Management & Retention of Public Library Records

Shannon Schultz, Public Library Administration Consultant
Library Services Team
Division for Libraries & Technology

WISCONSIN DEPARTMENT OF
Public Instruction
Jill K. Underly, PhD, State Superintendent

Learning Objectives

- Identify public records v. non-records
- Understand ownership of a record
- Know how to properly retain records
- Recognize a public records request and handle a request appropriately
- Understand how to dispose of records properly
- Know where to go for help

Public Records Laws

- Sometimes called “Sunshine Laws”
- Citizens not in the dark about workings of government
- Essential to strength of democratic society
- Every record presumed to be public

Life Cycle of a Record

Create or Receive Records	Determine Retention	Create/Use Filing System	Use, Maintain, Protect	Disposition
Records are created or received in the course of business.	Select the RDA or GRS needed to effectively manage records.	Develop and then adhere to a filing system used to organize records.	Active records are kept readily available. Inactive records are stored and protected until retention is met.	Records have met their required retention period and are disposed of, destroyed, or transferred.

Records v. Non-records

What is a record?

- Contains information about government business
- Paper or electronic
- Location does not matter
    - Office devices
    - Personal devices

Exceptions (Non-records)

- Duplicates
- Purely personal property
- Unsolicited items
- Reference materials
- Drafts and notes

Ownership of a Record

Who is the official records holder?

- Created or received the records as part of job responsibilities
- May depend on the record
- Using personal device for library business
  - May be any type of device
  - Includes personal email
  - Retain if transition to new device
  - Purely personal property not a record

Determining the Retention of Records

Retention Schedules

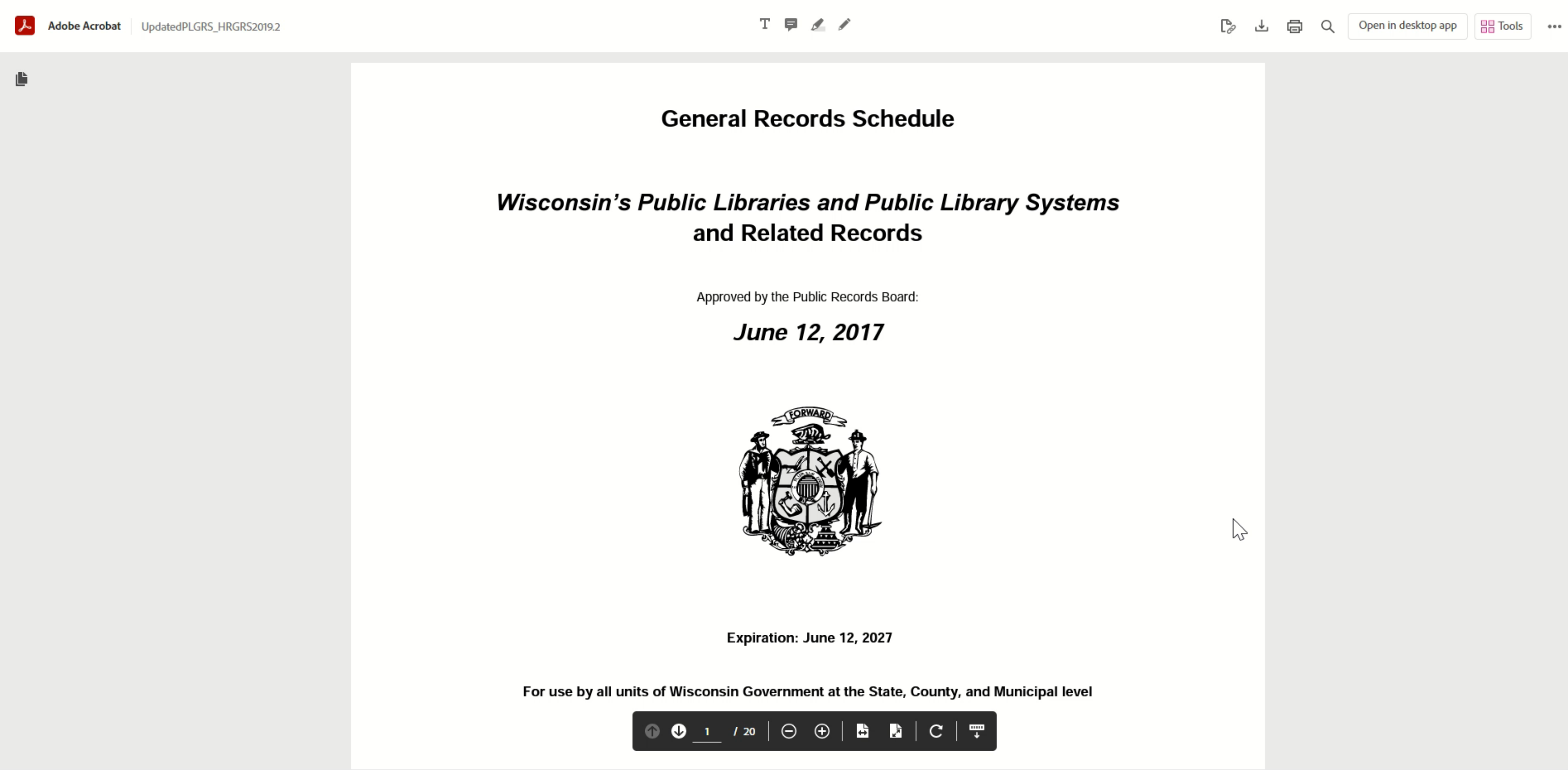
- Should be adopted by the library board
- Determine minimum amount of time that a record should be kept
- State how a record must be disposed of

Reasons to Adopt the PL GRS

- If you don’t you must create your own
- No longer required to notify WHS when disposing of records
- Promotes consistency in records management and the organization
- You will know what you have, and what you don’t have

General Records Schedule for Public Libraries

- DPI Web page on Records Retention Schedule for WI Public Libraries
- General Records Schedule (GRS) Wisconsin Public Libraries and Public Library Systems and Related Records
- Examples
    - Meeting Room Use Agreement
    - Board Meeting Minutes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General Records Schedule

Wisconsin's Public Libraries and Public Library Systems and Related Records

Approved by the Public Records Board:

June 12, 2017

Expiration: June 12, 2027

For use by all units of Wisconsin Government at the State, County, and Municipal level

GRS Summary of Steps

1. **Open the [GRS for Public Libraries and Systems](#).**
2. **Is it a library-specific record or a general record?**
   a. **Library-specific retentions are in the first section.**
   b. Not there? Either not a record, or general record.
3. **General records are in the Revision History.**
   a. Locate the item and find the record type in "Revision Made" column.
   b. Click header link to find the correct GRS, open it, and then find the record number to determine its retention.

Organization & Storage

Organization of Information

- Located when needed
- Available for use/decision-making
- Records request response within appropriate time frame
- Unexpected requests can be resolved quickly

Records in the Library

- Ensure compliance
- Safeguard vital information
- Preserve organizational memory
- Reduce costs
- Minimize litigation risk
- Improve productivity
- Promote transparency

More on Organization & Storage

Electronic Format Requirements

- accessible
- accurate
- authentic
- reliable
- legible
- readable throughout the record life cycle

More on Organization & Storage

- Best Practices for Organizing Electronic Records
- Best Practices for Naming Electronic Records
- Develop a file structure
    - Retention Schedule XYZ (5 years and destroy)
        - 2020
        - 2019
        - 2018
        - 2017
        - 2016

Tips for Notes & Drafts

Recognize

- Think about your documents

Organize

- Label, keep in separate folders or space
- Reconsider mingling notes with records

Remember

- Items may later become records

Handling Public Records Requests

- Any request for a government record
- No magic words or precise format
- Submitted in any format
- Written or verbal
- Identification or purpose is not required

Records Custodian Responsibilities

1. Locate all records in the agency that are responsive to the request
2. Review and remove information that is confidential under the law, and
3. Tell the requester what you are withholding.
4. Provide the requester with regular updates on the status of the request.
5. Respond as soon as practicable and without delay!

Disposition of Public Records

Records may only be disposed of when

- Retention schedule has not expired and there is no update or revision in progress
- Retention period has been met
- No audit, litigation, or records requests

Records containing PII must be kept & destroyed securely (locked/shredded)

Quiz Time!

Which one of the following meets the definition of a public record?

A. Personal notes that you take in a meeting and do not share with anyone else

B. Junk mail brochure inviting you to a seminar

C. Email from your coworker asking a question regarding a particular project you are working on together

D. The dictionary you keep on your desk

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Quiz Time!

If you have a public record, how long do you have to keep it?

A. Until you run out of room in your office

B. As long as required by the library's records retention schedule

C. Forever

D. Six years

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Quiz Time!

How soon does your agency have to respond to a public records request?

A. Within 5 days

B. Immediately

C. Once a staff member can get to it after completing all other responsibilities

D. As soon as practicable and without delay

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Quiz Time!

Must a person who wishes to submit a public records request put the request in writing?

A. Yes

B. No

C. It depends

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Quiz Time!

Text messages and emails on your personal devices that discuss library business are public records.

A. True

B. False

C. It depends

Quiz Time!

Text messages and emails on your personal devices that discuss library business are public records.

A. ***True***

B. False

C. It depends

Important Resources

- PR Law Compliance Guide
- Office of Open Government (DOJ)
- Public Records/Open Meetings Help Line: 608-267-2220, opengov@widoj.gov
- WI Public Records Board
- Wisconsin Historical Society
- Adm Code 12, ss. 16.61, 19.31-39, 43.30
- DPI Website (Legal)
- Your System Staff
- Municipality / County
- Municipal Attorney/Corp Counsel
- Shannon Schultz, Admin Consultant: 608-266-7270, Shannon.Schultz@dpi.wi.gov