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Your Work Responsibilities and University Records

Information technology has effectively made all of us records managers. The University Records Management Advisory Group and University Records Management Program would like to ensure that all University employees recognize and understand the obligation they have to create, maintain, dispose of, and preserve university records. This bulletin outlines records management responsibilities for University employees.

INTRODUCTION—YOUR WORK RESPONSIBILITIES AND RECORDS

The creation, management, and distribution of information are at the heart of what the University is all about. Knowledge and the transmission of records and data are basic to the University mission:

> *The primary purpose of the University of Wisconsin-Madison is to provide a learning environment in which faculty, staff and students can discover, examine critically, preserve and transmit the knowledge, wisdom and values that will help ensure the survival of this and future generations and improve the quality of life for all.*

A very important part of your job as an employee is the management of records and information that are related to your job responsibilities. As part of your University employment, you are provided a number of workplace tools and institutional resources. A number of them relate back to the production and management of University records and information.

Records provide:
- Evidence of transactions
- Support for the decision making process
- Documentation of University programs and activities, and
- Resources for future historical research.

We all have a stake in making sure records are efficiently and effectively managed so that University administrative, legal, audit, research and historical interests are served. Furthermore, there are significant legal liabilities and costs associated with poor or inadequate records management practices.

Electronic recordkeeping has had significant impact on records and the record keeping process. The consolidated subjects file or case file that used to be stored in the department office file cabinets are no longer the mainstay of record keeping. Records in the electronic format makes it more challenging to ensure a complete, accurate and reliable record is maintained.

Following ARMA's 8 Generally Accepted Recordkeeping Principles or *"The Principles"* of:
- Accountability,
- Transparency,
- Integrity,
- Protection,
- Compliance,
- Accessibility,
- Retention, and
- Disposition

as a best practice in university recordkeeping makes us all better records managers on a daily basis.

This brochure outlines basic responsibilities for the management of records and information regardless of media. It also identifies where to go for more information or assistance.

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WISCONSIN PUBLIC RECORDS LAW AND UNIVERSITY POLICIES

The records you create while a University employee, in general, do not become your personal property. Official department records belong to the University and must be managed in accordance with established University and State policy by law.

Some incidental personal records are expected and those should be maintained separately. It is recognized that the mission of the University demands the free exchange of ideas and information. For example, communications with colleagues, research activities, etc. generate personal records and communications that would be considered private.

Wisconsin State Statues:
Section 16.61 - Wisconsin's *Public Records law,* and Section 19.32, *Open Records Law* of the Wisconsin Statutes define public records. These definitions are purposefully broad. Wisconsin government has a long tradition of a strong public access to records policy. Public records represent a key resource in open, representative government, and the presumption is that these records belong to the citizens of the State and are accessible with certain exceptions. (Medical records, student records, law enforcement, and certain other records are exceptions by Statute or administrative rule. Within the University community intellectual property rights protect certain types of research records.) See Appendix A and B

Wisconsin Administrative Rule 12, effective May 1, 2001, provides instruction and guidance for the management of electronic records.

RECORDS MANAGEMENT POLICY AND PROGRAM RESPONSIBILITIES

UW Board of Regents
Section 3: Laws and Regulations
3-2 University of Wisconsin System Public Records Management.

1.0 Policy of the University of Wisconsin system is to ensure that public records are properly managed in compliance with relevant state and federal laws.

Chancellor

Wisconsin Statutes 15.04(1) (i) requires department heads (for the UW System this would be the Chancellor at each institution) to establish records and forms management programs. S 15.04(1) (j) requires the department head to appoint a records officer.

Below is a description of the responsibilities of the campus records management program.

Faculty Department Chair
Faculty Policies and Procedures 5.31 C and D state that the departments chair has charge of all official correspondence and of all departmental announcements and publications. Also, the department chair determines that all necessary records of teaching, research and public service are properly kept and accessible.

Faculty Policies and Procedures 6.09 B provides that all faculty committee meeting records and reports are official University records, and that they may not be destroyed without the consent of the University Archivist. This section also outlines chair responsibilities with respect to transferring records to the Archives and transferring active files to his/her successor.

Faculty Legislation II-500 describes the mission of the University Archives and Records Management. This mission fulfills statutory responsibilities for the University, but it is also a valuable resource for University researchers and for offices that have concerns and questions about the management of records and information.

Faculty Legislation II-500 outlines the role and mission of the University Archives and Records Management Services. Archives & Records Management serves not only as an official state records repository for University records of permanent or historical value, but it also provides policy direction and technical assistance to campus departments in meeting their records and information responsibilities. These records guidelines along with several other educational and informational pieces on archives and records management are available through the Archives and Records Management website.

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Employee Responsibilities

Employees engage in activities that directly impact the management of University records and information. According to the Board of Regents Policy 3-2, Section 5.2, an employee is responsible and accountable for managing pubic records in compliance with state and federal legal requirements. The following is designed as a guideline for use in approaching your records responsibilities.

The University Records Management Advisory Group in 2009 endorsed ARMA Internationals **Generally Accepted Recordkeeping Principles** as a best practice for recordkeeping on our campus. The principles are: Accountability, Transparency, Integrity, Protection, Compliance, Accessibility, Disposition, and Retention. See UW-Records Management for more information. See appendix C. http://archives.library.wisc.edu:2784/records/crrg.html#about

Employee Checklist:

- ☑ **The records and information that you create and maintain as part of your job responsibilities belong to the University and the State of Wisconsin.**
  While certain categories of information constitute personal records, they should be maintained separately from records that are clearly part of the University official records.

- ☑ **Know your records; what they are and where they are located or stored.** Can you quickly locate electronic records that may relate to items in your paper files? If something happens to you or someone on your staff that results in unexpected absences and his/her computer contains information critical to a project or major issue, knowing how to access those records can become very important.

- ☑ **Just because your records and information may have been converted to another storage medium, provisions of State law and University policy still apply.**
  For example, a record may be created and stored electronically and no paper copy created; however, it is still a record. *The particular storage medium does not affect its status as a record.*

- ☑ **For those administering research projects, you need to be mindful of any special records and documentation requirements of your funding agency as well as State and University policies.** See Research Data Research. http://researchdata.wisc.edu/

- ☑ **You need to manage your records and information in accordance with State and Federal regulations and by law**.
  All University records, for example, are subject to provisions of the Statutes relating to records retention scheduling. See Campus General Retentions Schedules: http://archives.library.wisc.edu/records/rda.html#general-records

- ☑ **Records regardless of storage media can be subject to subpoena and discovery processes.** Effective filing systems for your electronic records can be of great assistance in responding to a subpoena. If you do not have a way of segregating your electronic records, opposing parties can and have taken entire disk drives.

- ☑ **Attention to storage media, maintenance and retention practices, security, and access issues will mean that your data will be available to you and others to use in the future.** The time period between major technology platform shifts continues to decrease. Be prepared to migrate, or move forward, any records and /or information that have long term value to you or your department when platform shifts occur. It is strongly advised that you establish consistent filing practices. Make sure that you separately identify and segregate private or personal information in both paper and electronic files.

- ☑ **Destroy/delete information routinely in accordance with established retention policies.** Check the University Archives and Records Management homepage for retention information or call the campus records officer if you are uncertain whether your records are covered by a retention policy.

- ☑ **Resist the temptation to keep records past the approved retention period just in case you need them.** It is strongly suggested that you destroy records promptly at the time the retention period

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governing them has been completed. There are several reasons for this:

o Retaining records longer than necessary fills up hard copy and electronic storage space making it difficult to access and retrieve those record items that are needed.

o Disposing of records in the normal course of business in accordance with approved retention schedules and procedures demonstrates consistency in records and information management practices. Courts understand of records destruction in instances in which the organization can demonstrate that a comprehensive records management program exists and the disposition is carried out on a systematic and routine basis.

o It can be costly for the University in audit or legal action. If records that should have been destroyed remain available and an audit or court action is commenced, they are subject to subpoena and discovery. In the case of audits, if an exception is discovered, penalties can be assessed as far back as records are available.

☑ **What responsibilities, if any, do I have in the preservation of historical materials from my department?**

All records created and maintained by your employing department should be covered by approved retention schedules that designate which records have long term or historical value and should be transferred to the Archives for preservation. The Archives has identified certain items as having permanent value. Contact the Director of Archives with any Archival questions.

We are all Records Managers Everyday

UPON LEAVING YOUR UNIVERSITY POSITION

It is important before leaving your position that you account for all of the university records that your position is responsible for managing.

Check with your supervisor, manager or department chair regarding any official University records you may have in your possession and the proper disposition of them.

- Identify active records within networked shared drives, email, physical file cabinets, Collaborative Spaces and your own device such as a table, phone, jump drive or other portable device and out in the cloud for your successor in your department or unit.

- Clean your desktop computer once you are sure that you have met other responsibilities outlined in this document. This means deleting all non-records.

- Follow approved retention policies for deletion and destruction of university records.

- Physical records which are no longer needed but have not reached their required retention period should be packed in records boxes and sent to the State Records Center.

- Records which are in your custody which have not met retention are to be available should there be litigation or audit or public records request.

- Seek guidance from the University Archives on the disposition of faculty/academic staff personal papers. The Archives is particularly interested in tracking major research developments which have occurred here, programmatic and instructional developments, and other significant developments relating to the history of the University.

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CONCLUSION

The University Records Officer encourages you to take a few minutes to become familiar with University policies relating to records and the resources available to you through UW Madison Records Management website. Becoming acquainted now with your records and information responsibilities can be beneficial to you throughout your University working career.

Understanding your records responsibilities will result in improved day-to-day management of your office's records and information, insure that you will be able to respond in a timely fashion to information requests both internally and externally, and insures the systematic retention and disposition of valuable University information resources.

See APPENDIX A:
STATUTORY DEFINITION OF RECORDS

SEE APPENDIX B:
STATUTORY DEFINITION OF NON-RECORDS

See APPENDIX C
ARMA International's Generally Accepted Recordkeeping Principles – "The Principles"

APPENDIX A: STATUTORY DEFINITION OF RECORDS

"'Public records' means all books, papers, maps, photographs, films, recordings, optical disks, electronically formatted documents or other documentary materials, regardless of physical form or characteristics, made, or received by any state agency or its officers or employees in connection with the transaction of public business, and documents of any insurer that is liquidated or in the process of liquidation under ch. 645.

--Wisconsin Statute 16.61(b)

See: Office of Legal Affairs
http://www.legal.wisc.edu/public-records.htm

APPENDIX B: STATUTORY DEFINITION OF NON-RECORDS

1. Records and correspondence of any member of the legislature.

1m. Any state document received by a state document depository library.

2. Duplicate copies of materials the original copies of which are in the custody of the same state agency and which are maintained only for convenience or reference and for no other substantial purpose.

3. Materials in the possession of a library or museum made or acquired solely for reference or exhibition purposes.

4. Notices or invitations received by a state agency that were not solicited by the agency and that are not related to any official action taken, proposed or considered by the agency.

5. Drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working.

6. Routing slips and envelopes

APPENDIX C: ARMA International's Generally Accepted Recordkeeping Principles® — *The Principles*

Preamble

Records and recordkeeping are inextricably linked with any organized activity. It is only through the information an organization records in the normal course of business that it can know what it has done and effectively plan what it will do in the future. As a key resource in the operation of any organization, records must be created, organized, secured, maintained, and used in a way that effectively supports the activity of that organization, including:

- Facilitating and sustaining day-to-day operations
- Supporting predictive activities such as budgeting and planning
- Assisting in answering questions about past decisions and activities
- Demonstrating and documenting compliance with applicable laws, regulations, and standards

Principle of Accountability

An organization shall assign a senior executive who will oversee a recordkeeping program and delegate program responsibility to appropriate individuals, adopt policies and procedures to guide personnel, and ensure program audit ability

Principle of Transparency

The processes and activities of an organization's recordkeeping program shall be documented in an understandable manner and be available to all personnel and appropriate interested parties.

Principle of Integrity

A recordkeeping program shall be constructed so the records and information generated or managed by or for the organization have a reasonable and suitable guarantee of authenticity and reliability.

Principle of Protection

A recordkeeping program shall be constructed to ensure a reasonable level of protection to records and information that are private, confidential, privileged, secret, or essential to business continuity.

Principle of Compliance
The recordkeeping program shall be constructed to comply with applicable laws and other binding authorities, as well as the organization's policies.

Principle of Availability
An organization shall maintain records in a manner that ensures timely, efficient, and accurate retrieval of needed information.

Principle of Retention
An organization shall maintain its records and information for an appropriate time, taking into account legal, regulatory, fiscal, operational, and historical requirements.

Principle of Disposition
An organization shall provide secure and appropriate disposition for records that are no longer required to be maintained by applicable laws and the organization's policies.

Generally Accepted Recordkeeping Principles®:

http://archives.library.wisc.edu:2784/records/crrg.html#about

About ARMA International and the Generally Accepted Recordkeeping Principles®
ARMA International (www.arma.org) is a not-for-profit professional association and the authority on information governance. Formed in 1955, ARMA International is the oldest and largest association for the information management profession with a current international membership of more than 10,000. It provides education, publications, and information on the efficient maintenance, retrieval, and preservation of vital information created in public and private organizations in all sectors of the economy. It also publishes Information Management magazine, and the Generally Accepted Recordkeeping Principles®. More information about the Principles can be found at www.arma.org/principles.