

Title 16: History, Humanities and Arts

Part 2: Archives and Records Services Division

Part 2 Chapter 1: Policy for Acquisitions

(Approved by the Board of Trustees, April 16, 2010)

Introduction. The purpose of this policy is to provide guidelines for the acquisition and care of archival and library materials by the Archives and Records Services Division (Division), ensuring that these activities are implemented consistently and according to established professional standards. The Policy for Acquisitions is a public statement of the Division's commitment to manage, preserve, and provide access to the materials in its possession properly.

The statute creating the Mississippi Department of Archives and History (MDAH) prescribed its objects and purposes as "the care and custody of official archives, the collecting of materials bearing upon the history of the state and of the territory included therein, from the earliest times, the editing of official records and other historical material, the diffusion of knowledge in reference to the history and resources of this state, the preparation and publication of annual reports, the encouragement of historical work and research and the performance of such other acts and requirements as may be enjoined by law" (*Mississippi Code of 1972, Annotated*, §39-5-1). To implement this mandate, the Division acquires, preserves, processes, catalogs, and provides access to archival state records, materials from private sources, and publications that relate to Mississippi and are of enduring historical value.

The Division serves a large and diverse clientele, including the public, genealogists, students, state officials, and scholars throughout the world. Division services support educational and public programs, state and local government agencies, legislators, and the courts. Equal access is provided to all materials for research, duplication, and publication, after processing and preservation work has been completed. All work is accomplished according to policies approved by the MDAH Board of Trustees and established archival practices. All materials are non-circulating.

Rule 1.1 Materials Acquired. By law the Mississippi State Archives shall consist of "...those public records and other documentary materials that have been determined by the department to have sufficient historical or other enduring value to warrant their continued preservation by the state and that have been accepted by the department for deposit in its custody" (MCA 1972, §25-59-3). The Division acquires all formats of records, including paper, graphic, audiovisual, and electronic, created by state agencies and elected officials. Division staff works with state agencies to determine appropriate records retention schedules and recommends to the State Records Committee retention of those records series most likely to be of historical or enduring value. Inactive records may be transferred to the Archives directly from an agency or from the State Records Center. The Division seeks to acquire official records of government entities that preceded the formation of the state and official state records that have been lost or removed from official custody. The Division acquires publications of state agencies, and serves as a secondary depository for said publications.

The Division also collects non-government materials in all formats, including paper, audiovisual, and electronic records. Such materials include personal papers and manuscripts, records of businesses and organizations, photographic images, maps, audiovisual materials, books, electronic records, and other materials which document the history of the state and its people. Materials may be donated by an individual or organization, bequeathed by an estate, or purchased if their value so warrants and funds are available. Loans are rarely accepted. The donor must be authorized to transfer title to the material, and unrestricted donations are preferred. Any restrictions placed on a donation by the donor must have a reasonable time limit. After materials become the property of the state of Mississippi, their return to the donor must be authorized by the MDAH Board of Trustees.

Source: *Miss. Code Ann.* §§ 25-59-1, 25-59-3, 39-5-1 (1972, as amended).

Rule 1.2 Selection Criteria. Acquired materials should document an aspect of Mississippi history or culture, be useful to researchers, and/or possess intrinsic value as historical artifacts.

- A. In striving to assemble a comprehensive body of materials documenting all aspects of the state's history, archivists and librarians consider the following questions when determining whether or not to acquire materials:
1. Does the material fill a gap in holdings or increase an area of collecting strength?
 2. Is the material unique or does it duplicate other MDAH holdings?
 3. What is the subject matter and significance?
 4. Is the material authentic?
 5. Does the material have legal value?
 6. What is the potential research use?
 7. What are the costs of housing, processing, preserving, and providing access to the material?
 8. Are there rights management issues or access restrictions that could prevent or severely limit access and use?
 9. Is there requisite staff expertise to care for and make the material accessible?
 10. Is the format compatible with equipment and/or software currently owned or reasonably acquired?

B. The following generally are not acquired:

1. Materials that do not pertain to Mississippi, unless they relate to major national events in which Mississippi played a significant role
2. Active and semi-current state records
3. Municipal and county records
4. Three-dimensional objects
5. Original post-19th century newspapers or newspaper clippings
6. Material that would necessitate extraordinary efforts to restore or make accessible
7. Material with rights management and/or access issues that cannot be resolved or that would necessitate unreasonable access restrictions or denial of access
8. Material of dubious or unverifiable authenticity
9. Material that duplicates the holdings of other archival institutions

Source: *Miss. Code Ann.* § 25-59-1 (1972, as amended).

Rule 1.3 Acquisition, Processing, and Disposition of Materials. The MDAH Director, Division director, and other designated Division staff may accept donations of materials or the transfer of state records. The MDAH Director or Division director must approve the purchase of materials. A *Contract of Gift*, signed by the donor and a Division representative, transfers title of non-state records to MDAH and conveys information about transfer of copyright, publicity, disposition of materials, and access restrictions. The contract is legally binding when signed by all parties.

It is the donor's responsibility to obtain an appraisal of materials for tax purposes. MDAH staff will not perform such services.

The Division will evaluate, process, preserve, and maintain the materials in accordance with policies approved by the MDAH Board of Trustees and established archival practices. The Division will provide access to and make the materials available for research, duplication, and publication after processing and preservation work have been completed, and in accordance with policies approved by the MDAH Board of Trustees and established archival practices. Division staff may assess materials and, if most expedient to ensure preservation of the information, reformat materials and dispose of the original. Division staff also may appraise materials according to the selection criteria enumerated above and recommend disposition of materials determined not to be of sufficient long term archival value to warrant retention. Disposition of materials may include return to donor, transfer or donation to another institution, sale, destruction, or any other alternative consistent with appropriate archival practices. If not specified in the *Contract of Gift*, the collection archivist, in consultation with the Division

director, will determine the disposition of materials. The Board of Trustees will approve the sale of any items.

All preservation, reformatting, and disposal actions will be documented. This documentation as well as correspondence and other paperwork relating to the acquisition of the collection is public record.

Source: *Miss. Code Ann.* § 25-59-1 (1972, as amended).

Part 2 Chapter 2: Policy on Public Access to Records Held at the State Records Center
(Adopted by the Board of Trustees, January 15, 2010 Effective February 1, 2010)

Rule 2.1. The State Records Center (SRC) is a centralized storage facility operated by the Mississippi Department of Archives and History for use by state government to store inactive records. All records stored at the SRC must be inactive and scheduled.

Records stored at the SRC are the property of the owning agency, and the SRC is not authorized to permit public access to these records. SRC staff cannot provide information or details about the boxes or the records stored, since some information may be confidential, proprietary or exempt from public access under state or federal laws.

To obtain access to records at the SRC, an individual must obtain permission from the agency of transfer. Said agency must submit a written request, on an approved form, to have the box(es) returned to the agency for access by an individual. SRC staff will return the requested box(es) to the agency within five (5) working days.

Source: *Miss. Code Ann.* § 25-59-1 (1972, as amended).

Part 2 Chapter 3: Policy for Optional Closure for Parades
(Adopted by Board of Trustees on October 16, 2009)

Rule 3.1. When parade routes and associated activities affect access to and from the William F. Winter Archives and History Building, it may be necessary to close the building and reading rooms on the respective day.

Events may include, but are not limited to, the following:

A. Dixie National Rodeo Parade	February
B. St. Paddy's Day Parade	March
C. Medgar Evers Homecoming Parade	June
D. Jackson State University Homecoming Parade	October or November
E. Jackson Christmas Parade	early December

At least one month before the parade, after Reference Services staff verify the date and time of the parade and upon the recommendation of the director of the Archives and Records Services Division, the Director of the Department will issue a memo regarding closure. Upon notification

of closing, Reference Services and Public Information staffs will prepare appropriate signage, telephone messages, and information for the Web site; and the building Director of Operations will notify Capitol Police and others who may be planning to use the Winter Building on that day.

Source: *Miss. Code* § 25-59-1 (1972, as amended).

Part 2 Chapter 4: Policy for Certification of Copies

(Adopted by the Board of Trustees on October 16, 2009; Amended July 31, 2015)

Rule 4.1

- A. Division staff must produce all copies that are to be certified.
- B. A fee will be assessed for each page for which a certified copy is made. This fee is in addition to other established reproduction or reformatting charges for providing copies of record material. The Board of Trustees adopts rules and regulations related to certification. The amount of the certification fee is posted on the Mississippi Department of Archives and History (MDAH) website.
- C. The MDAH Director will sign the certification statement for copies of records transferred to MDAH under the Archives and Records Management Act of 1981. In his absence the Archives and Records Services Division director is authorized to affix the MDAH Director's signature stamp to the certificate and sign his initials and date of action next to the stamped signature.
- D. For materials not covered by the Archives and Records Management Act, the Archives and Records Services Division director is authorized to sign a certification statement.

Source: *Miss. Code Ann.* § 25-59-9 (1972, as amended).

Part 2 Chapter 5: Policy for the Restriction of Access to Architectural Records

(Adopted by the Board of Trustees on July 24, 1987; Amended 2001 and October 16, 2009)

Rule 5.1. It is the policy of the Department that a need to know must be established prior to access to architectural records. The procedure for determining this need requires the researcher to submit an *Access to Unprocessed/Restricted Records* request form to the custodial archivist and the director of the Archives and Records Services Division. Approval or denial of access or copying is at the discretion of said director and archivist. A written statement documenting the researcher's request and director's decision will be provided to the researcher and to the archivist for inclusion in the respective control folder. A denial may be appealed to the Director of the Department of Archives and History who will serve as final arbiter.

Source: *Miss. Code Ann.* § 25-59-9 (1972, as amended).

Part 2 Chapter 6: Policy for Reading Room Access and Reference Services
(Adopted by Board of Trustees on October 16, 2009; Amended July 31, 2015)

Rule 6.1 Access to Reading Rooms.

A. Access:

Researchers requiring special assistance should notify the receptionist at the lobby registration desk. Every effort will be made to accommodate special needs.

Anyone fifteen years of age or older must have a valid Reading Room Identification Card, which is issued upon successful completion of a card application form, and must register to gain access to the MDAH reading rooms. Persons under the age of fifteen must be accompanied at all times by an adult who is responsible for monitoring the behavior of the child.

Application for a Reading Room Identification Card is made in person at the William F. Winter Archives and History Building.

One of the following forms of valid photographic identification must be presented with the completed application: a state driver's license; a state-issued identification card; a school identification card; or a passport. In the absence of these, other valid photographic identification may be considered; however, issuance of a Reading Room Identification Card is not automatic.

Individuals who cannot present valid photographic identification will not be issued a Reading Room Identification Card, and consequently cannot enter the reading rooms. Application information, reading room registration, and materials requested are confidential in so far as can be supported by state law (§39-3-365, MCA 1972).

Reading Room Identification Cards, issued free of charge, are valid for four years from issuance date. There is a small fee to issue a replacement for a lost, stolen, or damaged card.

Persons disruptive to the research of others will be asked to leave.

B. Research Areas:

There are three research areas: the Public Reading Room; the Media Reading Room; and the Archival Reading Room.

C. Hours of Operation:

Hours of operation are adopted by the MDAH Board of Trustees, posted on the MDAH website, and are subject to change without notice.

MDAH is closed on state holidays. Other holidays may be observed at the discretion of the Governor and/or the MDAH Director.

D. Limitations:

Materials allowed in the reading rooms are pencils, note paper, note cards and tablets, index cards, notebooks, portable electronic devices, sweaters, and shawls.

The following items are not allowed in the reading rooms: outer coats, briefcases, purses, waist packs, backpacks, umbrellas, computer cases, and envelopes. Also, personal books, papers, photographs or other media which could be confused with materials in the MDAH holdings may not be brought into the reading rooms. The use of pens and highlighters in the reading rooms is not allowed, nor are pressure notecards, such as “post its.”

Mobile devices such as cell phones, tablets, and other handheld cameras, scanners, or other mechanical duplicating equipment belonging to the public are allowed in the Public Reading Room only. Exceptions may be made by the division director so long as research activity of other patrons is not disturbed.

Lockers are provided for storage of items not allowed in the reading rooms. MDAH has no responsibility for any loss or damage to materials stored in lockers.

No food, drink, or tobacco products are allowed. As a courtesy to our researchers, a vending refreshment area is located off of the lobby.

The use of cell phones for voice communication is restricted to the lobby.

Upon staff request, researchers must allow staff to inspect items upon entering and leaving the reading rooms.

E. Access to Records:

Any researcher possessing a valid Reading Room Identification Card has access to materials available to the public.

Bibliographic access is provided through the online public access catalog (OPAC). Physical access to records is provided in one of the three reading rooms, depending upon the record format and the imposition of security measures related to the record.

Material may not be written on, altered, folded, traced, or handled in any way likely to damage it. It is unlawful for any person to willfully mutilate library materials, punishable as a misdemeanor with a fine not to exceed five hundred dollars or by imprisonment in the county jail not to exceed six months, or by both (§39-3-309, *MCA 1972*).

No material may be removed from the room where originally issued. It is unlawful for any person to remove library materials, without authorization, from the premises wherein such materials are maintained or to retain possession of library materials without authorization (§39-3-303, *MCA 1972*) and is punishable as a misdemeanor with a fine not

to exceed five hundred dollars or by imprisonment in the county jail not to exceed six months, or by both (§39-3-309, *MCA 1972*).

When finished with material, researchers should not re-shelve or re-file, but return the material to designated areas in the reading rooms.

Retrieval from the closed stacks ends thirty minutes prior to the closing time.

All research materials must be returned no later than fifteen minutes prior to closing time.

F. The Archival Reading Room:

Materials made available in the Archival Reading Room are unique archival materials, published Mississippiana and other rare items. As a result, additional security procedures govern access to these materials.

To enter the Archival Reading Room, the researcher must present the Reading Room Identification Card to the staff member on duty at the entrance. To receive the requested materials, the researcher presents the Reading Room Identification Card at the reference desk. The researcher may check out one container and must sign the call slip. When finished, the researcher returns the container to the reference desk

To exit the Archival Reading Room the researcher must present the Reading Room Identification Card to the staff member for confirmation that all materials have been returned and checked in.

G. Copying:

The Reading Room Identification Card also serves as a debit card for use in paying for photocopies, public orders and computer printouts.

MDAH is not responsible for any unused money remaining on a Reading Room Identification Card or for a card that is damaged, lost or stolen.

Reading room staff does not make change or give refunds.

Duplication fees and charges are adopted by the MDAH Board of Trustees, posted on the MDAH website, and are subject to change without notice.

United States copyright law governs the duplication of copyrighted material. The user accepts full responsibility for the duplicated materials and agrees to indemnify MDAH, MDAH staff and the State of Mississippi from any damages as a result of said duplicated materials being made available to any persons, organizations or business without appropriate authorization of MDAH and/or copyright holder(s).

Permission to further reproduce any MDAH material outside of the fair use provisions of Title 17, U.S. Code, in accordance with the Bern Convention for the Protection of

Literary and Artistic Works, should be requested of the director of the Archives and Records Services Division prior to duplication.

1. The Public Reading Room:

For material housed in, or delivered to, the Public Reading Room: researchers may use personal mobile devices such as cell phones and tablets to copy said material; or researchers may produce self-service photocopies. The researcher is responsible for the operation of the machine and the resulting quality of the copies. Other reproductions must be requested using an MDAH order form.

2. The Media Reading Room:

Researchers may not use cameras or personal mobile devices such as cell phones and tablets to copy material in the Media Reading Room. Researchers may produce self-service microform prints in the Media Reading Room. The researcher is responsible for the operation of the machine and the resulting quality of the copies. Photographic, electronic or other reproduction formats must be requested using an MDAH order form.

3. The Archival Reading Room:

- a. All photo-duplication of material used in the Archival Reading Room is done by the reference staff, subject to preservation and copyright/donor restrictions.
- b. Researchers may not use cameras or personal mobile devices such as cell phones and tablets to copy material in, or delivered to, the Archival Reading Room.
- c. Requests for some photocopies may be placed on an MDAH copy request form. Electronic scans or other copies must be requested using an MDAH order form.
- d. United States copyright law governs the duplication of copyrighted material. If, in the judgment of MDAH, fulfillment of a duplication request would involve a violation of copyright law, MDAH will not accept the request.
- e. Pre-payment of the cost of copying is required (§25-61-7(1), *MCA 1972*).
- f. Same day completion of a request for plain paper copies submitted on a copy request form is dependent upon the size of the order, the fragility of the archival item(s), and/or the time of day the order is submitted. Copy requests held over may be picked up at the reference desk at a later date or may be mailed at the expense of the researcher. No completion date can be guaranteed.

Source: *Miss. Code Ann.* §§ 29-59-1, 39-3-365, 39-3-303, 39-3-309, 25-61-7(1) (1972, as amended).

Rule 6.2 Reference Assistance.

A. Assistance in the Reading Rooms:

Reference staff will be available at the main reference desk, located in the center of the Public Reading Room. Satellite reference desks, in the Public Reading Room bibliographic area and the Media Reading Room to provide assistance in locating materials and in operating machinery are maintained as staffing allows. Reference assistance in the Archival Reading Room is available from staff at the main reference desk.

B. Telephone/Email Reference Service:

MDAH maintains a reference desk to respond to inquiries submitted by telephone and email. Hours of operation for this desk correspond to that of the Public Reading Room weekday hours. Inquiries that can be answered during the course of a short conversation or email will be answered. All other requests must be submitted in writing.

C. Written Reference Service:

All reference requests not answered by telephone must be submitted in writing. Each written request will be allotted up to one hour of staff research time, for which there is a charge.

1. Reference Fees:

Research for written requests will be assessed at an hourly rate. Reference fees must be paid before research begins. The reference fee will provide for the copying and delivery of pages not to exceed a quantity set forth in the current schedule of charges. Reference fees will not be prorated or refunds given for staff research resulting in the production of fewer than the set number of copies provided for in the reference fee. (*BOT 05/15/1992; Amended 10/16/2009; Amended 7/31/2015*) The MDAH Board of Trustees adopts rules and regulations related to reference fees and the quantity of copies included in the reference fees. These fees and quantities are posted on the MDAH website and are subject to change without notice.

If the request is answered by the division staff, and a charge for additional copies in excess of the set number of copies provided for in the reference fee is indicated, the requestor will be notified of the results of the search and the cost for the additional copies, which cost must be prepaid before the additional copies are provided. (*BOT 05/15/1992; Amended 10/16/2009; Amended 7/31/2015*)

If research conducted by division staff yields no results upon the expiration of one hour, a written response indicating what was searched will be sent to the

requestor. The requestor may resubmit the request to MDAH. (*BOT 05/15/1992; Amended 10/16/2009*)

2. Reference Response Time:

When response time for written requests is excessive, delay notifications will be mailed upon receipt of all requests subject to said delay, advising the requestor of the approximate time in which a response can be expected. (*BOT 05/15/1992; Amended 10/16/2009*)

Source: *Miss. Code Ann.* §§ 29-59-1, 39-3-1 (1972, as amended).

Part 2 Chapter 7: Policy for the Loan and Exhibit of Original Material
(*Adopted by Board of Trustees on January 16, 2009*)

Rule 7.1.

A. Purpose of the Policy:

The Archives and Records Services Division (the Division) of the Mississippi Department of Archives and History (MDAH) collects, preserves, and provides access to the archival resources of the State. The Division strongly supports and encourages exhibits related to the state's history. While the Division recognizes the value of using original historical items in exhibits, the Division must balance such use with its responsibilities to provide research access to materials and to preserve original materials for future generations.

This policy establishes environmental, reproduction, and credit standards for the display of original materials, including books, manuscripts, maps, ephemera, photographs, artwork, and artifacts. It is based on well-accepted and documented professional standards and sources. Requests for exemption from the policy, or any portion thereof, must be approved by the Archives and Records Services Division director.

B. Selecting and Requesting Items:

Ample time (at least six weeks is recommended) should be allowed for consultation with Division staff, in order to select and appraise items, stabilize or reformat fragile items, prepare items for transport, and prepare the condition report and loan agreement. Requests for use of items, submitted in writing to the Division director, should include the following information: item(s) requested, name of borrowing institution, title of exhibit, requested loan and exhibition dates, and a *Standard Facility Report – United States*.

We prefer that the original not be used if the item is unique, very rare, or highly fragile, and a digital surrogate is sufficient. This will protect the original from damaging light or undue stress, ensure its safety, and allow it to be available to researchers. High quality reproductions are an optimal alternative to an original flat item such as a document or photograph. For a copy of the Division's *Policy on the Reproduction of Archival Materials*, go to <http://opac2.mdah.state.ms.us/ArchivalReproPolicy.html>.

A unique, original item may be exhibited for a limited period of time under certain conditions. The duration of the exhibition of an original item will be determined by the respective section head in negotiation with the borrower. Established practice recommends that a light-sensitive item is exhibited once in a two-year period, for a maximum exhibition period of twelve weeks. (Examples of light-sensitive items include but are not limited to those containing iron gall, colored or felt-tip inks, and watercolors; those printed on colored paper or paper with a high ground wood content; and photographs.) If original, unique items are to be exhibited for longer than twelve weeks, the use of a case that mitigates light and temperature levels may be required. If the item is not unique, a second copy may be exhibited for a longer period of time or copies may be exhibited on rotation. In the case of a bound volume, pages may be turned at intervals.

The Division director will approve the exhibition of original items. The Division reserves the right to decline exhibition of any original item.

C. Loan Documentation and Reformatting:

The following conditions must be met:

1. The borrower must submit a *Standard Facility Report – United States* at the time of the initial written request.
2. If necessary, the borrower will pay for an appraisal by a professional of the Division's choosing.
3. If necessary, the borrower will pay for a digital (or other) surrogate to be produced to be maintained by the Division.
4. A Division representative must prepare a condition report for the item.
5. A Division representative must tender a loan agreement and the borrower must agree to the terms set forth thereon and sign the loan agreement. If the loan includes items from several different curatorial areas (i.e., photographs, manuscripts), a separate loan agreement from each section may be necessary.

D. Costs and Billing:

The borrower will pay all related preparation and travel costs, as explained below. These include but are not limited to appraisal, conservation, scanning, photography, matting, framing, mounting, crating, insurance, packing, and shipping. The borrower will be billed directly by any vendor that provides services related to the loan. Invoices are payable within thirty days of receipt.

E. Care and Preservation:

Loaned items will remain in the condition in which they are received. Item condition reports will be prepared by a Division representative and sent with the loan items. Each report will be annotated by the exhibit curator upon receipt and inspection of the items prior to re-packing. No item may be altered, cleaned, repaired or fumigated without written permission of the Division. Whether in transit or on the borrower's premises and regardless of who may be responsible, any damage or loss must be reported immediately to the Division director, followed by a full written report accompanied by photographs. Items must be handled only by experienced personnel and be secured from damage and theft by appropriate brackets, railings, display cases, or other responsible means. Framing, matting, mounting, or glazing may not be changed, except with the express written permission of a Division representative. No hardware may be added to or removed from the item by the borrower.

F. Environment:

The following is set forth to ensure proper preservation of original items while on loan and applies to all exhibition, packing, and temporary storage locations.

The borrower must submit a *Standard Facility Report – United States* at the time of the initial request and may be asked to send environmental reports (temperature, humidity, and light readings) periodically throughout the loan period, as specified in the loan agreement.

Items must be maintained in a building equipped to protect items from fire or flood damage; under 24-hour physical and/or electronic security; and protected from extreme temperatures, humidity, excessive light, and insects, vermin, dirt, or other environmental hazards. Temperature and humidity in galleries and storage rooms must be 65-75° Fahrenheit and 45-55% RH. Items must not be exposed to direct, indirect or filtered daylight. Natural, quartz, tungsten-halogen and fluorescent light must be filtered for ultraviolet radiation. Light levels must be measured with a calibrated footcandle/lux meter. Exhibition lights in the galleries are to be turned off when galleries are closed to the public. Special conditions will be noted on the loan agreement and generally must not exceed the following: visible light levels – for works on paper <5 foot candles (50 lux); and for photographs <5 foot candles (50 lux); ultraviolet light levels not to exceed 75 microwatts per lumen at 10 to 100 lux. Items may not be installed directly below air conditioners or water pipes, or in close proximity to sources of heat or cold.

G. Packing and Transportation:

Packing and transportation must be approved in advance by the Division. Unpacking and repacking must be done by experienced personnel under competent supervision.

Repacking must use the same or similar materials and containers and the same methods, as when the items were received. The borrower must agree to follow any additional instructions specified by the Division. The borrower will notify the Division representative of the shipping date and date of expected delivery.

H. Insurance:

The borrower will insure the items, is responsible for all costs incurred, and must provide a certificate of insurance prior to the loan. Insurance value must be based on a recent appraisal by a professional approved by the Division. Items must be insured during the period of the loan for the value stated on the face of the loan agreement under an all-risk, wall-to-wall policy subject to the following standard exclusions: wear and tear, gradual deterioration, insects, vermin or inherent vice; repairing, restoration, or retouching process; hostile or warlike action, insurrection, rebellion, etc.; nuclear reaction, nuclear radiation, or radioactive contamination. In the event of loss or damage, the borrower's maximum liability will be based upon the agreed value as stated on the loan agreement. Insurance values may be reviewed periodically, and the Division reserves the right to increase coverage. The borrower must warrant that the required coverage as described above will be secured and maintained and that MDAH will be named as an additional insured. The Division must be notified in writing at least twenty business days prior to any cancellation or meaningful change in the borrower's policy. Any lapses in coverage, any failure to secure insurance, and/or any inaction by MDAH or the Division regarding notice will not release the borrower from liability for loss or damage.

I. Reproduction:

Incidental photography and videography, by the public or for publicity purposes, of an item as it is presented in the display case or frame is permitted without the permission of the Division. The borrower must request permission, in writing, to reproduce any item for commercial or non-commercial use in any publicity, publication, production, or electronic display or distribution. No copy photography of an item removed from the display case or frame is allowed without prior written approval from the Division. The Division must be informed in writing in advance of any film shoot, including publicity or news coverage that involves removal of the loan item from the display case or frame. The borrower must provide the Division two complimentary copies of any book, catalogue, checklist, or compact disk published in conjunction with the exhibition.

J. Credit:

Citations provide the public with information about the items on exhibit and enable interested viewers to locate the item or related materials in the Division holdings. They encourage research use of the Division's archival holdings. Thus, as specified in professional practice, each item on exhibit will be accompanied by a label and credited to the Mississippi Department of Archives and History, Archives and Records Services Division, unless noted otherwise in the loan agreement.

K. Cancellation/Return/Extension:

Items borrowed must be returned in a condition satisfactory to the Division, by the stated termination date. Any extension of, or scheduling changes to, the loan period must be requested in writing at least twenty days prior to expiration of the initial loan, be covered by an equal extension of insurance coverage, and be approved by the Division director. MDAH and the Division reserve the right to recall items from loan on short notice, or to cancel loans for good cause at any time, and will make every effort to give reasonable notice thereof. For loans approved to travel to more than one site or organized by a third party, borrower/organizer is responsible for distributing the foregoing loan conditions to all venues. A *Standard Facility Report – United States* will be required for each venue. In the event of any conflict between this agreement and any forms of the borrower, the terms of this agreement shall take precedence.

L. Interpretation:

In the event of any conflict between the loan agreement and any forms of the borrower, the terms of the Division loan agreement will be controlling. For loans to borrowers within the United States, this agreement will be construed in accordance with the laws of the State of Mississippi.

M. Additional Conditions for International Loans

Government regulations will be adhered to in international shipments. Unless otherwise stated in writing, the borrower is responsible for adhering to its country's import/export requirements. The borrower will protect items from possible damage during its customs inspections and will make every effort to ensure that customs examinations are made only on the borrower's premises. If the nature of the material to be exported falls within the types addressed by the UNESCO Convention, its status in the importing country should be verified before this loan agreement is signed by the borrower. MDAH and the Division require a declaration of immunity from seizure if available. The provisions of this loan agreement are subject to the doctrine of *force majeure*. If U.S. Government Indemnity is secured, the amount payable by indemnity is the sole recovery available to MDAH and the Division in the event of loss or damage, and items will be insured in U.S. dollars at their value as of the application date. Current fluctuations affecting the value of claims at a later date are not recognized under indemnity.

Source: *Miss. Code Ann.* §§ 29-59-1, 39-5-1 (1972, as amended).

Part 2 Chapter 8: Policy for the State Historical Records Advisory Board

(Adopted by Board of Trustees on October 18, 1996)

Rule 8.1. The function of the State Historical Records Advisory Board is to review grant applications from Mississippi to the National Historical Publications and Records Commission (NHPRC).

The State Historical Records Advisory Board shall consist of eleven members including the State Historical Records Coordinator, who shall serve as chairman. The State Historical Records Coordinator will recommend to the Governor individuals for membership on the State Historical Records Advisory Board, and, from the recommendations, the Governor will appoint individuals for membership. Appointments to the State Historical Records Advisory Board shall be made so that each Congressional district will always have at least one representative. A majority of the members shall have recognized experience in the administration of government records, historical records, or archives. Members will serve staggered three-year terms. For the initial appointment, terms of one, two, and three years will be assigned by the State Historical Records Coordinator. No member shall serve more than two consecutive full terms. The board should be as broadly representative as possible of the public and private archives, records office, and research institutions and organizations in the state.

Source: *Miss. Code Ann.* §§ 29-59-1, 39-5-1 (1972, as amended).

Part 2 Chapter 9: Public Records – Standards: Destruction of Original Records after Imaging.

(Approved by the Board of Trustees, June 3, 1999)

Introduction.

A. Purpose:

These rules provide the standards that must be used by state agencies, counties, municipalities, or other entities of the State of Mississippi, when undertaking imaging technology applications with the intent of disposing of the original public records. This rule replaces relevant portions of "Reproduction of records of archival or enduring value, storage of the copies; and destruction of the originals."

The purpose of this rule is to ensure that public records maintained only in digital format through the use of an optical imaging system will remain accessible to the public, state agency and/or local government for the full period that the record must be maintained.

B. Authority:

The authority for the establishment of this rule is §25-59-9 and §25-59-29, Mississippi Code of 1972, Annotated.

C. Scope:

1. This rule is applicable to all custodians of public records (see definition of "public records" at E.18) including state agencies, counties, municipalities, school districts, and other entities of the State of Mississippi.
2. This rule establishes the minimum requirements necessary for disposal of original public records after duplication in an imaging system.
3. This rule applies to records series which have been scheduled as permanent by the State Records Committee or Local Government Records Committee.

D. Intent:

The Department of Archives and History is aware that there may be instances where an agency or local government has an imaging application which, due to the nature of the application, might require adoption of technical standards that are not in compliance with the standards outlined in this rule. It is not the intention of Department of Archives and History to impose standards upon an agency or local government that will reduce the intended benefits of an imaging application, provided the Department can be confident that steps have been taken to insure the future migration of the images in accordance with retention requirements. In such cases, the agency or local government may request to work with the Department to develop alternative systems. The use of an alternate system should be considered exceptional, and the Department will not approve disposal of original records unless it is fully confident that all measures insuring future migration of data are in place.

E. Definitions:

1. AIIM - the Association for Information and Image Management, a standards-setting body affiliated with the American National Standards Institute (ANSI), which is the principal developer of standards for microforms and information storage technologies involving images, such as optical disks and scanners.
2. ANSI - the American National Standards Institute, a private national standards organization in the United States, which coordinates the development and maintenance of various industry standards.
3. CCITT - International Telegraph and Telephone Consultative Committee (predecessor of ITU).
4. COLD (Computer Output to Laser Disk) - the storage on optical disk of coded data generated by a host computer. COLD replaces COM (Computer Output to Microfilm) as a mainframe storage medium.
5. CD-ROM (Compact Disk - Read Only Memory) - a data storage system using compact disks as the medium.

6. DPI (Dots Per Inch) - in scanning, a measurement of resolution - the number of pixels a scanner can physically distinguish in each vertical and horizontal inch of an original image.
7. Flatbed - scanner design in which the document is placed on a glass surface similar to placing an item on the glass of a photocopier. This allows for the scanning of materials that cannot be fed through an automatic document feeder.
8. ICR (Intelligent Character Recognition) - the ability of software to recognize and translate bit mapped scans or faxes of hand printed or machine printed alphanumeric characters into machine-readable text.
9. IEC - International Electrotechnical Commission.
10. ISO - the International Organization for Standardization, which coordinates national standards worldwide.
11. ITU - International Telecommunication Union (formerly CCITT).
12. JPEG - a standard for still image compression developed by the Joint Photographic Experts Group.
13. OCR (Optical Character Recognition) - the ability of software to recognize and translate bitmapped scans or faxes of printed alphanumeric characters into machine-readable text.
14. Open System - a system with characteristics that comply with specified, publicly maintained, readily available standards and that therefore can be connected to other systems that comply with those same standards.
15. Optical Disk - a direct access storage device that is written and read by laser light.
16. Original Record - a public record in the format as created or received, or in the format as reproduced in accordance with standards issued by the Mississippi Department of Archives and History.
17. Public Body - any department, bureau, division, council, commission, committee, subcommittee, board, agency and any other entity of the state or a political subdivision thereof, and any municipal corporation and any other entity created by the Constitution or by law, executive order, ordinance or resolution. Within the meaning of this chapter, the term "entity" shall not be construed to include individuals employed by a public body or any appointed or elected public official.
18. Public Records - all books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been

used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function of any public body, or required to be maintained by any public body (as defined in Mississippi Code Annotated 25-59-3).

19. TIFF (Tagged Image File Format) - a family of bitmap file formats for describing and storing color and grayscale images.
20. WORM (Write Once, Read Many) - storage media (usually recordable CD-ROM or optical disk) that is not re-writable. Information can only be written to the disk once. It is permanently stored on the disk.

Rule 9.1 Technical Requirements.

A. Open System Architecture:

The design of the system shall permit future system upgrades with minimal effect on system operation. The system architecture shall allow flexibility in exporting and importing data to other non-proprietary systems. Standards for open systems such as the United States Department of Defense's TAFIM, the Institute of Electrical and Electronic Engineers' Open Systems Handbook: A Guide to Building Open Systems, or Open Systems Handbook: A Guide to Building Open Systems published by the Open Software Foundation shall be used.

B. Non-Rewritable Storage Media:

Only non-rewritable storage media is acceptable. Such media include write once read many (WORM), compact disk-read only (CD-ROM), and microfilm produced in accordance with standards issued by the Mississippi Department of Archives and History. Prior to disposal of the scanned documents, images must be stored on one or more of these media.

1. Use of these storage media shall be in accordance with the following standards:
 - a. WRITE ONCE READ MANY (WORM). Standards for WORM optical disks may be found in the WORM portion of ISO/IEC 1336 - Volume and file Structure of Write-Once and Rewritable Optical Disks Using Non-Sequential Recording for Information Interchange - Universal Disk Format.
 - b. COMPACT DISK - READ ONLY. ISO 9660 - Volume and File Structure of CD-ROM for Information Interchange.
 - c. MICROFILM. Mississippi Department of Archives and History Rule.
2. The use of digital optical disks with a guaranteed minimum shelf life of five years and a minimum post-write life of twenty years is required.

C. Non-Proprietary Image File Format:

TIFF file format is the required standard for alphanumeric documents and JPEG file format is the required standard for graphic documents. Because of variation in the structure of these file formats among vendors and in order to increase the likelihood of accessibility to permanent records stored in this method, comprehensive documentation of the image file format must be maintained with other system documentation. Alternative file formats are acceptable provided complete documentation of the digital image file format, *including tested procedures and techniques for the conversion of images and data*, is maintained.

D. Compression Algorithm:

ITU Group 3 and 4 (formerly CCITT Group 3 and 4) shall be used.

E. Scanning Resolution:

300 dpi or greater

F. Media Error Detection and Correction:

ANSI/AIIM MS 59-1996, Media Error Monitoring and Reporting Techniques for Verification of Stored Data on Optical Digital Data Disks, is the required standard for reporting the error rate data to the operating system for user evaluation.

G. Indexing System:

The indexing system used to retrieve images shall be a relational database. Alternative indexing systems must be approved in writing by the Mississippi Department of Archives and History. Information on establishing index fields in an electronic imaging system may be found in ANSI/AIIM TR40-1995, Suggested Index Fields for Documents in Electronic Image Environments.

Source: *Miss. Code Ann.* §§ 29-59-9, 25-59-29, 25-59-3 (1972, as amended).

Rule 9.2 System Management/Functional Requirements. The comprehensive management of a document imaging system is key to its functional success as well as the quality, integrity, and authenticity of the imaged records. System planning, design, budgeting, procurement, procedure formulation, training, and testing all require thoughtful deliberation and patience.

The following is an overview of required practices in several categories of system management and operation.

A. Documentation:

Comprehensive procedural and system documentation must be maintained to ensure that the operation continues to function effectively over time. The documentation shall include:

1. Hardware and software specifications, brand names, versions, and dates of installation, upgrade, replacement, and conversion.
2. An overview of system purposes and uses.
3. Policies and procedures for all aspects of system operation and maintenance, including procurement, file and document preparation for scanning, data entry, quality control, indexing, corrections, expungement, redaction, back-ups, security, migration, application of safeguards to prevent tampering and unauthorized access, and printing.
4. Data structure and content, including file layout and data dictionaries.
5. Enhancement algorithms are techniques for processing the image so that the result is visually clearer than the original image. Imaging systems should not be capable of altering a record as scanned, except for standard computer-enhancement routines used to improve legibility.
6. Documentation is also necessary for providing audit trails, for establishing legal admissibility of images, and for use by future system operators as staffs change. It is the responsibility of the system's administrators, not the vendor.

B. Quality Control:

1. To ensure the integrity and legibility of scanned images, there must be in place established procedures for quality control. Visual quality inspection of each image is necessary and should be performed initially by the staff member scanning and then by a second staff member.
2. The accuracy of the index must also be verified through visual inspection by a second staff member of each index entry following either entry of terms or creation through optical or intelligent character recognition.
3. The system should also include the ability to rescan and to correct indexing errors before the image and/or index is written to optical media.
4. Quality control issues must be raised with vendors during the selection process and be considered when planning for time and staff budgeting. Since original records are more often than not destroyed once reformatted, the importance of image and index quality control must not be underestimated.

5. Information regarding the establishment and use of procedures for the ongoing control of quality within an electronic imaging system may be found in ANSI/AIIM MS44-1988 (R1993), Recommended Practice for Quality Control of Image Scanners.
6. Information regarding appropriate use of test charts and patterns in document imaging applications may be found in AIIM TR38-1996, Compilation of Test Targets for Document Imaging Systems.

C. Indexing:

1. Complete, appropriate and accurate indexing capability is essential. Indexing and information retrieval needs must be assessed during system planning and design. Migration and long-term usability planning must also include consideration of continuing information retrieval requirements. As noted in F.7, information on establishing index fields in an electronic imaging system may be found in ANSI/AIIM TR40-1995, Suggested Index Fields for Documents in Electronic Image Environments.
2. The importance of indexing requires that vendor claims be validated through demonstration and testing.

D. Migration:

1. A comprehensive plan for refreshing data and for migrating images, indexes and related data through successive versions of hardware and software is essential for ensuring long-term access to imaged records. Not only should plans be established for the migration of images and related data, but structural data relationships should be preserved under migration. The strategy should facilitate the movement of records from one generation of technology to another and should take into consideration vendor stability and dependability, system obsolescence, and media longevity.
2. The reality of obsolescence requires that agencies and governmental entities keep pace with constant developments and improvements. Technology trends must be monitored. The technology choices made when systems are developed or upgraded may determine the ease of migration.
3. Systems should consist of hardware and software that conform to non-proprietary standards and should be constructed in an open system architecture.
4. Budgeting and planning should include consideration of the costs of technology upgrades and data migration.

E. Back-up, Disaster Recovery, and Security Copies:

1. Back-up procedures and disaster recovery plans should be in place with specified provisions for the imaging system. Detailed information on back-ups and disaster recovery should be obtained from vendors. Back-up expense and complexity can vary depending on the type of media and the amount of data to be stored and must be considered during the planning and selection process.
2. A regular schedule of back-ups should be instituted for all data on the system, including indexes.
3. Security copies should be labeled with information to include date, system, and software used, and any existing restrictions on access, keeping in mind that it is impossible to determine content merely by looking at a disk or tape. It is preferable that security copies be stored off site, in an area with stable environmental conditions and with adherence to the manufacturer's specifications for the storage of the media, whether magnetic or optical. Information regarding optical media storage may be found in ANSI/PIMA IT9.25-1998, Imaging Materials-Optical Disc Media-Storage.

F. Expungement/Redaction/Encryption Capabilities:

1. Agencies and governmental entities should have in place a strategy to guarantee that material exempted from disclosure is not made available to the public. Imaging systems should have the capability to expunge images and index entries and to redact confidential portions of images or indexes when required by law. System administrators may also wish to further insure privacy of their data through the use of an encryption technique by which data is scrambled before transmission and then unscrambled (decrypted) by the receiver.
2. The potential need for expungement, redaction and encryption capabilities must be assessed on the front end and discussed with vendors when planning for long-term usability of an imaging system. Explanation of procedures for expunging information on WORM optical systems may be found in ANSI/AIIM TR28-1991, The Expungement of Information Recorded On Optical Write-Once-Read-Many (WORM) Systems.

G. Legality:

1. The legal admissibility of reproductions of state and county records is addressed by Mississippi Code Annotated (MCA) Sections 25-59-29 and 19-15-3, respectively.

2. Requirements for the legal acceptance of records are outlined in ANSI/AIIM's TR-31 (1992-1994), a four-part legal admissibility series, and the Mississippi Rules of Evidence.

H. System Selection:

1. Agencies/governmental entities should conduct a thorough survey of document and paper types, sizes, colors, and contrasts within their records and collect examples of potential problems or obstacles, such as browned and fragile papers, pencil and pen handwriting, bound volumes, photographs, and oversized items. Before selection, a scanner should demonstrate the ability to handle the job. The potential need for flatbed scanning capability rather than automatic feed alone must also be assessed, both for immediate and future needs.
2. The selection of a vendor is perhaps the most important single decision impacting an imaging system's success. A vendor's stability, accessibility, and long-term viability must be assessed when procuring a system heavily dependent on vendor support.

Source: *Miss. Code Ann.* §§ 29-59-9, 25-59-29, 19-15-3 (1972, as amended).

Part 2 Chapter 10: Expenditure of Filing Fee Avails. (Approved by the Board of Trustees, September 3, 1997)

Rule 10.1. §25-60-5, MCA, 1972, Annotated, provides for the collection by counties and municipalities of a One Dollar (\$1.00) filing fee and deposit of the avails of Fifty Cents (50¢) into the general fund of the county or municipality. Counties and municipalities shall expend monies derived from the fee imposed solely to support proper management of their official records in accordance with records management standards established by the Department of Archives and History.

The purpose of this rule is to establish a standard for the expenditure of the avails of fifty cents (50¢):

- A. Expenditures may be made for wages for hours spent in the direct management and preservation of local government records.
- B. Expenditures may be made for travel expenses directly related to the management and preservation of local government records.
- C. Expenditures may be made for purchase of supplies, materials, services, and equipment directly related to the management and preservation of local government records.

All expenditures must be made in accordance with state law.

Source: *Miss. Code Ann.* § 29-60-5 (1972, as amended).

Part 2 Chapter 11: Policy on Reformatting Public Records of Archival and Enduring Value.

(Approved by the Board of Trustees, April 19, 2013)

Rule 11.1. In accordance with §25-59-9, §25-59-29, and §25-60-1 of the *Mississippi Code of 1972, Annotated*, as amended, the Mississippi Department of Archives and History (MDAH) maintains a list of standards required for the reproduction of public records when using digital imaging and microfilming systems. By setting these standards, MDAH seeks to ensure that public records maintained only in microform or digital image formats will remain accessible to the public or custodian for the full period that the records must be retained. The standards are applicable to all custodians of public records (as defined in §25-59-3, *MCA 1972*) including state agencies, counties, municipalities, school districts, and other entities of the state of Mississippi. Adherence to the standards is required when reformatting records which have been determined by the State Records Committee or Local Government Records Committee to have either permanent archival value or enduring value to the custodian; which have been so designated on an approved records control schedule; and which will be destroyed after they are reformatted. Records of enduring value are those records which, although not permanent or archival, an entity determines need to be retained for a period of time after the records become inactive. Custodians of public records may destroy the original records from which the reproductions have been made, or any part of them, provided that:

- A. the records are of no value to the agency concerned;
- B. MDAH certifies that the records may be destroyed through the provisions of retention schedules approved by the State Records Committee or Local Government Records Committee; and
- C. the records reformatted and approved for destruction are reported to MDAH in such manner as it may direct.

If an agency or local government has an imaging application that requires adoption of technical standards that are not in compliance with these standards, it is not the intention of MDAH to impose standards that will reduce the intended benefits of the application, provided demonstrated, responsible steps have been taken to insure the future migration of the images in accordance with retention requirements. In such cases, the agency or local government should request to work with MDAH to develop alternative systems. The use of an alternative system should be considered exceptional. MDAH will not approve disposal of original records unless it is fully confident that all measures insuring future migration of data are in place.

In addition, custodians of public records are advised to follow the Department's recommended practices for digitizing public records. These guidelines, which specify recommended practices of system management and operation that will help ensure long-term accessibility to the reformatted records, cover the areas of documentation, quality control, indexing, migration, back-up/disaster recovery/security, expungement/redaction/encryption capabilities, legality, and system selection.

Source: *Miss. Code Ann.* §§ 25-59-9, 25-59-29, 25-60-1, and 25-59-3 (1972, as amended).

Image Reproduction Policy. REPEALED. Effective 10/16/2009.

Use Fee Policy. REPEALED. Effective 10/16/2009.

Reference Rules. REPEALED. Effective 10/16/2009.

General Regulations, Photograph Reproduction Policy & Use Fee Policy for Eudora Welty Collection. REPEALED. 10/16/2009.

Offsite Storage of Inactive Records of Local Governmental Entities. REPEALED. Effective 01/15/2010.

State Records Committee Rules and Procedures. REPEALED. Effective 01/15/2010.

Local Government Records Committee Rules and Procedures. REPEALED. Effective 01/15/2010.

Certification of Local Government Archives. REPEALED. Effective 01/15/2010.

Film Usage Policy. REPEALED. Effective 10/16/2009.

Reproduction of records of archival or enduring value, storage of copies; and destruction of originals. REPEALED. Effective 10/16/2009.

Policy on the Reproduction of Archival Materials. REPEALED. Effective 10/16/2009.

Regulations – Department of Archives and History Search Room. REPEALED. Effective 10/16/2009.

Certified Copies. REPEALED. Effective 10/16/2009.

Fee Schedule for services provided by the Records Management Division. REPEALED. Effective 10/16/2009.

Public Records: Standard Management of Electronic Records. REPEALED. 10/16/2009.

Official Records Archival Micrographics Unit Procedure Manual. REPEALED. 10/16/2009.

Newspaper Collection and Preservation Policy. REPEALED. 10/16/2009.

Library Rules Amendment: Five year (instead of two) time limit on researcher's cards. REPEALED. 10/16/2009.

