

The District has a responsibility to retain records in compliance with relevant state and federal laws. The School Board has adopted the Wisconsin Public School District and Related Records Schedule (2023), as published by the Department of Public Instruction. Accordingly, District records covered by that Schedule should be retained for at least the period of time outlined therein, subject to any local modifications to the Schedule that have been adopted by the District and approved at the state level.

Student records are maintained as required by applicable state and federal laws and as further detailed in the Schedule and in the District's student records policies and procedures.

In the event a certain record has no other applicable retention period established by, or pursuant to, the Schedule or other applicable law, the District will retain the record for not less than seven (7) years and follow any applicable notice procedures prior to destruction.

The following are important exceptions to the District's standard records retention and destruction schedules, policies, and practices:

- Litigation Holds: When appropriate (e.g., due to imminent litigation, the receipt of a subpoena, the receipt of a formal notice of claim, pending litigation and related appeals, notice of an investigation by or formal proceedings in a state or federal agency, etc.), the District will initiate a litigation-related hold for the purpose of identifying, retaining, and preserving potentially relevant records (including electronically stored information) and other evidence. The District shall maintain records that become subject to a litigation hold for the longer of (1) the normal retention period for the record; or (2) the date on which the litigation hold is released.
- Pending Requests for Access to Public Records: Upon the receipt of a request for access to public records, the District's legal custodian of records shall take steps intended to prevent the destruction of potentially responsive records (including responsive records that the custodian may determine should not be released). The District shall maintain such

potentially responsive records for the longer of (1) the normal retention period for the record; or (2) at least 60 days (excluding weekends and legal holidays) after an unchallenged denial of a request or after any request-related litigation is complete.

- School District Audits: Records necessary for any audit conducted at the direction of the Board or with notice from a state or federal authority shall be maintained until the later of (1) the completion of the audit; or (2) the end of the normal retention period.

The District Administrator, acting in cooperation with and pursuant to the direction of District legal counsel where applicable, shall have primary responsibility for initiating and ending a litigation hold, the preservation of records due to a pending public records matter, or the special preservation of District records under similar circumstances. Under any of these circumstances, the District Administrator or his/her designee shall initiate prompt communication to the School Board, relevant District staff, and any relevant third parties (e.g., contractors holding certain records) regarding the scope of the matter and the procedures that are to be followed.

The District Administrator and office personnel are responsible for overseeing the creation and implementation of rules and operating procedures that further govern records management in the District, including the safekeeping of District records, the protection of personal privacy of record subjects, and maintaining the District's capacity to appropriately respond to requests for access to records. Records management protocols shall include means for informing employees who are involved in collecting, maintaining, using, providing access to, sharing, or archiving personally-identifiable information of their duties and responsibilities relating to protecting the personal privacy of record subjects.

Legal References:

Wisconsin Statutes

[Section 19.21](#)

[custody and delivery of official property and records]

Section 19.21(6)	[school district records retention; destruction of obsolete records]
Section 19.35(5)	[holding records related to a pending public records request]
Section 19.341 (1) (a)	[retention of closed session records]
Section 19.85 (1)	[retention of records]
Section 19.345	[time computations under the public records law]
Section 19.65	[rules of conduct and employee training]
Section 19.81-19.98	[school board meeting records]
Section 118.125	[student records]
Section 146.81 (4)	[consent of records for a temporary guardian]
Chapters 801 thru 809	[Wisconsin civil procedure]

Wisconsin Administrative Code

Adm 12	[electronic records management; standards and requirements]
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Federal Laws and Rules

20 U.S.C. §1232(a)	[Family Educational Rights and Privacy Act; the federal student records law]
34 C.F.R. part 99	[U.S. Department of Education FERPA regulations]
F.R.C.P.	[Federal Rules of Civil Procedure]

Cross References:

Adoption Date: 2/20/2017

Revised Date: 3/23/2020, 6/26/23