

3-2 UNIVERSITY OF WISCONSIN SYSTEM PUBLIC RECORDS MANAGEMENT

1.0 POLICY

The policy of the University of Wisconsin System is to ensure that public records are properly managed in compliance with relevant state and federal laws.

2.0 SCOPE

This public records management policy applies to all UW System institutions.

3.0 PURPOSE

The purpose of this policy is to facilitate the transaction of business, ensure public accountability, and preserve the history of UW System institutions by fulfilling state and federal legal requirements for public records management.

4.0 PUBLIC RECORDS MANAGEMENT

4.1 Definition and Ownership of Public Records. Public records include all materials, regardless of physical form or characteristics, that employees create or receive in connection with the transaction of public business on behalf of UW System institutions. All public records that employees create, receive, or retain are owned by the UW System and the State of Wisconsin.

4.2 Duties of University of Wisconsin Institutions. Each UW System institution shall establish and maintain a public records management program.

4.3 Duties of the Chancellor. The Chancellor of each UW System institution shall designate a public records and forms officer.

4.4 Duties of the Public Records and Forms Officers. The records officer at each UW System institution shall: (1) Develop and maintain a public records management program that fulfills state and federal legal requirements; (2) Provide records management training and assistance to UW System institution employees; (3) Upon request, provide special assistance to UW System institution: legal counsel, legal custodians for public records requests, auditors, and archivists; and (4) Collaborate with UW System institution technology professionals in developing and maintaining information and digitization systems that create, receive, store, destroy, and archive electronic public records in compliance with state and federal legal requirements.

4.5 Characteristics of Public Records Management Programs. Public records management programs facilitate ongoing business activities, ensure public accountability, and preserve the history of UW System institutions. In order to successfully perform these vital functions, public records management programs should

be developed and maintained using a collaborative decision-making process involving UW System institution: records and forms officers, information technology professionals, legal counsel, legal custodians, auditors, and archivists. In some instances, this collaborative decision-making process should involve UW System institution employees from other professional fields, including but not limited to: business officers, administrators, faculty, staff, students, human resource managers, and registrars.

Public records management programs shall: (1) Ensure that public records are created, received, and retained in compliance with this policy and state and federal legal requirements; (2) Properly classify public records, so as to support UW System institution functions and ensure appropriate disposition of these records; (3) Obtain approval for disposition of public records from the State of Wisconsin Public Records Board; (4) Ensure secure storage of public records throughout the lifecycle of these records; (5) Ensure that expired public records are destroyed, paying special attention to the additional steps necessary to destroy expired electronic records; and (6) Preserve the history of the UW System institutions by implementing archival processes that ensure the security, accessibility, accuracy, authenticity, readability, and reliability of public records notwithstanding the passage of time.

4.6 Treatment of Electronic Public Records. Public records management programs shall ensure that throughout their lifecycle, electronic public records are secure, accessible, accurate, authentic, legible, readable, and reliable. These programs shall also ensure that upon disposition, electronic public records are either properly destroyed or archived. Because some information technology systems may retain portions of deleted electronic records, public records management programs must ensure that expired electronic records are actually destroyed.

4.7 Information and Digitization Systems and Business Tools. UW System institutions shall not purchase, support, or utilize information and digitization systems, or business tools, which fail to comply with this policy and state and federal legal requirements for public records management. Therefore, the procurement, development, and maintenance of information and digitization systems should include public records management functions.

4.8 Electronically-Stored Information. Information and digitization systems routinely create electronically-stored information which, in many instances, comprises a public record. Therefore, UW System institution employees and the technology professionals who provide, support, and manage information and digitization systems must ensure that electronically-stored information is only created, received, or retained if it supports UW System institution business functions.

4.9 Review of Public Records Management Programs. The State of Wisconsin Department of Administration has authority to periodically audit the public records management programs at UW System institutions in order to evaluate legal compliance. In order to ensure the success of such an audit or to ensure compliance with this policy, the public records and forms officer at each UW System institution may conduct periodic reviews of public records management programs.

5.0 PUBLIC RECORDS MANAGEMENT ROLES AND RESPONSIBILITIES

5.1 *Employee Supervisors.* Supervisors of UW System institution employees are responsible for ensuring that the employees under their supervision attend public records management training sessions and manage public records in compliance with this policy and state and federal legal requirements.

5.2 *Employees.* UW System institution employees are responsible and accountable for managing public records in compliance with this policy and state and federal legal requirements. Failure to do so may result in loss of access to UW System institution information and digitization systems and business tools, as well as appropriate disciplinary action.

5.3 *Use of Business Tools.* UW System institution employees shall manage and retain public records using only information and digitization systems and business tools that are supported by the institution.

5.4 *Suspension of Public Records Retention Schedules.* Record retention schedules must be suspended whenever UW System institution records are relevant to litigation, audit, or public records requests. Any suspension of retention schedules shall be carefully tailored to the scope of the litigation, audit, or public records request. Although UW System institutions will suspend public records retention schedules when reasonably necessary, these institutions shall not be responsible for individual employees acting outside the scope of their authority, or in a manner inconsistent with the suspension of public records retention schedules.

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