

# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 9.13 RECORDS RETENTION

### (1) INTRODUCTION

(a) Milwaukee Public Schools accumulates thousands of pages of records every year. Questions arise frequently regarding record retention and destruction and the interpretation of statutes relating to the transfer of records.

(b) Records are a basic tool of transacting business on behalf of Wisconsin's governmental agencies and are the foundation for governmental accountability. Records management is both required and regulated by Wisconsin law. This policy provides guidelines for complying with legal, fiscal, and archival requirements for records retention, as well as guidance regarding cost-effective management of the District's records.

### (2) PURPOSE

The purpose of the District's record retention schedule is to:

- provide Milwaukee Public Schools with uniform guidance for the retention and disposition of common records;
- ensure that Milwaukee Public Schools retains records as long as needed in order to complete the transaction of business and comply with the law;
- provide Milwaukee Public Schools with legal authorization to dispose of expired records on regularly scheduled bases after minimum retention periods are met; and
- promote cost-effective records management.

### (3) DEFINITIONS

(a) "Records" means any material on which written, printed, drawn, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created by, kept in custody of, is under control of, or has been filed with any department, agency, board, commission, officer, or employee of the Milwaukee Board of School Directors, except library materials kept for public use or examination. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer printouts, and any machine-readable record. A record also includes any record that is produced or collected under a contract or agreement entered into by and between the District and an independent contractor.

b) "Archive" means records more than two years old with permanent administrative or historical value.

c) Materials that have copyright protection are not considered records.

### (4) RECORDS MAINTAINED

Records are held by designated custodians. A list of the district's records custodians shall be made public.

### (5) ACCESS

Members of the public may request access to records by making their requests, either in writing or in person, to the Office of Board Governance at Central Services Building, 5225 West Vliet Street, Milwaukee, Wisconsin, 53208. Written requests by mail should be sent to the Office of Board Governance at P.O. Box 2181, Milwaukee, WI, 53201-2181.

**(6) RETENTION AND DESTRUCTION OF RECORDS**

(a) The Milwaukee Public Schools District shall retain records in accordance with the Wisconsin Records Retention Schedule for School Districts, as prepared by the Wisconsin Department of Public Instruction, with the exceptions of:

1. student Records covered by Administrative Policy 8.42; and
2. records held by the City of Milwaukee Election Commission.

(b) This modified schedule shall be defined as the MPS School District Records Retention Schedule.

(c) Proposed changes to this schedule shall be subject to approval by the State Records Board and to the subsequent approval of the Board.

(d) Records may be retained longer than required by the retention schedule if they are useful as a district resource.

(e) Records shall be retained longer than required by the retention schedule if:

- the records are required for financial or performance audit or reporting;
- the records are relevant to litigation or legal proceedings in which the District is or likely to become involved; or
- a request for the records that was made pursuant to Wisconsin Public Records law has been received but not completed.

(f) Records to which access was denied under Wisconsin Public Records law shall be maintained for at least 90 days after the denial of the request.

**(7) CONVERSION OF PAPER RECORDS**

District records shall not be destroyed. District records may be converted, as follows:

- (a) District records that currently exist in paper format may be converted to digital format by the process of scanning, so long as
  1. the scanned version is saved on a network drive that has been approved by the Division of Technology and in a manner that is accessible by the District; and
  2. the scanned version is saved in a manner that can be accessed, retrieved, reproduced, or transmitted in compliance with state and federal records laws.
- (b) Upon conversion to digital format, the digital version of the record shall be considered the official district record.
- (c) When a record that originally existed in paper format is converted to digital format, the retention period for the record shall begin anew.
- (d) It shall be necessary to retain only one copy of a record. Additional paper copies of a single record may be destroyed when they are no longer needed.

**(8) RECORDS IN OTHER FORMATS**

Video and electronic surveillance records with no discernable incident shall be retained according to the MPS Record Retention Schedule or longer, if administratively necessary. If there is a discernable incident with evidentiary value, then the record shall be kept 120 days or as long as legally necessary.

**(9) MPS RECORDS-MANAGEMENT ADVISORY COMMITTEE**

An MPS Records-Management Advisory Committee shall be established. Upon establishment of this Committee, all issues related to the development and maintenance of the District's records-management programs, retention and destruction standards, and revisions to this policy shall be vetted through this Committee.

**History:** Adopted 12-16-10; Revised 08-27-15  
**Legal Ref.:** Wis. Stat. §19.34, Wis. Stats §19.35(5), Wis. Stats. §16.61  
**Cross Ref.:** Admin. Policy 8.42

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