for processing the records, making them available to researchers, and providing for their safe-keeping and preservation. An official archival repository is one that has been reviewed and designated as such by the Wisconsin Public Records Board according to [Wis. Stat. § 16.61\(13\)\(b\)](#). In general, transferring to an archival repository means transferring records to either the State Archives in the Wisconsin Historical Society (for state agencies and local units of government) or the applicable University of Wisconsin Archives (for University of Wisconsin records). The State Archives captures the public-facing web content of government units on a regular basis. Preserved websites are available through the [Internet Archive](#).

### b) Wisconsin Document Depository Program

Under [Wis. Stat. §§ 35.81-35.84](#) state agencies are required to participate in the Wisconsin Document Depository Program. The Wisconsin Document Depository Program collects and distributes state documents in print and electronic formats to Wisconsin libraries; preserves and makes available a record of major state government programs; and assures the availability of state documents for use by the public throughout Wisconsin now and in the future. Print documents are distributed to designated [depository libraries](#) throughout the state. Electronic documents are digitally archived and made accessible through the [Wisconsin Digital Archives](#). For more information about the program visit the [website](#) or email [statedocuments@dpi.wi.gov](mailto:statedocuments@dpi.wi.gov).

Many state publications are now born-digital, which is, published only on the Web or only maintained in an electronic format. Electronic publications are collected and preserved as part of the Wisconsin Document Depository Program; URLs to state publications published electronically on Wisconsin State Agency websites should be emailed directly to [statedocuments@dpi.wi.gov](mailto:statedocuments@dpi.wi.gov) as a way for state agencies to fulfill the statutory obligation to participate in the Wisconsin Document Depository Program.

## **IX. FOR ADDITIONAL INFORMATION AND ASSISTANCE**

For help interpreting or applying this schedule to your records, or help organizing your records, contact your organization's designated records officer.

**Agency Counsel:** Agency counsel can assist with legal issues related to records retention, such as identification of confidentiality requirements.

**Records Officer:** Each state agency has a designated records officer who serves as liaison to the Public Records Board. The records officer is responsible for agency-wide records management planning, program development, and assistance.

Additional information and assistance with records management concerns is also available from the following sources:

**DOA Records Management Section:**

The DOA Records Management Section, via the State Records Center, provides additional information on records management.

**Public Records Board:**

The Board's Executive Secretary can offer technical assistance and training to assist agencies with records management, including records scheduling and interpretation of schedules.

**Wisconsin Historical Society:**

The Wisconsin Historical Society (WHS) assists agencies with records management, particularly in identifying the small percentage of records that have historical value.

**University of Wisconsin Institution Archives:**

University of Wisconsin Institutions has delegated authority to operate archives for historical institutional records. Often, the University of Wisconsin archives also function as the focus for records management related activities on the campus.