



Electronic Records Management

Guidance on Chapter Adm 12 for:
Digitized Records, Born-Digital Records &
Information Systems

October 2019

Contents

Introduction	1
Scope.....	1
Use.....	1
Managing Digitized Records Checklist	3
Managing Born-Digital Records Checklist	4
Managing Digitized and Born-Digital Electronic Records	5
Inspect	5
Identify	6
Organize	7
Provide Access	7
Storage	8
Protect.....	9
Manage.....	10
Train.....	11
Selecting and Developing Information Systems Checklist.....	12
Checklist for Selecting and Developing Information Systems	13
Introduction	13
Maintain	14
Protect.....	15
Manage.....	16
Export.....	16
Glossary.....	18
Wis. Admin. Code 12	20

Introduction

An increasing amount of government records are being stored exclusively in electronic format. In light of frequent and increasingly complex technological changes, hardware and software obsolescence, and potential internal and external threats to content, storing records exclusively in electronic format may require careful consideration to ensure that such records can be adequately maintained, accessed, and protected for their entire life cycle.

To that end, the checklists in this guide are intended to help anyone who is responsible for records retention within a state or local agency consider how to retain electronic records most effectively, in line with the qualitative standards prescribed by Wisconsin Administrative Code, Chapter Adm 12.

Scope

[Wisconsin Administrative Code Chapter Adm 12](#) prescribes qualitative standards for state and local agencies to follow when retaining records exclusively in electronic format. The goal of these standards is for electronic information to remain accessible, accurate, authentic, reliable, legible, and readable throughout its life cycle. The Wisconsin Department of Administration has statutory authority under Wis. Stat. §§ 16.611 – 16.612 to prescribe these standards by rule, and subject to these standards, any agency is authorized to “transfer to or maintain in optical disc or electronic format any public record in its custody and retain the public record in that format only.” See Wis. Stat. § 16.61(5)(a).

The rule applies to state agencies, county and municipal governments, and the University of Wisconsin System (herein referred to as “agencies”). The requirements of Chapter Adm 12 apply to any record in electronic format stored in any location, provided that the record is “stored exclusively in electronic format.” See Wis. Admin. Code § 12.05 (intro). Records maintained exclusively in databases, on network drives, in the cloud, or with an online vendor are all examples of records that may need to comply with Chapter Adm 12.

Chapter Adm 12 works alongside other Wisconsin records management laws. In general, the records retention obligations of state agencies and the University of Wisconsin are governed by Wis. Stat. § 16.61 and apply to “public records” as defined in Wis. Stat. § 16.61(2)(b). The records retention obligations of counties and municipal governments are generally governed by Wis. Stat. § 19.21(4)-(8) and apply to “public records” as defined in Wis. Stat. §§ 19.21(1) and 19.32(2). Some agencies may have additional state or federal record-keeping requirements.

It is important to note that there is nothing in Wis. Admin. Code 12 that requires government agencies to preserve their records electronically. See Wis. Admin. Code § Adm 12.03 (“This chapter does not require an agency to maintain public records in electronic format.”) Rather, the provisions in Chapter Adm 12 apply to those agencies who have decided that the electronic record is the official record, rather than merely a duplicate of an official record that is retained in physical format. See Wis. Admin. Code § 12.05 (intro).

Use

Chapter Adm 12 is a particularly useful tool in three major areas: digitization or scanning projects intended to convert existing physical records into exclusively electronic format, management of an agency’s electronically created or “born-digital” records, and the purchase of systems or applications that will hold electronic records.

For each of these three areas, this document provides a checklist designed with individual users in mind and intended to provide actionable steps and workflow suggestions. Use of these checklists in various electronic

records management areas may help agencies identify areas for improvement, make decisions, facilitate communication among stakeholders, and document the agency's efforts to meet the standards described in Chapter Adm 12, Wis. Admin. Code.

It is important to emphasize that these checklists and the accompanying explanations are not intended to prescribe any additional requirements on agencies beyond those expressly stated in the Wisconsin Statutes and Administrative Code. Rather, they are intended to provide examples of processes and workflows that agencies may choose to follow in their efforts to meet the qualitative standards in Chapter Adm 12.

Managing Digitized Documents Checklist

This checklist is intended as an example process or workflow for agencies that are planning to scan or digitize existing physical records and keep the official records electronically. This checklist will:

- Guide the decision-making process for the long-term management of digitized documents.
- Facilitate communication between the agency's records staff, IT staff and program area staff.

Managing Born-Digital Records Checklist

This checklist is intended as an example process or workflow for agencies that are creating and keeping records electronically. This checklist will:

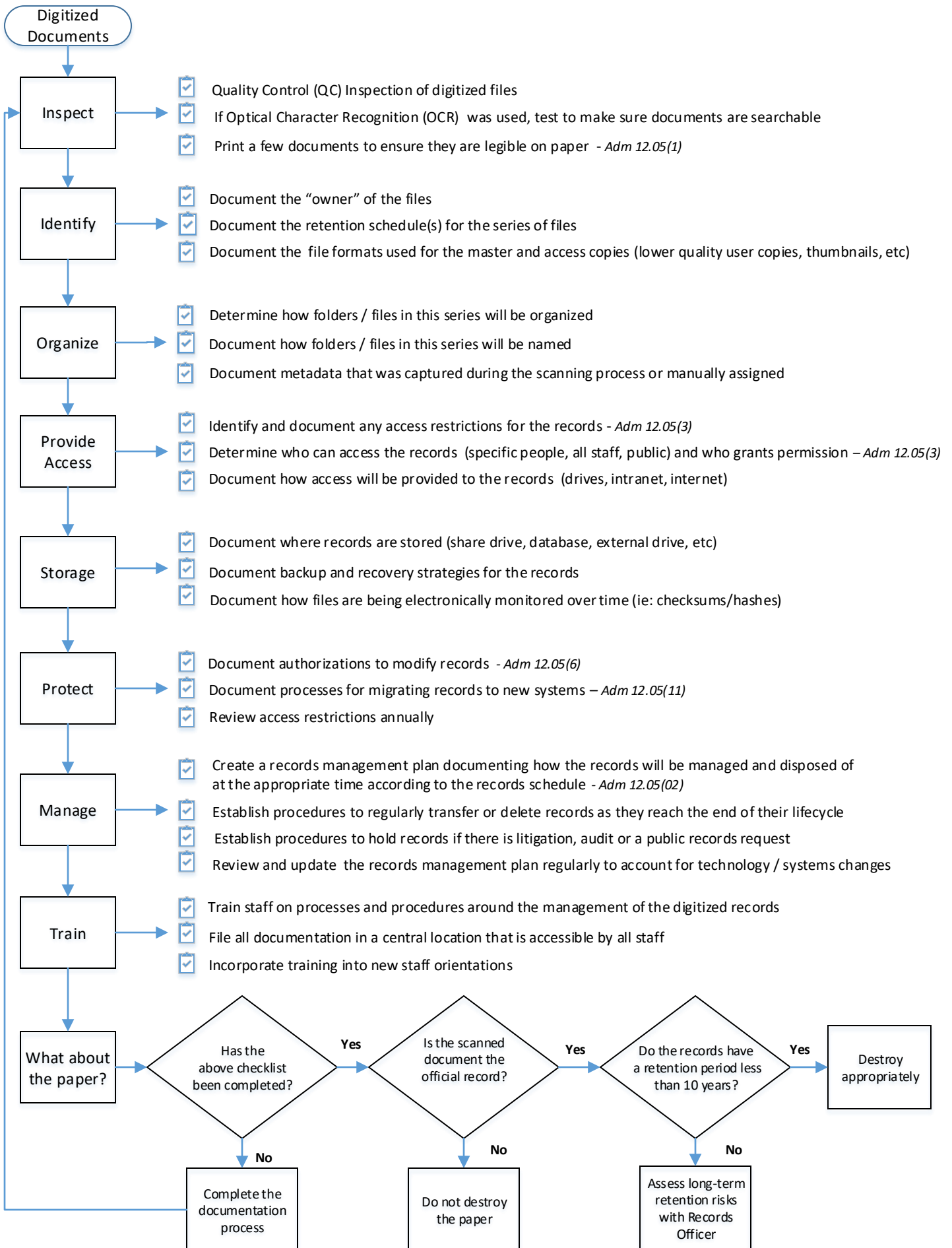
- Help the agency think about best practices for managing active and inactive born-digital records.
- Facilitate communication between the agency's records staff, IT staff and program area staff.

Selecting and Developing Information Systems Checklist

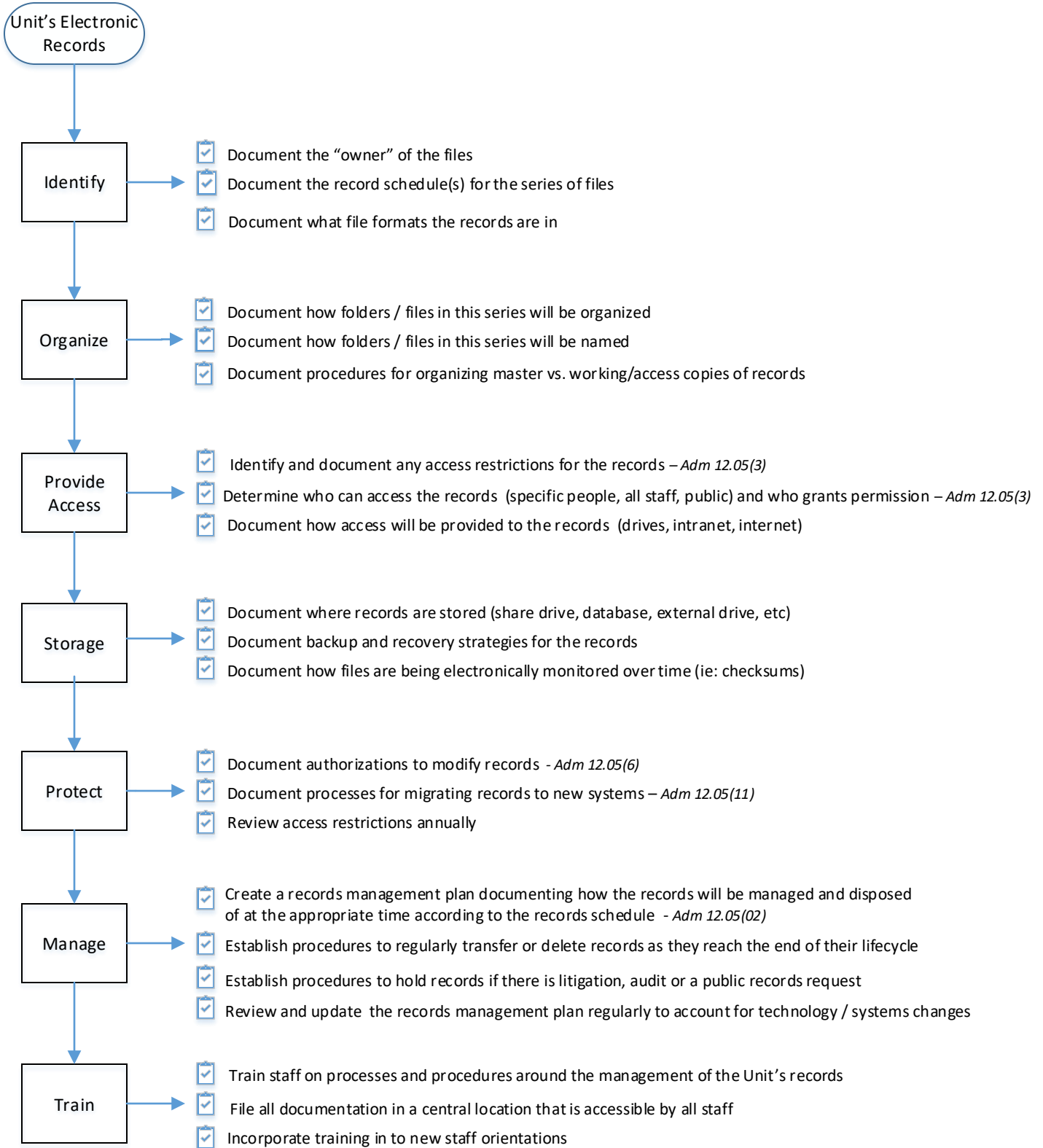
Intended for agencies that are considering purchasing or implementing systems for creating and/or storing electronic records. Possible uses for this checklist include:

- Assisting in the evaluation of current electronic record keeping systems.
- Providing talking points for working with vendors and negotiating system purchases.

Managing Digitized Records Checklist



Managing Born-Digital Records Checklist



Managing Digitized and Born-Digital Electronic Records

All public records that are stored exclusively in electronic format should comply with the requirements of Wisconsin Administrative Code Chapter Adm 12. To that end, the content of electronic records should remain accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle. This will help to ensure that the records can be accessed for business purposes, managed for retention and disposition, and accurately reproduced for litigation, audit, administrative proceedings and public records requests.

When agencies plan new digitization projects to convert paper records to electronic format or plan to store born digital records in electronic format, compliance with Chapter Adm 12 should be part of the planning process. The checklists in this guide are designed to help program areas, records management staff, and Information Technology staff communicate about what is necessary to meet the agency's business needs as well as manage records in accordance with Chapter Adm 12.

It is important to emphasize that these checklists are not independent legal requirements; rather, they are suggestions for best practices to help agencies fulfill the requirements of Chapter Adm 12. They are intended to break down the components of Chapter Adm 12 into actionable steps which can be documented and monitored. Completing these checklists should provide program areas the information needed to develop a documented records management plan to help ensure electronic records are managed according to their retention schedules.

Inspect

The "Inspect" step is unique to the "Digitized Documents" checklist. When an agency is embarking on a project to digitize paper or other physical records, the agency may choose to begin by running the documents through a scanner or similar means to create electronic versions. If the agency's intent is to retain the electronic copies only, quality control at the outset is of paramount importance for compliance with Chapter Adm 12. There are several steps to the inspect process that agencies can implement including:

- Inspecting electronic records using a Quality Control (QC) process to ensure that the digitized files are adequate representations of the paper documents and readable over time.
- Testing documents that have been digitized with an Optical Character Recognition (OCR) layer. OCR can be applied to the documents during the digitization process to make them searchable. While not all characters may translate perfectly, documents should be tested to see if internal searches can be performed on them.
- Verifying that documents are legible if they need to be reproduced. Documents should be scanned at a high enough resolution that they will be legible when printed out. While a document may appear clear on a computer screen, a selection of documents should be printed out to verify that they are clear and readable on paper as well.

For agencies wishing to explore further resources on digitization or scanning projects, the Wisconsin Historical Society has issued detailed publications on the topic of [Digitization Projects](#), including [Quality Control for Digitization Projects](#).

At the “Inspect” step, an agency scanning documents into electronic format should consider how the resulting scanned copies comply with the following requirements of Chapter Adm 12:

- § Adm 12.05(1): “Maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.”
- § Adm 12.05(4): “Utilize information systems that accurately reproduce the records they create and maintain.”
- § Adm 12.05(9): “Utilize information systems that produce records that continue to reflect their meaning throughout the record life cycle.”

Identify

The “Identify” step in the electronic records management process involves developing a clear picture of what records currently exist, or, if digitizing physical records, what electronic versions the agency plans to create. Agencies may wish to create documentation that supports or provides evidence of decision-making about the management of digital records. Depending on the structure and operations of the agency, project managers may consider identifying and documenting the following:

- The owner of the digital files by position title, not merely an individual person’s name. It can be important to identify the owner of the files by position title to the extent that position is responsible for making retention, disposition, file migration, and other decisions about the records over time.
- The retention schedule for the digital files which allows the record to be managed appropriately for the entirety of their life cycle and to meet regulatory, contractual and compliance requirements. Any questions regarding retention schedules may be directed to the agency’s Records Officer.
- The formats used for the digital content. Agencies create electronic records in a variety of file formats. Over long periods of time, certain formats have the potential to become obsolete or unusable, rendering access to the electronic records much more difficult and costly. Monitoring and regulating the usage of file formats can help minimize the risk of record loss. For the creation and effective management of electronic records, review format use on a continuous basis, and be prepared to migrate to more stable and widely used formats as needed.

For further information on formatting, agencies may wish to consult the Wisconsin Historical Society’s [*Best Practices for the Selection of Electronic File Formats*](#).

- Depending the type of record or its intended use, it may make sense in some contexts to create lower quality “access copies” of digitized files or other derivatives of scanned content. If an agency chooses this route, it may be important to use naming conventions to distinguish between access copies and official records.

Overall, the “Identify” step of the checklist is intended to help the agency consider how its documentation meets the following Chapter Adm 12 provisions:

- § Adm 12.05(2): “Document policies, assign responsibilities, and develop appropriate formal mechanisms for creating and maintaining electronic public records throughout the record life cycle.”
- § Adm 12.05(5): “Describe and document public records created by information systems.”

Organize

Although there is no single correct way to organize electronic records, agencies may find it beneficial to consider organizing electronic files into folders and subfolders based on their retention schedules and naming folders and documents in such a way that they can be found when needed. Depending on the type of record or the system in which it is stored, it may not be sufficient to depend on using system search functions as the only means of finding digital records.

- Documenting decisions about how records are named and organized can help agencies standardize process and provides direction for all staff members to use the same conventions. Consistency helps keep files better organized and easy to locate.
- Metadata is often applied to digitized documents but can be applied to born-digital documents as well. Considering ways to utilize metadata when organizing records could be useful for the identification, management, access, use and preservation of individual digital records and for providing context for the collection as a whole.

Agencies interested in looking for further examples or resources may wish to consult the publications of the Wisconsin Historical Society on these topics, including [Best Practices for Naming Electronic Records](#), [Best Practices for Organizing Electronic Records](#), and [Sample Metadata Guidelines](#).

The “Organize” step of the checklist is intended to help agencies evaluate how the organization of records in the agency’s electronic systems complies with the following Chapter Adm 12 provisions:

- § Adm 12.05(1): “Maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.”
- § Adm 12.05(4): “Utilize information systems that accurately reproduce the records they create and maintain.”
- § Adm 12.05(9): “Utilize information systems that produce records that continue to reflect their meaning throughout the record life cycle.”

Provide Access

The ability to provide easier access to records can be a compelling reason to maintain them digitally. However, decisions made early in the process of deciding to hold records digitally will impact the ability to effectively provide access to these records over time.

- An agency may find it helpful to identify which employees or staff positions will be able to access records. If public access is planned or anticipated, the agency may wish to consider at this stage whether the records may contain confidential personally identifiable information (PII) or other restricted content.

- It may be helpful to document which positions will have access to confidential information and why access is necessary to perform job functions, as well as which positions have the ability to authorize access. Depending on the type of record, such documentation could be located in project files or in the metadata of the records themselves. If your organization has policies regarding access to sensitive or restricted information, it may make sense to include those policies in the project documentation and records management plan as well.
- It may be helpful also to document how access will be provided to agency staff and the public, as necessary and if applicable.

The “Provide Access” step of the checklist is intended to help agencies consider how they meet the following Chapter Adm 12 provisions:

- § Adm 12.05(3): “Maintain confidentiality or restricted access to records or records series maintained in electronic format, limiting access only to those persons authorized by law, administrative rule or established agency policy.”
- § Adm 12.05(6): “Document authorization for the creation and modification of electronic public records and, where required, ensure that only authorized persons create or modify the records.”
- § Adm 12.05(13): “Utilize information systems that allow records to be masked to exclude confidential or exempt information.”

Storage

When working to meet the requirements of Chapter Adm 12, coordination between records management staff, Information Technology staff, and the program area staff can be beneficial to plan for the long-term storage of electronic records. Long-term storage capacity, file security, number of copies, back-up procedures, and file and technology migration plans become increasingly important the longer files are retained. Prior to beginning a digitization project or implementing a new system, an agency may want to consider its post-digitization storage and preservation needs in consultation with the staff responsible for maintaining the systems or applications where records will reside. For further examples and information, agencies may wish to consult the Wisconsin Historical Society’s [Storage and Maintenance](#) publication.

Determining how information should be stored will require different considerations in different contexts, because not all electronic records are alike. When considering how to ensure that records reflect their “meaning” throughout the record life cycle, as provided by Wis. Admin. Code § Adm 12.05(9), it is important to note that “meaning” is defined to include not only the record’s original content, but also its original “context and structure.” Wis. Admin. Code § Adm 12.04(10). “Context” and “Structure,” in turn, include the date and time of creation, origin, the appearance or arrangement of information, and the relationship of the record to its original technical environment. See § Adm 12.04(5), (14).

Therefore, when storing digital records, it is also important to consider how they relate to other records created by the agency. Systems storing electronic material may need to maintain some kind of links to related content throughout the records’ life cycle in order to retain their meaning.

The “Storage” step of the checklist is intended to help agencies consider how their storage practices meet the following Chapter Adm 12 provisions:

- § Adm 12.05(8): “Develop and maintain information systems that maintain accurate linkages, electronically or by other means, to transactions supporting the records created where these linkages are essential to the meaning of the record.
- § Adm 12.05(9): “Utilize information systems that produce records that continue to reflect their meaning throughout the record life cycle.

Protect

When storing records in electronic format, the standards in Chapter Adm 12 contemplate that electronic records will be protected to ensure that they remain accessible, accurate, authentic, reliable, legible and readable throughout their entire retention period. What this specifically requires will be different depending on the agency and the type of records involved. What follows are some examples of measures that an agency could take to protect its electronic records with the goal of meeting the standards in Chapter Adm 12:

- Managing access permissions for electronic records so that access is only granted to those who need it for work assignments. This may help guard against accidental deletion or overwriting.
- Monitoring read and read/write access and verifying that write access is only granted to those who need it for work assignments.
- Developing a plan to migrate records over time that includes who will perform the migration, when it will take place, and acceptable file formats. Monitoring older electronic records and proactively migrating to new systems (as feasible within an agency’s resources) can help enable older electronic records to remain accessible and readable over time as technology changes.
- Establishing audit trails as needed to document revisions to data identified as records. This process can often be automated on the technology side through methods such as the use of log files.
- Creating operation logs as needed to document electronic records problems and resolutions.
- Developing methods to test and demonstrate the reliability of electronic data and records and implement periodic checks for reliability.
- Creating formal mechanisms to accomplish/implement policies, procedures, and tasks associated with the protection of electronic records.

The “Protect” step of the checklist is intended to help agencies consider how they meet the following Adm 12 provisions:

- § Adm 12.05(1): “Maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.”

- § Adm 12.05(6): “Document authorization for the creation and modification of electronic public records and, where required, ensure that only authorized persons create or modify the records.”
- § Adm 12.05(10): “Utilize information systems that can delete or purge electronic records created in accordance with the approved retention schedule.”
- § Adm 12.05(11): “Utilize information systems that can export records that require retention to other systems without loss of meaning.”
- § Adm 12.05(12): “Utilize information systems that can output record content, structure and context.”

Manage

To meet the requirements of Chapter Adm 12, electronic records stored exclusively in electronic format require ongoing maintenance to ensure they remain unchanged and accessible throughout their retention period. Properly managing electronic records throughout their life cycle may require the combined efforts of records management staff, IT staff, and the program area staff responsible for the creation of the records.

Most government records are not retained permanently by the creating agency; instead, they are either disposed of or transferred to an archival repository once their retention period has been reached. Therefore, records management should be considered when planning digitization projects and the storage of electronic records. The capacity to effectively delete and transfer records should be considered in the planning for digitization projects and the design of any systems that store records.

Additional considerations at this stage may include the following:

- Confirming that all records have an approved retention schedule that covers their retention and disposition regardless of format.
- Ensuring records can be deleted at the end of their life cycle, as specified by the applicable retention schedule.
- Documenting staff responsibilities and processes for maintaining, using, updating and deleting data.
- Documenting processes for holding records that are under litigation, audit or public records requests.
- Determining software and version requirements to access and manipulate stored electronic data for the duration of the retention period.

The “Manage” step of the checklist is intended to help agencies consider how their ongoing management practices meet the following Chapter Adm 12 provisions:

- § Adm 12.05(2): “Document policies, assign responsibilities, and develop appropriate formal mechanisms for creating and maintaining electronic public records throughout the record life cycle.”
- § Adm 12.05(5): “Describe and document public records created by information systems.”

- § Adm 12.05(10): “Utilize information systems that can delete or purge electronic records created in accordance with the approved retention schedule.”

Train

Finally, although not explicitly addressed in Wis. Admin. Code. Chapter Adm 12, agencies may wish to consider the levels of training required for staff in these areas. Depending on the size of the agency and the business needs of the agency, and in consultation with the agency’s records officer and legal counsel, the agency’s staff may need various levels of training in order to most effectively perform the functions described above.

Selecting and Developing Information Systems Checklist

MAINTAIN

Can the system...

Ensure electronic records in information systems can be restored if needed

Maintain relationships between electronic records and metadata throughout life cycle

Implement policies/procedures to ensure compliance with recordkeeping requirements

Support the public records request process according to agency-determined timelines

These will help the system comply with Adm 12.05(1, 2, 4, 7-9)

PROTECT

Can the system...

Restrict and monitor access to electronic records

Monitor and securely protect networks containing the devices holding electronic records

Ensure that physical access to devices holding electronic content is adequately secure

These will help the system comply with Adm 12.05(3, 5, 6, 13)

MANAGE

Can the system...

Apply established business rules for calculating disposition dates of electronic records

Require agency approval before disposing of electronic records

Purge electronic records according to its designated retention schedule

Capture the electronic records destruction process for future audits

These will help the system comply with Adm 12.05(10)

EXPORT

Can the system...

Export electronic records without loss of meaning

Export electronic records required to be transferred to the Archives in a prescribed preservation format

Export electronic records that need to be moved or migrated during the record life cycle

These will help the system comply with Adm 12.05(11-12)

Checklist for Selecting and Developing Information Systems

Introduction

The Selecting and Developing Information Systems Checklist is intended to provide decision makers involved in the design, procurement, and implementation of information systems with guidance to help ensure that those systems will further the agency's compliance with Wisconsin Administrative Code Chapter Adm 12. Like the other checklists, this checklist will not cover every consideration that agencies may have. However, it should provide a starting point for further discussion of the needs of each system from a records-retention perspective, particularly in light of the qualitative standards for electronic records retention set forth in Chapter Adm 12.

Chapter Adm 12 generally applies to all agencies of state and local government and sets forth the requirements for maintaining public records stored exclusively in an electronic format. It is imperative that agencies implement information systems that can maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout their record life cycle. These systems must also be able to fulfill the retention and disposition requirements based on the content of those records and isolate records from the normal disposition process if they are under a public records request, audit or legal hold.

Depending on the product or service, agencies may wish to require vendors to provide documentation detailing how they meet these requirements. The Public Records Board has issued guidance on [contractors for records management services](#) and/or contractors in [cloud computing environments](#), which agencies may also find helpful to review.

This checklist separates system requirements into four sections, each of which may help demonstrate compliance with different provisions of Wisconsin Administrative Code Chapter Adm 12.

- 1. Maintain:** Can the system maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle?
- 2. Protect:** Can the system maintain required confidentiality or restricted access conditions for the life cycle of the electronic records?
- 3. Manage:** Can the system delete or purge electronic records in accordance with approved retention schedules?
- 4. Export:** Can the system export electronic records to other systems without loss of meaning and without changing the integrity of the data?

Information systems that meet all of the above provisions will help support efforts to comply with the standards in Chapter Adm 12. Of course, however, there is no single list of technical specifications that must apply to every system, and agencies may choose to follow whatever processes work best for the agency. The questions provided in the checklist, while not an exclusive list, outline some best practices which, if implemented, will help promote compliance with Chapter Adm 12.

Maintain

Information systems that are used to create, store, and manage electronic records should be able to maintain those records throughout their record life cycle, which is determined by the applicable approved retention schedule. Asking the following questions can help an agency evaluate this aspect of its systems:

- **Can the system ensure electronic records in information systems can be restored if needed?**
Electronic records can be at risk from internal and external threats and natural disasters. Recovery plans must be put in place to ensure records can be restored in the event of a disaster.
- **Can the system maintain relationships between electronic records and metadata throughout their lifecycle?**
Relationships between electronic records and metadata play a role in the completeness of the record. Applying metadata to an electronic record or creating relationships between multiple records may provide important descriptive and contextual information that facilitates the interpretability of records over time.
- **Can the system implement policies/procedures to ensure compliance with recordkeeping requirements?**
When agencies implement information technology tools that create, store or manage records, it is considered a best practice to develop policies and document procedures that ensures records in electronic format will be retrievable over time, and disposed of or transferred appropriately. Systems should be able to implement those business rules and classify electronic records based on retention schedules to facilitate proper management.
- **Can the system support the public records request process according to agency-determined timelines?**
State and local records, including those in electronic format, are generally subject to public records requests for information under Wis. Stat. §§ 19.31 – 19.39. Public records are also potentially discoverable in litigation, audit and administrative proceedings. Agencies should be able to retrieve and produce public records from all information systems that store electronic records. Depending on the system, it may also be beneficial if the system has the ability to manage legal holds and public records requests on individual records independent of the normally stated retention schedule for that item.

The “Maintain” section of the checklist is intended to help agencies consider how their systems line up with the following Chapter Adm 12 provisions:

- § Adm 12.05(1): “Maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.”
- § Adm 12.05(2): “Document policies, assign responsibilities, and develop appropriate formal mechanisms for creating and maintaining electronic public records throughout the record life cycle.”
- § Adm 12.05(4): “Utilize information systems that accurately reproduce the records they create and maintain.”

- § Adm 12.05(7): “Design and maintain new information systems so that these systems can provide an official record copy for those business functions accomplished by the system.”
- § Adm 12.05(8): “Develop and maintain information systems that maintain accurate linkages, electronically or by other means, to transactions supporting the records created where these linkages are essential to the meaning of the record.”
- § Adm 12.05(9): “Utilize information systems that produce records that continue to reflect their meaning throughout the record life cycle.”

Protect

While all digital records should be protected from tampering and/or loss, there may be an additional need to maintain confidentiality and prevent unauthorized access for records containing sensitive or restricted data. Asking the following questions can help an agency evaluate this aspect of its systems:

- **Can the system restrict and monitor access to electronic records?**
It is recommended that agencies implement policies and procedures that will restrict record access only to authorized users. Any information system used to create, manage, or store electronic records should be able to manage access permissions incorporating the principle of least privilege which is the practice of limiting access rights of users to the bare minimum required to do their job. The information system should also monitor digital records by capturing file access, changes, and deletions in system logs.
- **Are the networks connecting the devices that store electronic records securely protected?**
Electronic records can be subject to risks from outside threats such as hacking, DOS attacks, hijacking, viruses and phishing. It is critical that the systems and devices that hold an agency’s official record are protected from these threats using current services and technologies.
- **Is physical access to devices holding electronic content is adequately managed and protected?**
While electronic data is increasingly subject to outside threats, the physical security of data and devices remains essential in preventing data theft. Physical data storage, whether held by the agency or by a third party, should be physically secured and audited periodically.

The “Protect” section of the checklist is intended to help agencies consider how their systems line up with the following Chapter Adm 12 requirements:

- § Adm 12.05(3): “Maintain confidentiality or restricted access to records or records series maintained in electronic format, limiting access to those persons authorized by law, administrative rule or established agency policy.”
- § Adm 12.05(6): “Document authorization for the creation and modification of electronic public records and, where required, ensure that only authorized persons create or modify the records.”
- § Adm 12.05(13): “Utilize information systems that allow records to be masked to exclude confidential or exempt information.”

Manage

It is recommended that Agencies develop and implement information systems which have the capability to remove – delete, purge, and/or transfer – records as the requirements of the retention schedule demands. Asking the following questions can help an agency evaluate this aspect of its systems:

- **Can the system apply business rules for calculating removal of electronic records?**
The information system should enable flagging or sorting electronic records in some way so that they can be identified as eligible for destruction or transfer based on appropriate retention schedules.
- **Can the system require agency approval before removing electronic records?**
Generally speaking, an information system should not be set, by default, to delete or transfer records without some kind of human intervention and approval. Of course, there may be exceptions to this, such as log files which are created in such abundance that they automatically roll off after a set time period that is specified in a retention schedule.
- **Can the system purge electronic records according to designated retention schedule?**
Following agency approval for removal or transfer to an appropriate archive, the information system should destroy the bit streams in a manner which ensures the records cannot be reconstituted. Deletion should also occur for all copies of an electronic record stored in other systems or locations as these would remain discoverable under future public records requests, legal holds or audits.
- **Can the system document the electronic records disposition process if needed for future audits?**
Although not required by Chapter Adm 12, depending on the agency's business needs, the destruction of records held in, or managed by, the information system may be documented using system log files or reports.. If this occurs, agency records officers may be able to provide further guidance on retention schedules that cover destruct logs or reports.

The “Manage” section of the checklist is intended to help agencies consider how their systems line up with meets the following Chapter Adm 12 requirement:

- § Adm 12.05(10): “Utilize information systems that can delete or purge electronic records created in accordance with the approved retention schedule.”

Export

An important part of retaining public records exclusively in electronic format is providing a means of exporting the records so that a person accessing the records will be presented with the identified content, structure, and context, from when the record was originally created. This functionality will most likely be useful during a public records request, legal hold or audit. Records may also be exported to a designated archive for permanent preservation if it is required by an approved retention schedule.

Asking the following questions can help an agency evaluate this aspect of its systems:

- **Can the system export electronic records without loss of meaning?**
The information system should be able to export electronic records out of the system without changing

the integrity of the data or metadata and without destroying any relationships between files.

- **Can the system export electronic records required to be transferred to the Archives in a prescribed preservation format?**

When records are transferred to an Archival repository, the management and ownership of those records transfers as well. The information system should be able to deliver electronic records in an unencrypted format suitable for preservation to the designated archival repository. Your archival repository can provide you with guidance regarding the appropriate formats for transfer.

Once the transfer has been verified, the digital content should be destroyed from the system of origin to eliminate confusion as to where the official record is over time. Both the original record owner and the archival repository should maintain a record of the transfer.

- **Can the system export electronic records that need to be moved or migrated during the record life cycle?**

The life cycle of many records is oftentimes longer than the underlying technology upon which they reside. When migrating records from system to system, it is critical to preserve the integrity of the digital objects and to retain the ability of clients to retrieve, display and use them. When migration is performed, the information system should be able to deliver electronic records in a format suitable for interpretation by the new technology once they have been migrated.

The “Export” section of the checklist is intended to help agencies consider how their systems line up with the following Chapter Adm 12 requirements:

- § Adm 12.05(11): “Utilize information systems that can export records that require retention to other systems without loss of meaning.”
- § Adm 12.05(12): “Utilize information systems that can output record content, structure and context.”

Glossary

Accessible: information is arranged, identified, indexed or maintained in a manner that permits the custodian of the public records to locate and retrieve the information in a readable format within a reasonable time.

Accurate: all information produced exhibits a high degree of legibility and readability and correctly reflects the original record when displayed on a retrieval device or reproduced on paper.

Authentic: the retained electronic record correctly reflects the creator's input and can be substantiated.

Bit Stream: a stream of data in binary form (0s and 1s).

Confidential: This term can have two different definitions: 1) content within a record has personally identifiable information (PII) and therefore must be safeguarded while in use and destroyed in a confidential manner and 2) a record is designated with a restriction that limits the public's access and disclosure rights.

Content: the basic data or information carried in a record.

Context: the relationship of the information to the business and technical environment in which it arises. Context can include, but is not limited to, such elements as: the original of the record; date and time the record was created; identification of the record series to which the information belongs.

Information system: a system for generating, sending, receiving, storing or otherwise processing data.

Legible: means the quality of the letters, numbers or symbols can be positively and quickly identified to the exclusion of all other letters, numbers or symbols when displayed on a retrieval device or retrieved by device or reproduced on paper.

Life cycle: all phases of a record's existence: creation, active use, preservation and management through to disposition. Disposition includes permanent preservation as well as designation for destruction.

Meaning: a record carries its original content, context and structure throughout its life cycle.

Metadata: provides the structure to identify key information about a collection of records (organization, department, collection name, retention schedule, etc.) as well as the individual records within the collection (title, date created, file format, access rules, etc.). Metadata is used for the identification, management, access, use and preservation of individual digital records and provides context for the collection as a whole.

Migration: a set of organized tasks designed to achieve the periodic transfer of digital materials from one hardware/software configuration to another, or from one generation of computer technology to a subsequent generation.

Personally Identifiable Information: [Wis. Stat. § 19.62\(5\)](#) defines personally identifiable information (PII) as "information that can be associated with a particular individual through one or more identifiers or other information or circumstances". Although there are multiple references to PII in Wisconsin statutes, the definition in Wis. Stat. § 19.62(5) is applicable for records management purposes.

Public record: A basic tool of transacting business on behalf of all agencies of Wisconsin Government. They are also the foundation for government accountability. Records are defined in both Wis. Stat. §16.62(2)(b) and Wis. Stat. §19.32(2) as follows:

[Wis. Stat. § 16.61\(2\)\(b\)](#): "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](#). "Public records" does not include:

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 substantive 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.

[Wis. Stat. § 19.32\(2\)](#): "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority.

"Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes, optical disks, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include 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; materials that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library.

Retention Schedule: Provides instructions and information as to the record content, format, length of the retention period, official record location and disposition. A retention schedule assists agencies in managing records from creation through disposition or during the record's life cycle. Also commonly known as a Records Disposition Authorization (RDA), General Record Schedule (GRS) or record schedule.

Readable: the quality of a group of letters, numbers or symbols is recognized as words, complete numbers or distinct symbols.

Reliable: the electronic record produced correctly reflects the initial record each time the system is requested to produce that record.

Structure: the appearance or arrangement of the information in the record. Structure can include, but is not limited to, such elements as heading, body, and form.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Note: The most current version can be found at https://docs.legis.wisconsin.gov/code/admin_code/adm/12

Chapter Adm 12

ELECTRONIC RECORDS MANAGEMENT– STANDARDS AND REQUIREMENTS

Adm 12.01 Authority.
Adm 12.02 Purpose.
Adm 12.03 Scope.

Adm 12.04 Definitions.
Adm 12.05 Provisions.
Adm 12.06 Initial applicability.

Note: Chapter Adm 12 as it existed on November 30, 2000 was repealed and a new chapter Adm 12 was created effective May 1, 2001.

Adm 12.01 Authority. This chapter is promulgated under the authority of s. 16.611, Stats., state public records, s. 16.612, Stats., local government records, and s. 227.11 (2) (a), Stats., to implement s. 16.61, Stats.

History: Cr. Register, November, 2000, No. 539, eff. 5–1–01.

Adm 12.02 Purpose. The purpose of this chapter is to ensure that public records in electronic format are preserved and maintained and remain accessible for their designated retention period.

History: Cr. Register, November, 2000, No. 539, eff. 5–1–01.

Adm 12.03 Scope. This chapter establishes defined requirements, standards and guidelines for state and local government accessibility of electronic public records from creation through active use, long-term management, preservation and disposition. This chapter does not require an agency to maintain public records in electronic format.

History: Cr. Register, November, 2000, No. 539, eff. 5–1–01.

Adm 12.04 Definitions. In this chapter:

(1) “Accessible” means information arranged, identified, indexed or maintained in a manner that permits the custodian of the public record to locate and retrieve the information in a readable format within a reasonable time.

(2) “Accurate” means all information produced exhibits a high degree of legibility and readability and correctly reflects the original record when displayed on a retrieval device or reproduced on paper.

(3) “Authentic” means the retained electronic record correctly reflects the creator’s input and can be substantiated.

(4) “Content” means the basic data or information carried in a record.

(5) “Context” means the relationship of the information to the business and technical environment in which it arises. “Context” can include, but is not limited to, such elements as: the origin of the record; date and time the record was created; identification of the record series to which the information belongs.

(6) “Electronic format” includes information created, generated, sent, communicated or stored in electrical, digital, magnetic, optical, electromagnetic or similar technological form.

(7) “Information system” means a system for generating, sending, receiving, storing or otherwise processing data.

(8) “Legible” means the quality of the letters, numbers or symbols can be positively and quickly identified to the exclusion of all other letters, numbers or symbols when displayed on a retrieval device or retrieved by device or reproduced on paper.

(9) “Life cycle” means all phases of a record’s existence: creation, active use, preservation and management through to disposition. “Disposition” includes permanent preservation as well as designation for destruction.

(10) “Meaning” means a record carries its original content, context and structure throughout its life cycle.

(11) “Public record” has the meaning given in s. 16.61 (2) (b), Stats.

(12) “Readable” means the quality of a group of letters, numbers or symbols is recognized as words, complete numbers or distinct symbols.

(13) “Reliable” means the electronic record produced correctly reflects the initial record each time the system is requested to produce that record.

(14) “Structure” means the appearance or arrangement of the information in the record. “Structure” can include, but is not limited to, such elements as heading, body and form.

History: Cr. Register, November, 2000, No. 539, eff. 5–1–01.

Adm 12.05 Provisions. State and local agencies shall comply with all statutes and rules relating to public records. With regard to public records stored exclusively in electronic format, state and local agencies shall do all of the following:

(1) Maintain electronic public records that are accessible, accurate, authentic, reliable, legible, and readable throughout the record life cycle.

(2) Document policies, assign responsibilities, and develop appropriate formal mechanisms for creating and maintaining electronic public records throughout the record life cycle.

(3) Maintain confidentiality or restricted access to records or records series maintained in electronic format, limiting access to those persons authorized by law, administrative rule or established agency policy.

(4) Utilize information systems that accurately reproduce the records they create and maintain.

(5) Describe and document public records created by information systems.

(6) Document authorization for the creation and modification of electronic public records and, where required, ensure that only authorized persons create or modify the records.

(7) Design and maintain new information systems so that these systems can provide an official record copy for those business functions accomplished by the system.

(8) Develop and maintain information systems that maintain accurate linkages, electronically or by other means, to transactions supporting the records created where these linkages are essential to the meaning of the record.

(9) Utilize information systems that produce records that continue to reflect their meaning throughout the record life cycle.

(10) Utilize information systems that can delete or purge electronic records created in accordance with the approved retention schedule.

(11) Utilize information systems that can export records that require retention to other systems without loss of meaning.

(12) Utilize information systems that can output record content, structure and context.

(13) Utilize information systems that allow records to be masked to exclude confidential or exempt information.

History: Cr. Register, November, 2000, No. 539, eff. 5–1–01.

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

Adm 12.06 Initial applicability. This rule first applies to public records stored exclusively in electronic format and to information systems acquired or substantially modified after the effective date of the rule.

History: Cr. Register, November, 2000, No. 539, eff. 5-1-01.