

Mississippi Department of Archives & History

Local Government Records Office

Standards for Local Government Archives

(October 20, 2009)

Pursuant to Section 25-59-9 (h), *Mississippi Code Annotated, 1972*, as amended, the Department of Archives and History (MDAH) is required to “promulgate rules and regulations permitting the storage, use and dissemination of records which are transferred by any local governmental body in this state to a local historical or archival group which has been incorporated and operates as a private, nonprofit corporation.” Section 25-59-25 (2) states, in part: “Any local governmental body which desires to transfer records to a local historical or archival group or public library shall have certification from the department prior to the records being transferred indicating that such entity has satisfied all the rules and regulations of the department and that the department has officially approved such entity as a records depository.”

For the purposes of these standards, in addition to the definitions established by §25-59-3, *Mississippi Code of 1972, Annotated*, as amended, the following definitions will have effect:

Local Governmental Body: Any unit of local government including, but not limited to, municipalities, cities, towns, villages, counties, school districts, and library systems.

Local historical or archival organization: Any local historical or archival group which has been incorporated and operates as a private, nonprofit corporation.

Custodial office: The agency, department or office within a local governmental body responsible for creating, filing, and maintaining certain records series.

The following standards for local government archives are issued by the Department of Archives and History:

1. Any local governmental body that desires to transfer records to a public library or local historical or archival organization shall enter into a formal agreement with the organization outlining the terms and conditions of the transfer.
2. Per Section 25-59-25 (2), *MCA, 1972*, “The title to all records transferred to any local historical or archival group or public library shall remain in the local governmental body which transfers the records to such entity, and the ultimate authority over the records shall continue to reside with the person charged with the responsibility for making and keeping the records.”

3. The organization or library must demonstrate that it can provide better storage, access, and dissemination than the custodial office can, providing archival and/or records center services to the custodial office, by compliance with the following:
 - a. The records storage area(s) must meet MDAH “Standards for Off-Site Storage of Inactive Records of Local Government Entities.” The physical structure must provide safe and secure storage for the records, as well as adequate and secure work and research areas.
 - b. The organization must have adopted written policies for maintaining control of the public records from initial accessioning through public access.
 - c. The organization must have a written policy that complies with the Public Access to Public Records Law (Title 25, Chapter 61, *MCA, 1972*). The facility must be open to the public at least ten (10) hours a week, part of which must coincide with the legal hours of the local governmental body. The local governmental body must also be allowed reasonable access to its records during its normal business hours when the facility is otherwise closed.
 - d. The organization must have a written policy to allow the public to obtain copies of the local governmental body’s records held in its facility, for a fee not to exceed the normal costs of reproduction.
 - e. The facility must be staffed by appropriately trained personnel.
 - f. Use of records will be monitored by staff, and records will not be removed from the facility.
 - g. Storage of information in alternative media must meet approved American National Standards Institute (ANSI) or other applicable standards. Any conservation practices must follow generally accepted professional practices. The local governmental body must approve all reformatting.
4. The local governmental body shall be responsible to ensure that these standards are maintained by the local historical or archival organization or public library. If the organization or library fails to maintain these standards, the local governmental body is obligated to its citizens to remove its records from the facility and to either return them to its own facilities or transfer them to another organization that complies with these standards.
5. These standards are established and will be regularly reviewed by MDAH Archives and Records Division staff, including the directors of the division, the local government records office, the government records section, and the electronic records section, and other staff as appropriate.