

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(B) The Archives division preserves historical documents and makes them available to the public.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