



Electronic Record Systems and Recordkeeping Requirements

DEFINITIONS

What do we mean by record keeping requirements?

Record keeping requirements address those issues which will affect the information created and/or maintained by your system legally acceptable and insure that your information will be accessible and retrievable in the future. These requirements apply regardless of storage medium (paper, electronic, video, audio etc.).

What are the major criteria in developing record keeping requirements?

Formal system documentation should record and preserve decisions and policies on:

- Formulating the objectives of the record keeping system,
- Determining legal and regulatory requirements,
- Assigning and enforcing responsibility and accountability,
- Designing records capture or data collection protocols, and
- Assuring maintenance (current and future access and retrieval, retention, disposition, and preservation).

***The 8 Generally Accepted Recordkeeping Principles®**

- 1. Accountability**
- 2. Transparency**
- 3. Integrity**
- 4. Protection**
- 5. Compliance**
- 6. Availability**
- 7. Retention**
- 8. Disposition**

Best Practices for Management of University Records

OVERVIEW: CREATING ELECTRONIC RECORDS

Electronic records or more accurately "technology dependent records" are those records that are not eye readable without some intervening technology, and:

- may be born-digital or converted
- may be created via computing devices, scientific and medical instrumentation, communications equipment, and audiovisual equipment
- exists in a variety of types including but not limited to: text, images, moving images, sound, databases, spreadsheets, geographic information systems (GIS), data warehouse, and specialized applications

When a new application or system is being evaluated for use on campus the following general documentation and criteria should be evaluated:

1. Comply with the appropriate legal and administrative requirements for record keeping. ([Wisconsin Adm. Rule 12 for Electronic Records Management- Standards and Requirements](#)).
2. Ensure that electronic records are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.
3. Document policies, assign responsibilities, and develop appropriate formal mechanisms for creating and maintaining public records throughout the record life cycle.

Further, that state agencies, such as the University, which maintain any public records exclusively in electronic format should do the following for those records:

1. Develop information systems that accurately reproduce the records they create and maintain.
2. Identify and document records created by information systems.
3. Document authorization for the creation and modification of electronic records and, where required, to ensure that only authorized persons create or modify the records.
4. Design and maintain information systems to ensure that these systems can provide the **official record copy** for those business functions accomplished by the system.
5. Develop and maintain information systems that maintain accurate links to transactions supporting the records created where these links are essential to the meaning of the record.
6. Information systems used to maintain public records shall be able to:
 1. Produce electronic records that continue to reflect their meaning throughout the records' life cycle.
 2. Delete electronic records created.
 3. Export records to other systems without loss of information.
 4. Output record content, structure and context.
 5. Allow records to be masked to exclude confidential or exclude confidential or exempt information.

Job Aid

Recordkeeping Requirements for Electronic Records Systems

Formulating Objectives:

What is the information system supposed to do? What functions is it designed to support?
What will constitute the official record(s) produced by the system?

Determining Legal / Audit Requirements:

What information is legally required?
How long is it required?
Are there any specific state or federal requirements? Are there provisions for documenting changes made to the information system—providing an audit trail?

Approval Authority / System Access Authority:

Is there a requirement for an authorizing signature? If so, how will it be obtained and recorded?
Does providing access to the system inadvertently give approval authority?
Is an electronic signature sufficient? (A signature is not required to create a record, but if a signature is a requirement of a governing policy or procedure, it may need to be somehow included in the electronic system.)

Approval authority is an important consideration:

For example, in granting access to sign-on codes for data entry you may also be granting approval authority. Student and clerical staffs often are responsible for data entry, but should they bear the burden of approval by virtue of the fact that they are completing a data entry task?

Assigning and Enforcing Responsibility / Accountability:

Who will have custody of the official record?
Who will be responsible for verifying information in the system?
For making and documenting revisions? If, for example, your office envisions a Web page to support a particular function, who will be responsible for keeping it up to date with appropriate address information, revisions of content, changes in policy etc.
Who will decide whether superseded versions need to be retained?
Who will be responsible for assuring that short term and long term retrieval of the information is possible? Who will respond to auditors, to open records requests, or to the court?

Designing Records Capture and Data Collection Protocols:

Data collection is a significant area because this is where you will decide what pieces of information will be coming from which sources, how that information will be validated, and the technology tools that will be used.
What data elements are you currently collecting? How are you collecting them?
What is the best data collection tool to use?
If you are going to use an electronic form, will you need to be able, later, to reproduce the form exactly as seen by client? (This last question could have important legal implications.)
Do you intend to merge data collected from your form with an existing database?
Will your system use E-mail or have an E-mail component? If so, how will you retain and manage that E-mail information?

Assuring Retention / Disposition / Preservation:

Wisconsin Public Records Law requires that all records be governed by approved records retention schedules. Retention schedules demonstrate that you have a plan and a policy to maintain your data in accordance with accepted requirements and that you have a mechanism to fulfill your administrative, audit, and legal obligations to the data. Further, it can be legally important to demonstrate that the data has been retained, destroyed / deleted, or preserved in the normal course of business. Ideally, the provisions of the records schedule (how long, in what form, and by whom the data need to be retained) must be incorporated into the systems design.

Cost Effectiveness:

If these considerations are not taken into account during the development phase of an information system, the costs to fix the problems later on may be significantly higher.