

The Wisconsin Municipal Records Schedule: An Overview

Wisconsin Department of Justice

Office of Open Government

State Bar of Wisconsin

Public Records, Open Meetings Update 2019

September 11, 2019

Milwaukee



Record Retention under the Public Records Law

- ▶ Wisconsin Public Records Law, Wis. Stat. §§ 19.31 to 19.39
 - ▶ **Wis. Stat. § 19.35(5):** Governs retention **following receipt of a request:**
 - ▶ No destruction until the request is granted or until at least **60 days** after the authority denies the request
 - ▶ **90 days** if requester is committed or incarcerated
 - ▶ No destruction during enforcement action



Other Record Retention Statutes

- ▶ Wis. Stat. § 16.61: State authorities
- ▶ Wis. Stat. § 19.21: Local authorities
 - ▶ Generally, a **seven-year retention period** for most records
 - ▶ The Public Records Board (PRB) may set shorter periods
 - ▶ PRB has oversight and accountability for the state's records program



Types of Record Retention Schedules

- ▶ Agency-specific **Records Retention/Disposition Authorizations (RDAs)**
 - ▶ Deviate from the GRSs to meet specific agency needs
- ▶ **General Records Schedules (GRSs)**
 - ▶ State agencies are bound to follow
 - ▶ Unless they opt out and adopt corresponding RDAs within 12 months
 - ▶ Local government units may opt in



Local Government Retention Schedules

- ▶ **County General Records Schedule**
 - ▶ PRB approved in May 2010
- ▶ **Wisconsin Municipal Records Schedule (WMRS)**
 - ▶ PRB approved on August 27, 2018
 - ▶ Wisconsin Historical Society led effort
 - ▶ Little Orange Book contained retention schedules but expired in late 1980s
 - ▶ Work group updated and reformatted the Little Orange Book
 - ▶ Worked with local government groups and PRB's Policy Committee



Wisconsin Municipal Records Schedule

- ▶ WMRS includes schedules for approximately **166** record series titles
- ▶ Main categories of records:
 - ▶ Administrative Records, Common Council/Village Board/Town Board, Cemetery Records, Community Development/Public Services, Election Records, Finance Records, Public Works, Revenue Records
- ▶ Does **not** include law enforcement records schedules
 - ▶ May be explored in the future
- ▶ **Guidance in developing law enforcement records** schedules:
 - ▶ Counties General Records Schedule (sheriff's records)
 - ▶ Specifically, sheriff's records
 - ▶ Agency-specific schedules (RDAs)
 - ▶ For example, DOJ (Division of Criminal Investigation), local government units



Adoption of WMRS by Municipalities

- ▶ Municipalities **may** adopt it, but they are not required to do so
- ▶ To adopt WMRS:
 - ▶ Submit the **Notification of General Schedules Adoption** form (PRB-002) to WHS
 - ▶ PRB will return a signed copy to the municipality
 - ▶ Following receipt of PRB approval, the municipality should **enact an ordinance** adopting WMRS as their official records retention schedule
- ▶ Municipalities should:
 - ▶ Supersede any existing ordinances covering records included in the adopted WMRS
 - ▶ Retain any approved schedules in existing ordinances for records that are not covered by WMRS
- ▶ Municipalities may also adopt other GRSs provided by the PRB or submit their own RDAs for PRB approval



Additional Information

- ▶ Contact your legal counsel
- ▶ Visit the Public Records Board's website:
 - ▶ <http://publicrecordsboard.gov>
- ▶ A copy of the WMRS and the Notification of GRS Adoption Form are included in the presentation materials



Public Records Board Website

WISCONSIN.GOV Agency Directory Online Services

State of Wisconsin
Public Records Board

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Announcements, Upcoming Events, etc

Updated website launched 6/24/2019! The Board is excited to present an updated website with streamlined navigation and a mobile-responsive design. The website now features a Records Resource page for records managers at all levels of State government including a new page dedicated to counties and municipalities.

Related links

- [County & Municipal Information](#)
- [Wisconsin Historical Society](#)
- [State Records Center](#)
- [UW Archives & Records Mgmt.](#)

Policy & Governance

The Board and its committees work with records managers throughout the State to develop various policies, rules and guidelines that promote responsible records management practices and assist in the compliance with retention and preservation requirements.

General Records Schedules

General Records Schedules (GRSs) are a collection of Records Disposition Authorizations for similar records. They provide consistency in records maintenance, retention and disposition across all units of government. The Public Records Board is responsible for maintaining, amending, and renewing all GRSs.

Records Resources

Under the Records Resources tab you will find information which will assist you in the day-to-day management of records such as best practices and training materials. There is also a section with information unique to Counties and Municipalities.

Statutory Authority and Mission

The Public Records Board is responsible for the preservation of important State records, the orderly disposition of State Records that have come to the end of their life and cost-effective management of records by State agencies.

The Public Records Board meets quarterly in Madison. Meetings generally last 2 to 3 hours. The Board's Records Management Committee and Operations and Training Advisory Committee also meet quarterly in Madison. The Board's Policy and Governance Committee will meet as needed, by call of the Chair in Madison. Other subcommittees and workgroups meet on an ad hoc basis.

The Public Records Board has oversight and accountability for the State's Records Program. The Board conducts its work through collaboration with Wisconsin governmental entities to assist in their compliance with records retention and preservation requirements. Statutory authority may be found at Wis. Stat. § 16.61.

Records Disposition

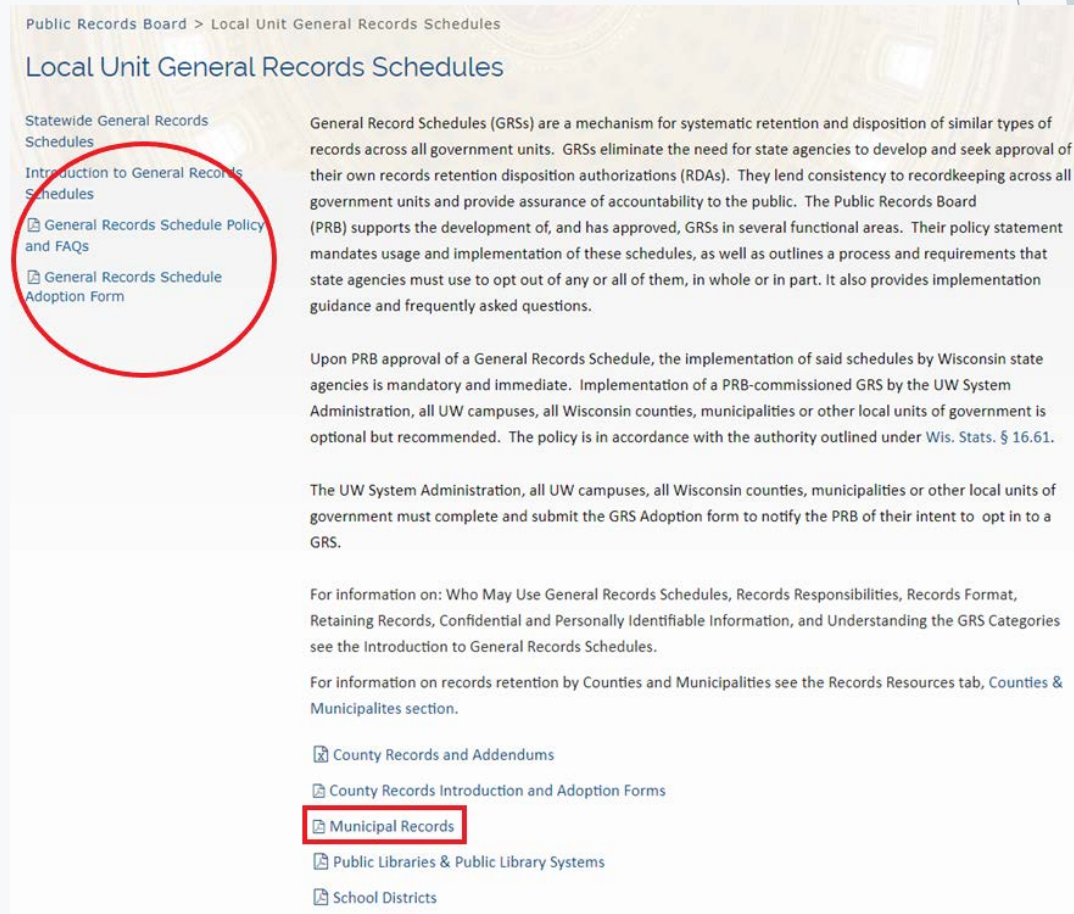
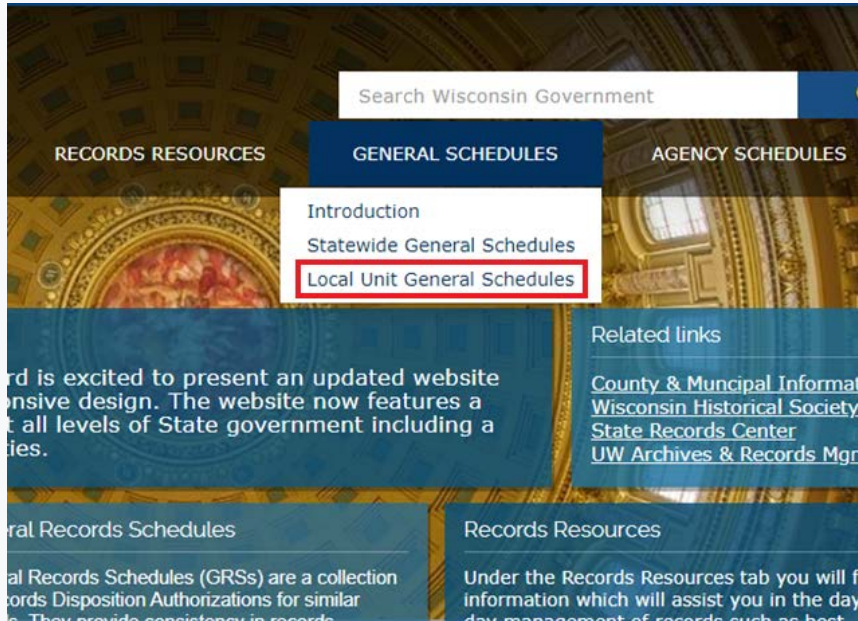
State agencies must have written approval from the Board to dispose of records they generate or receive per Wis. Stat. § 16.61(4).

For More Information Contact

Executive Secretary: Tom Bowers
(608) 267-7693

Agency Records Officers [List](#)

Public Records Board Website, continued



Contact the Office of Open Government

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