

Data Retention Policy for Microsoft 365

- I. **General Statement of Policy.** Documents, recordings, activity feeds, message or chat logs, and other evidence of transaction or decision making either created by the Teams application or stored within the Teams/Sharepoint/OneDrive storage infrastructure are legally records as defined in Wis. Stats. § 19.32, and are subject to retention and disclosure requirements under Wis. Stats. §§ 19.21, 19.35, and others.

II. **Retention of Teams-Generated Records.**

- a. **Definition.** Records affected by this section are those records generated by the MS Teams application for purposes of documenting or facilitating communication between City of Milwaukee employees and other employees or members of the public. These records may include, but are not limited to: recordings of audio or video calls or meetings, the chat log from calls and/or channels, wiki pages, direct messages, planner boards, activity feeds, group calendar entries, and other records accessible only or primarily within Teams.
- b. **Official Custodian.** Departments must designate an official records custodian for any and all records-containing Teams, SharePoint sites, or OneDrive sites. The records custodian (who may also, but does not necessarily, serve as the Teams/SharePoint site administrator) is responsible for maintenance, retention, and disposition of records created by site owners, co-owners, editors, or collaborators and stored within Microsoft 365 products. This designee serves as the legal custodian or designee of records so stored, and is responsible for production of records as described in Wis. Stat. § 19.33(1).
- c. **Exceptions.** Documents created for personal use or in the name of a superior are not considered records and may be destroyed when no longer needed (see Wis. Stat. § 16.61(2)(b)(5)). Audio or Video of calls or meetings not subject to Open Meeting Law requirements, if not recorded, is also not considered a record by state statute.
- d. **Default Retention and Disposition.** Unless otherwise indicated by the Teams site admin, records as defined in section II.a. of this document should be retained for a minimum of two (2) years from the date of creation, following retention and disposition guidance in Records Retention and Disposition Authority (RRDA) 20-0011 (Departmental Correspondence-Routine). ITMD shall have the authority to automatically or manually purge records that have met this retention period, either following user notification or other indication that records are no longer needed (e.g. records in recycle bin, records that have passed through a SharePoint retention workflow, etc.)
- e. **Exceptions to Default Retention.** If records must be kept for greater than 2 years for legal or administrative purposes, the Teams site admin should work with ITMD to either remove the record to more permanent storage or to assign a longer server-side retention period to these records. In the event that any of these records maintain archival value, the City Records Officer will recommend an appropriate archival repository for preservation of and access to the records. Under no circumstances should departments destroy records earlier than the 2 years indicated in RRDA 20-0011.

III. **Retention of other Microsoft 365 Records.**

- a. **Definition.** Records affected by this section are those records created and maintained in SharePoint, OneDrive, or other storage and collaboration platforms within the Microsoft

365 suite. These records may be attached to chats, call/meeting feeds, channel feeds, and channel file tabs for sharing purposes, but are not generated by the Teams application and may be accessed or downloaded independently from Teams. These records are by default stored in the “Documents” library on the SharePoint site associated with the Teams instance.

- b. **Non-Official Records Retention and Disposition.** If records are not intended to be the Official Record/Copy of Record subject to retention and disclosure requirements, and the official version of the record is stored outside of the Teams environment, they may be considered convenience copies, as defined by Wis. Stat. § 16.61(2)(b)(2) , and may be destroyed once no longer needed for administrative purposes.
 - c. **Official Records Retention and Disposition.** If records are intended to be the Official Record/Copy of Record for a unit, they must be retained according to their approved Records Retention and Disposition Authority (RRDA). By default, responsibility for knowledge of and adherence to retention and disposition requirements will be on the creators of the documents so designated. The Teams site admin may coordinate with ITMD and the City Records Officer to develop retention labels and other policies to automate retention and disposition of any such records.
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