
**Rules of
Elected Officials
Division 30—Secretary of State
Chapter 45—Records Management**

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Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 45—Records Management

15 CSR 30-45.010 State Records

PURPOSE: The director of records management and archives service under the direction of the secretary of state and the State Records Commission administers Missouri's State Records Law, Chapter 109, RSMo. The director may establish standards, procedures and techniques for the effective management of records. This rule describes the general organization and functions of the Records Management and Archives Service division of the Office of the Secretary of State regarding state records to comply with the requirements of section 536.023, RSMo (1986).

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire contents of the material referenced have been filed with the secretary of state. This material may be found at the Office of the Secretary of State and is available to any interested person at a cost established by state law.

(1) The Records Management and Archives Division fulfills the statutory duty of the secretary of state for the management and safekeeping of state records. This division provides for the efficient and economical application of management and archival methods to the creation, utilization, maintenance, retention, preservation and disposal of state official records. The division is divided into two (2) areas, each with separate but interrelated tasks.

(A) The Records Management division helps state agencies handle current records and documents.

(B) The Archives division preserves historical documents and makes them available to the public.

(C) Both areas are housed in the Records and Archives Center located at 600 West Main, Jefferson City, MO 65101. The phone number is (314) 751-3319.

(2) Participants of the state records management program include all state agencies organized under the 1974 Reorganizational Act with the exception of the University of Missouri, the Missouri General Assembly and the Missouri court system. Over nine hundred (900) state agencies are currently being assisted by the program.

(3) The state records management program assists government agencies in a variety of ways by establishing a records retention schedule; providing storage for semi-active and inactive records, overseeing the destruction of unneeded records and providing microfilming services. Copies of agency record retention schedules may be obtained at the Office of the Secretary of State.

AUTHORITY: section 109.230, RSMo 1986. Original rule filed Aug. 25, 1989, effective Feb. 11, 1990.

15 CSR 30-45.020 Local Records

PURPOSE: The director of Records Management and Archives Service under the direction of the secretary of state and the local records board administers Missouri's Local Records Law. The director may establish standards, procedures and techniques for the effective management of records. This rule describes the functions of the Records Management and Archives Service division of the Office of the Secretary of State regarding local records to comply with the requirements of section 536.023, RSMo (1986).

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire contents of the material referenced have been filed with the secretary of state. This material may be found at the Office of the Secretary of State and is available to any interested person at a cost established by state law.

(1) The Records Management and Archives Division fulfills the statutory duty of the secretary of state for the management and safekeeping of local records. It provides for the efficient and economical application of management and archival methods to the creation, utilization, maintenance, retention, preservation and disposal of official records of local governments.

(2) Participants of the local records management program include counties, municipalities and other political subdivisions.

(3) The local records management program assists local governments by providing on-site visits and establishing records retention manuals. Copies of local records' schedules can be obtained at the Office of the Secretary of State.

AUTHORITY: sections 109.241 and 109.255, RSMo 1986. Original rule filed Aug. 25, 1989, effective Feb. 11, 1990.

15 CSR 30-45.030 Local Records Grant Program Administration

PURPOSE: This rule outlines the management plan of the grants-in-aid program for local records preservation.

(1) The local records grant program, administered by the Office of the Secretary of State, provides financial assistance to local government officials to support records management and preservation efforts, particularly for records of permanent retention. This grants-in-aid program is a significant effort in the overall mission of the program to enhance the quality of archival preservation and public access to records of enduring value.

(A) Activities supported by the local records grant program—

1. Planning;
2. Records Management;
3. Preservation;
4. Conservation;
5. Professional consultants;
6. Essential equipment;
7. Reference tools;
8. Education; and
9. Publications.

(B) Ineligible activities—

1. Projects already completed;
2. Expenses incurred prior to the grant period;
3. Existing/permanent staff positions;
4. Equipment nonessential to the project;
5. Capital improvements to buildings;
6. Payments to lobbyists;
7. Hospitality expenses;
8. Prizes/awards;
9. Benefit activities (social, fundraisers, etc.);
10. Educational outreach not available to the public;
11. Tuition reimbursement for academic credit;
12. Activities having a religious purpose;
13. Inventories/guides not available to the public; and
14. Purchase of manuscripts/records.

(C) Funding—

1. The Local Records Program supports up to seventy percent (70%) of the total project cost;
2. The applicant must contribute a minimum of thirty percent (30%) in a cost-sharing match;

3. At least ten percent (10%) of the total project cost must be in local cash match;

4. An in-kind contribution may consist of staff time, supplies, utilities (if local space is required for the project), etc. donated to the project;

5. Permanent equipment, applications, services, and materials are separate line items requiring a 50/50 match of grant funds and local cash;

6. Applicants that have a higher percentage of cash cost-sharing will be given preference when all other things are equal;

7. Planning grants are available with seventy percent (70%) grant funds and thirty percent (30%) match; Local Records Program will fund up to two thousand dollars (\$2,000); and

8. The maximum grant funds that can be requested is fifty thousand dollars (\$50,000) per application.

(D) Those who are eligible to apply—

1. All local government entities supported by a tax levy.

(E) Those who are ineligible to apply—

1. Individuals;

2. State agencies (local public records housed by state agencies may be included in a grant application that is submitted and administered by the local official who has statutory authority over the records);

3. Private organizations (local public records housed by private organizations may be included in a grant application that is submitted and administered by the local official who has statutory authority over the records); and

4. Federal agencies.

(F) Evaluation of Proposals.

1. Secretary of state staff will review grant applications for completeness; conformity to application requirements; soundness of budget; and relevancy to the objectives of the Local Records Program. These objectives may be reviewed, in part, by the Missouri Historical Records Advisory Board (MHRAB) based on, for example, research value and widespread citizen use. The proposal may be returned to the applicant institution for further development or clarification.

2. A summary will be prepared by the Office of the Secretary of State for each complete application and forwarded to the MHRAB. The board will review the applications at its annual public meeting and make funding recommendations to the secretary of state.

3. The Office of the Secretary of State will notify the applicant in writing if the proposal has been funded or rejected.

4. If an application is in a sphere outside the expertise of the Office of the Secretary of State and/or the MHRAB, advisors or consultants may be employed to review the application. These consultants will be compensated from the Local Records Program grant funds.

(G) Grant application requirements—

1. Identify local government entity and project personnel;

2. Activity description—

A. Statement of purpose and goals;

B. Project summary;

C. Detailed analysis of plan, discussion of techniques and a timetable;

D. Project objectives; and

E. Specific end results or products;

3. Funding description—

A. Budget layout;

B. Budget explanation;

C. Need for outside funding;

D. Funding of future management and preservation projects; and

E. Local entity's accounting methods and audit procedures;

4. Relevant information—

A. Statement of any previous actions;

B. Evaluation of results (how will the success or failure be measured); and

C. Description of importance of the project in terms of an overall, long-range record management program;

5. Authorization—

A. Signed and dated by proper official; and

B. Identification of preparer of the application; and

6. Support material—

A. Letter of commitment from the applicant's funding authority;

B. Resumes of project personnel, consultants, volunteers, etc. and descriptions of their grant-funded duties;

C. Required forms;

D. Appropriate attachments, such as floorplans, sample forms, letters of support, etc.;

E. Identification of necessary services, equipment, supplies, etc.; and

F. Other relevant information.

(H) Grant Calendar.

1. The grant period begins on the date of the award letter issued by the Office of the Secretary of State.

2. Grant projects must be completed in the awarded fiscal year (July 1 through June 30). One (1) extension may be requested in writing to the Office of the Secretary of State, Local Records Program. The request must relate the extenuating circumstances hindering completion of the grant project. Extensions, if granted, will be in writing by

the Local Records Program, of the secretary of state's office. A request for extension must be made by June 30. If the extension is not approved, the award may be canceled in thirty (30) days. Under no circumstances will a grant be allowed to continue for more than two (2) fiscal years.

3. Grant funding payments.

A. The first payment in the grant award will not accompany the official award letter, but should be received by the end of the first quarter of the fiscal year.

B. For grants of ten thousand dollars (\$10,000) or more, a first payment of thirty-five percent (35%) shall be made. A second payment of thirty-five percent (35%) shall be issued after one-third (1/3) of the project is complete and verified through an interim report. The final thirty percent (30%) of the grant shall be paid to the grantee after successful completion and verification by local records staff of the Office of the Secretary of State.

C. Grantees receiving less than ten thousand dollars (\$10,000) shall receive seventy percent (70%) of the grant funds in the first payment; the final thirty percent (30%) of the grant shall be paid to the grantee after successful completion and verification by local records staff of the Office of the Secretary of State.

D. While the grantee cannot invoice expenses incurred before the grant period begins, expenses incurred after the grant period begins but before the monies are available are allowable.

E. All unused grant funds and interest in possession of the grantee must be returned to the Local Records Grant Program.

(I) Accounting. Grantees must keep financial records for each grant in accordance with agreed upon accounting practices. These records, as public records, shall be subject to inspection by secretary of state staff and the MHRAB during regular business hours throughout the grant period and for the following three (3) years after the grant period ends. If any litigation, claim, or audit is begun before the end of three (3) years, the records must be retained until such proceeding is resolved.

(J) Auditing Requirements. Grantees must comply with the audit requirements set forth in Missouri statutes for local government units. The grantee is responsible for ensuring that the Office of the Secretary of State receives copies of the audit report for any audit performed during the grant period or for the following three (3) years. Specific accounting requirements for the Local Records Grant Program are—

1. Grant money must be deposited in an auditable, interest-bearing account. Interest received must be applied to the project;

2. Grant work must be monitored in progress. Secretary of state staff may visit the work site for review at any time during the grant cycle;

3. The grantee must submit project interim reports by March 1. Report forms will be provided to the grantee;

4. Any changes in the project, including changes of personnel, must be submitted in writing to the Office of the Secretary of State, Local Records Grant Program;

5. In the case of default by the grantee, the grant will be revoked and all unused funds must be returned to the Local Records Grant Program. The Local Records Grant Program will notify the grantee of default in writing;

6. The grantee shall prepare final reports about the grant project by June 30. Final report forms will be provided to the grantee;

7. Grantees must submit copies of all invoices with the interim and/or final reports;

8. Grantees must submit documentation for in-kind contributions with the interim/final reports; and

9. Grantees must submit bid information for services or purchases over three thousand dollars (\$3,000) with the interim and/or final reports.

(K) Conflicts of Interest.

1. The MHRAB will not consider a proposal where a board member or a member of the secretary of state's staff derives compensation.

2. A board member shall abstain from reviewing or voting on proposals if s/he is indirectly connected with a proposed project through employment at the same institution, indirectly supervises the project, serves as an unpaid consultant to the project, or is an officer of the institution or association that submits the proposal.

3. A board member may participate in discussion of, but not vote on, a grant proposal if s/he merely subscribes to membership in the local government entity or the private organization submitting the proposal, but holds no office.

AUTHORITY: sections 59.319, RSMo 1994 and 109.221, RSMo, Supp. 1998. Emergency rule filed June 19, 1991, effective June 29, 1991, expired Oct. 28, 1991. Original rule filed June 19, 1991, effective Oct. 31, 1991. Amended: Filed Nov. 6, 1991, effective May 14, 1992. Rescinded and readopted: Filed July 27, 1999, effective Feb. 29, 2000.*

**Original authority: 59.319, RSMo 1969, amended 1985, 1989, 1994 and 109.221, RSMo 1989, amended 1990, 1993, 1995, 1998.*

15 CSR 30-45.040 Missouri Historical Records Advisory Board (MHRAB) Regrant Program Administration

PURPOSE: This rule outlines the management plan of the grants-in-aid program for historical records preservation.

(1) The Missouri Historical Records Advisory Board (MHRAB) Regrant Program, administered by the Missouri State Archives, Office of Secretary of State, with funds provided by the National Historical Publications and Records Commission (NHPRC) and the state of Missouri, grants financial assistance to historical records repositories to enhance the preservation and access of Missouri's documented heritage. This grants-in-aid program is a significant effort in the Missouri Historical Records Advisory Board's mission to promote and support the identification of, preservation of, and access to all historical records in Missouri.

(2) Those eligible to apply include institutions such as historic, ethnic and religious societies; museums; libraries; and colleges and universities whose archival collections or records of historic value are open to the public on equal terms for everyone.

(3) Activities supported by the MHRAB Regrant Program include—

- (A) Education;
- (B) Planning;
- (C) Preservation;
- (D) Professional consultants;
- (E) Essential equipment;
- (F) Reference tools.

(4) Local government entities are ineligible to apply, as the Missouri State Archives Local Records Grant Program (initiated in 1991) offers direct help for records preservation and management to all jurisdictions supported by tax levies.

(5) Ineligible activities include—

- (A) Construction, renovation, furnishing, or purchasing a building or land;
- (B) Purchasing manuscripts or other historical records;
- (C) Conserving or exhibiting archaeological artifacts, museum objects, or works of art;
- (D) Undertaking an oral history project unrelated to Native Americans;

(E) Acquiring, preserving, or describing books, periodicals, or other library materials;

(F) Acquiring, preserving, or describing art objects, sheet music, or other works primarily of value as works of art or entertainment;

(G) Undertaking a documentary editing project to publish the papers of someone who has been deceased for less than ten years;

(H) Undertaking a project centered on the papers of an appointed or elected public official who remains in major office, or is politically active, or the majority of whose papers have not yet been accessioned in a repository;

(I) Processing documents, a major portion of which will be closed to researchers for more than five years, or not be accessible to all users on equal terms, or will be in a repository that denies public access;

(J) Undertaking an arrangement, description, or preservation project in which the pertinent documents are privately owned or deposited in an institution subject to withdrawal upon demand for reasons other than requirements of law;

(K) Undertaking an arrangement, description, or preservation project involving federal government records that are—

1. In the custody of the National Archives and Records Administration (NARA); or

2. In the custody of some other federal agency; or

3. Have been deposited in a non-federal institution without an agreement authorized by NARA. Note: Many federally funded activities not directly undertaken by the federal government produce documents that may in law be considered federal records, including records produced under federal contracts or grants. If your project deals with federal records, you should talk further with the Archives Grant Administrator;

(L) Funding for—

- 1. Existing/permanent staff positions;
- 2. Equipment nonessential to the project;
- 3. Payments to lobbyists;
- 4. Hospitality expenses;
- 5. Prizes/awards;
- 6. Benefit activities such as socials, fundraisers, etc.;
- 7. Educational outreach not available to the public;
- 8. Activities having a religious purpose;
- 9. Expenses incurred prior to the grant period.

(6) Funding.

(A) The MHRAB Regrant Program supports 100% of the total costs for projects between \$500 and \$5,000.

(B) For projects over \$5,000 the MHRAB Regrant Program supports 70% of the project and the applicant must contribute a minimum of 30% in cost-sharing match with 10% of the total project cost in local cash match.

(C) An in-kind contribution may consist of staff time, supplies, utilities (if local space is required for the project), donated to the project.

(D) Permanent equipment is a separate line item requiring a 50/50 match of grant funds and local cash.

(E) Applicants that have a higher percentage of cash cost-sharing will be given preference when all other things are equal.

(F) The maximum grant that can be requested is \$25,000 per application.

(7) Grant Application Requirements.

(A) Identification of entity, entity's governance structure and project personnel.

(B) Activity description—

1. Statement of purpose and goals;
2. Project summary;
3. Detailed analysis of plan, discussion of techniques and time line of activities;
4. Project objectives;
5. Specific end results or products.

(C) Funding description—

1. Budget layout;
2. Budget explanation;
3. Need for outside funding;
4. Local entity's accounting methods and audit procedures.

(D) Relevant information—

1. Statement of any previous relevant actions;
2. Evaluation of results (how will the success or failure be measured);
3. Description of importance of the project in terms of an overall, long-range program.

(E) Authorization—

1. Signed and dated by proper official;
2. Identification of preparer of the application.

(F) Support material—

1. Letter of commitment from the applicant's funding authority;
2. Resumes of project personnel, consultants, volunteers, and descriptions of their grant-funded duties;
3. Required forms;
4. Appropriate attachments, such as floor plans, sample forms, letters of support;
5. Identification of necessary services, equipment, supplies;
6. Other relevant information.

(8) Evaluation of Proposals.

(A) The Archives Grant Administrator will review grant applications for completeness;

conformity to application requirements; soundness of budget; and relevancy to the objectives of the MHRAB Regrant Program.

(B) Each complete application will be summarized and forwarded to the MHRAB.

(C) The MHRAB will evaluate applications based on the following criteria—

1. Demonstrated need for outside funding;
2. Commitment to professional practices;
3. Historical value of records;
4. Ability to maintain achievements.

(D) The MHRAB will make funding decisions at meetings set for this purpose.

(E) The Archives Grant Administrator will notify the applicant on behalf of the MHRAB in writing if the proposal has been funded or rejected.

(9) Grant Calendar.

(A) The first grant period will begin in September 2001 and the second in March 2002; both will close December 31, 2002. Award letters will be issued by the Archives Grant Administrator, Office of Secretary of State.

(B) The first payment in the grant award will not accompany the official award letter, but should be received by the end of the first month in each grant cycle. Subsequent payments are contingent upon receipt by the Archives Grant Administrator of complete and accurate Interim Reports submitted by the grantee.

(C) Grant work must be monitored while in progress. Archives staff may visit the work site for review at any time during the grant cycle.

(D) Any changes in the project, including changes of personnel, must be submitted in writing to the Archives Grant Administrator, Office of Secretary of State.

(E) The grantee must submit Final Reports within 30 days of the grant cycle's conclusion. Report forms will be provided to the grantee. Final Reports should relate to the original grant proposal and evaluate the progress made in accomplishing stated goals and objectives. Failure to comply may negatively impact the organization's ability to obtain future grants.

(F) Grant projects must be completed during the grant period. One extension may be requested in writing to the Archives Grant Administrator, Office of Secretary of State. The request must relate the extenuating circumstances hindering completion of the grant project. If an extension is granted, notification will be made in writing by the Archives Grant Administrator, Office of Secretary of State. A request for extension must be made

by August 2002. If the extension is not approved, the award may be canceled.

(10) Accounting.

(A) Grantees must keep financial records for each grant in accordance with agreed upon accounting practices. These records, as public records, shall be subject to inspection by Secretary of State staff and members of the MHRAB during regular business hours throughout the grant period and for the following three years after the grant period ends. If any litigation, claim, or audit is begun before the end of the three years, the records must be retained until such proceeding is resolved.

(B) Grant money must be deposited in an auditable, interest-bearing account, and interest received must be applied to the project.

(C) While the grantee cannot invoice expenses incurred before the grant period begins, expenses incurred after the grant period begins but before the monies are available are allowable.

(D) Grantees must submit documentation for in-kind contributions with Interim and Final Reports. Grantees must submit bid information for services or purchases over \$3,000 with Interim and Final Reports.

(E) All unused grant funds and interest in possession of the grantee must be returned to the MHRAB Regrant Program.

(F) In the case of default by the grantee, the grant will be revoked and all unused funds must be returned to the MHRAB Regrant Program. The Archives Grant Administrator will notify the grantee of default in writing.

(11) Auditing Requirements. The grantee is responsible for ensuring that the MHRAB receives copies of the audit report for any audit performed during the grant period or for the following three years.

(12) Conflicts of Interest.

(A) An MHRAB member shall abstain from reviewing or voting on proposals if s/he is indirectly connected with a proposed project through employment at the same institution, indirectly supervises the project, serves as an unpaid consultant to the project, or is an officer of the institution or association that submits the proposal. Nor may the board member be physically present during board discussion of such a proposal.

(B) An MHRAB member may participate in discussion of, but not vote on, a grant proposal if s/he merely subscribes to membership in the organization submitting the proposal, but holds no office.

AUTHORITY: sections 109.221.3 and 109.221.5, RSMo Supp. 1999. Original rule filed Oct. 6, 2000, effective April 30, 2001.*

**Original authority: 109.221, RSMo 1989, amended 1990, 1993, 1995, 1998.*