

TITLE 430 - STATE RECORDS ADMINISTRATOR

NUMERICAL CHAPTER RULE INDEX

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Chapter 1 - DEFINITION OF TERMS

001 The following definitions shall be applied to and are construed to define terminology that exists in the Records Management Act, R.R.S. 1943, section 84-1201 through 84-1220, and all additions and amendments thereto, and terminology that exists in the Rules and Regulations of the State Records Administrator.

001.01 Agency shall mean any department, division, office, commission, court, board, or any other unit or body, however designated, of the state government or of the government of any local political subdivision.

001.02 Agency head shall mean the chief or principal officer or representative in any such agency, or the presiding judge of any court, by whatever title known; and when an agency consists of a single official, the agency and the agency head are one and the same.

001.03 State Agency shall mean an agency of state government; local agency shall mean an agency of a local political subdivision.

001.04 State Executive Agency shall mean an agency of the executive branch of state government, including all administrative offices and bodies operating within the executive branch. When an administrative office or body is charged with varied functions of executive and legislative or judicial functions, it shall be considered a state executive agency, unless expressly declared by general law to be an instrumentality of the legislative or judicial branch.

001.05 Local Political Subdivision shall mean any county, city, village, township, district, authority, or other public corporation or political entity, whether existing under charter or general law, except that a metropolitan class city or a district or other unit which is considered to be an integral part of state government is not included in the term.

001.06 Record shall mean any book, document, paper, photograph, microfilm, sound recording, or other material regardless of physical form or characteristics, made or received pursuant to law, charter, ordinance, or other authority, in the connection with the transaction of official business.

001.07 State record shall mean a record which normally is maintained within the custody or control of a state agency, or any other record which is designated or treated as a state record according to general law.

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001.08 Local record shall mean a record of a local political subdivision or any agency thereof, unless designated or treated as a state record under general law.

001.09 Court record shall mean a record maintained by any court existing pursuant to the Constitution or statutes of Nebraska.

001.10 Legislative record shall mean a record created or maintained by the Legislature pursuant to the Constitution or statutes of Nebraska.

001.11 Essential record shall mean a state or local record which is within one or the other of the following categories and which shall be preserved pursuant to this Act: Category A: Records containing information necessary to the operations of government under all conditions, including a period of emergency created by a disaster, or: Category B: Records not within Category A, but which contain information necessary to protect the rights and interests of persons or to establish or affirm the powers and duties of state or local governments in the resumption of operations after a disaster.

001.12 Preservation duplicate shall mean a copy of an essential record, which is used for the purpose of preserving the record pursuant to the Records Management Act.

001.13 Disaster shall mean any occurrence of fire, flood, storm, earthquake, explosion, epidemic, riot, sabotage, or other conditions of extreme peril resulting in substantial injury or damage to persons or property within the state, whether such occurrence is caused by an act of nature or of man, including an enemy of the United States.

001.14 Nonrecord materials shall mean those materials not included within the definition of the word records.

001.15 The recommendation "retain permanently" shall mean that a record may not be destroyed, but shall not prevent the transfer of that record from the office of the legal custodian to the State Archives for preservation, or, if it is an essential record, to an area designated by the Administrator.

001.16 Administrator shall mean the State Records Administrator.

001.17 Board shall mean the State Records Board.

001.18 Durable medium shall be any information storage medium that is created by a durable process. A process shall be the combination of hardware, software, storage media, techniques and procedures used to manage, create, store, retrieve, and delete information belonging to the custodian agency. A process shall be a durable process if it meets the criteria set forth in 001.18A through 001.18G:

001.18A The process is capable of creating and storing information for the required records retention period as specified by the Records Retention and Disposition Schedules approved by the State Records Administrator and the State Archivist.

001.18B The process can be migrated to a successor process when necessary and will retain all information available in the original process after migration to the successor process.

001.18C The process maintains the integrity of information in a readily accessible manner, makes it retrievable, makes it processable through an established usual or routine set of procedures using available hardware and software, and makes it accurately reproducible in a human-readable form as determined by the needs of the custodian agency.

001.18D The process provides for disaster recovery backups, which are periodically, depending on a retention schedule, verified for restorability and readability, and can be stored in a separate geographical location from the original information.

001.18E The process is demonstrated to create and maintain information for the retention period as specified, in an accurate, reliable, trustworthy, dependable and incorruptible manner.

001.18F The process allows the removal of information when it reaches the end of its required retention period.

001.18G The process is documented so as to demonstrate to a reasonable person compliance with these criteria.

001.18H Written Best Practices and Procedures may be developed as voluntary guidelines for use by any agency in furtherance of implementation of the above definition of durable medium, as it relates to records retention and disposition schedules. Any Best practices and Procedures developed are guidelines only and do not have the force and effect of rule and regulation or law.

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Chapter 2 - DUTIES OF STATE AGENCY HEADS

001 In accordance with general law and rules and regulations promulgated by the State Records Administrator and the Board, state agency heads shall observe the following requirements:

001.01 Establish and maintain an active continuing program for the efficient and economical management of the recordkeeping activities of the agency, in so far as possible within the framework of their appropriated funds.

001.02 Make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency, designed to furnish information to protect the legal and financial rights of the state, and of persons directly affected by the agency's activities.

001.03 Inventory the records in the custody or under the control of the agency, and submit to the Administrator a report thereon containing the title and a description of each record series, the inclusive dates, the physical volume of the material, the estimated annual accumulation, the arrangement, the relationship to other record series, the audit status, whether the records are indexed, and whether any other copies of the record exist.

001.04 Make recommendations to the Administrator as to the length of time each record series should be retained by the agency for administrative, legal or fiscal purposes, after it has been made or received by the agency.

001.05 Make recommendations to the Administrator as to which if any such records of the agency should be determined to be essential records.

001.06 Review the inventory and report periodically, and revise the report as necessary so that it is current, accurate and complete.

001.07 Designate from the management or professional level such person or persons necessary to act as records officer for the agency.

001.08 Comply with the rules, regulations, standards and procedures issued and set up by the Administrator pursuant to the Records Management Act.

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Chapter 3 - DUTIES OF THE ADMINISTRATOR

001 With due regard to the functions of agencies concerned and with such guidance and assistance from the Board as may be required, the Administrator shall:

001.01 Establish standards, procedures and techniques for the effective management of public records.

001.02 Make continuing surveys of paperwork operations and recommend improvements in current records management practices including but not limited to economical use of space and equipment and supplies employed in creating, maintaining, storing, preserving and servicing records.

001.03 Establish standards for the preparation of schedules for the retention of records of continuing value; for the prompt disposal of records no longer having sufficient administrative, legal or fiscal value to warrant their further retention.

001.04 Obtain from the agencies concerned such reports and other data as required for the proper administration of the records management program, including organizational charts of the agencies concerned.

001.05 Establish standards for designating essential records, assist agencies in identifying essential records, and guide agencies in the establishment of programs for the preservation of essential records.

001.06 Investigate preservation methods and recommend archival assistance for rare documents, papers, books, etc., of historical and legal value still in active use.

001.07 Establish and maintain a depository for the storage and service of state agency and legislative records, and advise and assist in the establishment of similar programs in local subdivisions and judicial bodies of the state.

001.08 Establish and maintain a central microfilm agency for state and legislative records, except those agencies which may have internal microfilm activities necessary to their particular operations, and advise and assist in the establishment of similar programs in local political subdivisions and judicial bodies.

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002 The Administrator may:

002.01 Make or cause to be made preservation duplicates of essential records, or may designate as preservation duplicates existing copies thereof.

002.02 Establish storage facilities for essential records and preservation duplicates.

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Chapter 4 - ESSENTIAL RECORDS AND PRESERVATION DUPLICATES

001 Essential Records

001.01 Agency heads shall designate which if any records of their agencies shall be essential records.

001.02 Only those records which strictly and absolutely fall within the definition of essential record, whether in Category A or Category B, shall be so designated. Those supporting records and other records which are useful, but which are not absolutely essential according to this definition, shall not be designated as essential records.

001.03 When the agency head shall determine which if any records of an agency are essential records, such determination shall be in writing, and one copy shall be kept by the agency head and one copy shall be sent to the Administrator.

002 Preservation Duplicates

002.01 A preservation duplicate shall be durable, accurate, complete and clear, and if made by means of photograph, microphotography, photocopy, film, microfilm, or similar processes, shall be prepared in conformity to standards prescribed and approved by the Board.

002.02 No process shall be used for preparing a preservation duplicate unless standards for its use have been prescribed.

002.03 The Administrator may make or cause to be made preservation duplicates of essential records, or may designate as preservation duplicates existing copies thereof.

002.04 A preservation duplicate made by a photographic, photostatic, microfilm, microcard, miniature photographic or similar process, which accurately reproduces or forms a durable medium for so reproducing the original, shall have the same force and effect for all purposes as the original records, whether the original exists or not.

002.05 A transcript, exemplification, or certified copy of such preservation duplicate shall for all purposes be deemed a transcript, exemplification or certification copy of the original record.

002.06 No copy of an essential record shall be used as a preservation duplicate unless, under the general laws of the state, the copy has the same force and effect for all purposes as the original record.

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003 Safeguarding Essential Records and Preservation Duplicates

003.01 The Administrator may establish storage facilities for essential records and preservation duplicates.

003.02 The Administrator shall properly maintain essential records and preservation copies stored by him.

003.03 An essential record or preservation duplicate stored by the Administrator may be removed by the regularly designated custodian for temporary use when necessary for the proper conduct of his office and shall be returned immediately after such use.

003.04 The Administrator shall, upon the request of the regularly designated custodian thereof, provide for the inspection of an essential record stored by him, or for the making of certification copies thereof, and such copies when certified by the Administrator shall have the same force and effect for all purposes as if certified by the regularly designated custodian.

003.05 When an essential state record is required by law to be treated in a confidential manner, the Administrator shall protect its confidential nature as well as that of any preservation duplicate or other copy thereof.

003.06 No essential record or preservation duplicate shall be destroyed.

003.07 Each agency head shall make an effort to protect the availability of essential records by using builtin dispersal, designed dispersal, duplication, offsite storage, or such other methods of protection as may be determined suitable for that particular situation.

004 Review of Program The Administrator shall review periodically, and at least once a year, the program for the selection and preservation of essential records, including the classification thereof and the provisions for preservation duplicates and for the safeguarding of essential records and preservation duplicates to insure that the purposes of the Records Management Act are accomplished.

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Chapter 5 - DISPOSITION OF RECORDS AND NONRECORD MATERIAL

001 Protection of Records. All records made or received by or under the authority of, or coming into the custody, control or possession of public officials and agencies in any of the branches of state government or any local political subdivision, in the course of their public duties, are the property of the government concerned, and shall not be mutilated, destroyed, transferred, removed, damaged, or otherwise disposed of, in whole or in part, except as provided by law.

002 Disposal of Records Not Listed on an Approved Records Retention and Disposition Schedule.

002.01 Whenever any agency wants to destroy or otherwise dispose of records in its custody or under its control which are not listed on an approved records retention and disposition schedule applicable to that agency, the agency head shall prepare and submit to the Administrator, on forms provided by the Administrator, a descriptive list of records sought to be destroyed or otherwise disposed of, and a request for the approval of such destruction or disposition.

002.02 Such list and request shall be referred to the Board for action at its next regular or special session.

002.03 The State Archivist shall review each such request, and if the State Archivist shall determine that the records are of archival or historical significance, they shall be governed by all statutes and rules affecting the disposition of archival and historical material.

002.04 On consideration of the list and request for disposal of records, the Board may approve such disposition thereof as may be legal and proper, or may refuse to approve any disposition, and the records as to which such determination has been made may then be destroyed or otherwise disposed of in accordance with the approval of the Board.

002.05 If any records shall be determined to be of archival or historical significance, no disposition of such records, except by transfer to the State Archives, shall be allowed without the written consent of the State Archivist and the Administrator.

002.06 All authorizations for the disposal or destruction of records not listed on an approved records retention and disposition schedule, shall carry the signatures of the Administrator, the Director of Records Management, and the State Archivist, or their designated representatives. A notation of the Board action and the date it was taken shall be made on the authorization form and signed by the Administrator on behalf of the Board.

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002.07 The agency head shall inform the Administrator when any authorized disposition of records has been completed.

003 Disposal of Records Listed on an Approved Records Retention and Disposition Schedule

003.01 All state agency heads and all local agency heads are authorized to dispose of the records of their agencies in accordance with records retention and disposition schedules which are applicable to their agencies if such schedules have been approved by the Administrator pursuant to law. No additional authorization to dispose of records is required if such disposition is in accordance with such approved records retention and disposition schedules.

003.02 When any records are disposed of in accordance with an approved records retention and disposition schedule, the agency head shall report such records disposition to the Administrator on forms provided by the Administrator.

003.03 When any agency head wants to dispose of records which are listed on an approved records retention and disposition schedule, but the desired disposition is not in accordance with such approved schedule, the agency head shall request approval of such disposition in accordance with the laws and the rules governing the disposition of records which are not listed on an approved records retention and disposition schedule.

003.04 Nothing in these rules shall be construed so as to prevent the transfer of state records to facilities provided by the Administrator for the storage and service of state records, and nothing in these rules shall be construed so as to prevent the transfer of any records of historical or archival interest to the State Archives for permanent preservation.

004 Disposal of Nonrecord Material

004.01 If not otherwise prohibited by law, nonrecord materials, not included within the definition of records as contained in section 84-1202, R.R.S. 1943, may be destroyed at any time by the agency in possession thereof, without the prior approval of the Administrator or the Board.

004.02 The following materials are declared to be nonrecord material:

004.02A Library or museum material made or acquired and preserved solely for reference or exhibition purposes;

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004.02B Extra copies of documents preserved only for convenience or reference;

004.02C Stocks of publications, reproduced documents, or other printed materials preserved for supply purposes;

004.02D Extra copies of circulated materials of which official copies have been retained for purposes of record;

004.02E Reading files and followup correspondence copies;

004.02F Identical or carbon copies of documents maintained in the same file, including any method of duplication;

004.02G Draft copies or work copies of documents for which the final version has been completed;

004.02H Letters of transmittal that add nothing to the transmitted information;

004.02I Inter-office memoranda;

004.02J Shorthand notes, stenotype tapes, or sound recordings after they have been transcribed;

004.02K Internal housekeeping materials.

004.03 Nothing in this rule shall be construed to mean that materials which have been declared to be nonrecord materials are devoid of historical value. The Nebraska State Historical Society shall remain the custodian of any such materials which the society may consider to be of historical value, pursuant to the statutes which govern such material.

004.04 Any questions or requests for determinations concerning the historical value of any nonrecord materials, shall be directed to the Nebraska State Historical Society and not to the Board nor to the Administrator.

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Chapter 6 - PREPARATION AND APPROVAL OF RECORDS RETENTION AND DISPOSITION
SCHEDULES

001 Records Inventory

001.01 Each state agency head shall inventory the records in the custody or under the control of the agency.

001.02 Such inventory shall be on forms provided by the Administrator.

001.03 Such inventory shall include the title and a description of each record series, the inclusive dates, the physical volume of the material, the estimated annual accumulation, the arrangement, the relationship to other record series, the audit status, whether the records are indexed, and whether any other copies of the record exist.

001.04 The Administrator shall provide instruction in proper records inventory techniques.

002 Recommendations

002.01 Each agency head shall make recommendations to the Administrator as to the length of time each record series listed in the inventory should be retained by the agency for administrative, legal or fiscal purposes, after it has been made or received by the agency.

002.02 The State Archivist may make recommendations to the Administrator as to which record series listed in the inventory should be retained due to archival or historical significance.

003 Development of Schedules

003.01 The Administrator and each agency head shall cooperate to develop records retention and disposition schedules for each agency, using the agency records inventory and all recommendations as bases.

003.02 In the development of records retention and disposition schedules, proper recognition shall be given to administrative, legal, fiscal and historical value of the records listed therein.

003.03 Each records retention and disposition schedule shall be in such format and style as the Administrator shall determine to be most suitable for that particular schedule.

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004 Approval of Schedules

004.01 Each records retention and disposition schedule which has been developed shall be submitted to the Administrator for approval.

004.02 The Administrator shall submit such schedules to the State Archivist for review and selection of archival and historical material. When the State Archivist has determined that all archival and historical material has been properly identified and that no disposition, except by transfer to the State Archives, has been recommended for such material, the State Archivist shall approve such records retention and disposition schedule and return it to the Administrator.

004.03 The Administrator shall review each records retention and disposition schedule submitted, and if the recommended retention periods and the recommended dispositions satisfy audit requirements and give proper recognition to administrative, legal, and fiscal value of the records listed therein, and if the records retention and disposition schedule has been approved by the State Archivist, such records retention and disposition schedule shall be approved by the Administrator.

004.04 In the process of reviewing a records retention and disposition schedule, the Administrator may submit such schedule to the Board for advice as to the acceptability of the schedule.

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Chapter 7 - MICROGRAPHICS STANDARDS

001 Use of Micrographics for Short and Medium Retention Records

001.01 Applicability

001.01A This section (430 NAC 7-001) applies to the use of micrographics by state and local agencies for the reproduction and/or preservation of records with retention periods of less than fifty years, as determined by the records retention and disposition schedules approved by the State Records Administrator.

001.01B The term micrographics as used in this section (430 NAC 7-001) includes microfilm, microfiche and all other formats produced by any method of microphotography or other means of miniaturization, which are readable by use of proper magnification and illumination.

001.02 Registration of Micrographics Projects. The agency head shall register all micrographics projects with the State Records Administrator before they are begun. The registration must include, but not be limited to, the following information:

001.02A The agency name and address;

001.02B The title of the records;

001.02C The inclusive dates of the records;

001.02D The volume of the records in cubic feet;

001.02E The applicable records retention and disposition schedule item number;

001.02F A description of the physical properties of the documents;

APPROVED:
Date 4-30-84

Bob Kerrey
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001.02G The type of camera and micrographic process (e.g. silver, electrophotographic, photoplastic, etc.) to be used;

001.02H A description of the filming procedures to be used;

001.02I The type of camera films and duplicate films (e.g. silver, diazo, vesicular, etc.) to be used;

001.02J The disposition of all films and documents after filming; and

001.02K The signature of the agency head.

001.03 Requirements

001.03A The agency head shall set forth in writing the procedures governing the establishment of the micrographics system, including what agencies or service bureaus are responsible for operating and maintaining the system.

001.03B The micrographics system must be complete and must be used consistently in the regularly conducted activity of the agency.

001.03C The agency head shall establish procedures with appropriate documentation so the original document, if one does exist, can be followed through the micrographics system.

001.03D The agency head shall establish internal procedures for inspection and quality assurance.

001.03E The agency head is responsible for the effective identification, processing, storage, and preservation of the micrographic record, making it readily available for as long as the contents are required to be retained by the records retention and disposition schedules of the State Records Administrator.

001.03F The agency head shall keep a record of where, when, by whom, and on what equipment the micrographic record was produced.

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001.03G When displayed on a micrographics reader or viewer or reproduced on paper, the material must exhibit a high degree of legibility and readability. Legibility is the quality of a letter or numeral that enables the observer to identify it positively and quickly to the exclusion of all other letters or numerals. Readability is the quality of a group of letters or numerals being recognizable as words or complete numbers.

001.03H The agency head shall maintain a detailed index of all microfilmed data arranged in a manner that permits the immediate location of any particular record.

001.03I All microfilming and processing duplication, quality control, storage, identification and inspection must meet applicable industry standards as set forth by the American National Standards Institute, the Association of Information and Image Management, and this section (430 NAC 7-001).

001.03J The agency head shall have a sample of the product of the micrographics system inspected and approved by the State Records Administrator before the system is placed in regular use. If the micrographics system is substantively modified in any manner, a new sample of the product of the system must be inspected and approved by the State Records Administrator before the modified system is placed in regular use.

001.04 Disposal of Original Documents. The agency head may destroy original documents after microfilming according to this section (430 NAC 7-001), if all of the following conditions are met:

001.04A The retention period of the record is less than fifty years;

001.04B A duplicate copy of the micrographic record meeting all requirements of 430 NAC 7-001.03 is created;

001.04C The micrographic record and the duplicate copy are properly stored on separate premises; and

001.04D The destruction of the original records is not specifically prohibited by statute or by the records retention and disposition schedules approved by the State Records Administrator.

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002 Use of Micrographics for Long and Permanent Retention Records

002.01 Applicability

002.01A This section (430 NAC 7-002) applies to the use of micrographics by state and local agencies for the reproduction and/or preservation of records with retention periods of fifty years or longer, as determined by the records retention and disposition schedules approved by the State Records Administrator.

002.01B The term micrographics as used in this section (430 NAC 7-002) includes microfilm, microfiche and all other formats, produced by any method of microphotography or other means of miniaturization, which are readable by use of proper magnification and illumination.

002.02 Registration of Micrographics Projects. The agency head shall register all micrographics projects with the State Records Administrator before they are begun. The registration must include, but not be limited to, the following information:

002.02A The agency name and address;

002.02B The title of the records;

002.02C The inclusive dates of the records;

002.02D The volume of the records in cubic feet;

002.02E The applicable records retention and disposition schedule item number;

002.02F A description of the physical properties of the documents;

002.02G The type of camera to be used;

002.02H A description of the filming procedures to be used;

002.02I The type of working duplicate film (e.g. silver, vesicular, diazo, etc.) to be used;

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002.02J The disposition of all films and documents after filming; and

002.02K The signature of the agency head.

002.03 Micrographics System Procedures

002.03A The agency head shall set forth in writing the procedures governing the establishment of the micrographics system, including what agencies or service bureaus are responsible for operating the system.

002.03B The micrographics system must be complete and must be used consistently in the regularly conducted activity of the agency.

002.03C The agency head shall establish procedures with appropriate documentation so the original document, if one does exist, can be followed through the micrographics system.

002.03D The agency head shall establish internal procedures for inspection and quality assurance.

002.03E The agency head is responsible for the effective identification, processing, storage and preservation of the micrographic record, making it readily available for as long as the contents are required to be retained by the records retention and disposition schedules of the State Records Administrator.

002.03F The agency head shall keep a record of where, when, by whom, and on what equipment the micrographic record was produced.

002.03G The agency head shall maintain a detailed index of all microfilmed data arranged in a manner that permits the immediate location of any particular record.

002.04 Security Micrographics Film Specifications

002.04A The security copy of any micrographic record of documents created pursuant to this section (430 NAC 7-002) must be the original silver halide film in roll form. The security copy of computer output microfilm must be the original silver halide film in roll form or microfiche form.

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002.04B The security film of positive image documents (dark characters on a light background) must be in negative image (light characters on a dark background). The security film of negative image documents must be in positive image. The security film of computer output microfilm must be in negative image.

002.04C Security film must meet American National Standard Photography (Film) - Safety Photographic Film (ANSI PH1.25-1983) or the latest edition thereof. Security film must meet American National Standard Specifications for Photographic Film for Archival Records, Silver-Gelatin Type on Cellulose-Ester Base (ANSI PH1.28-1981), or American National Standard Specifications for Photographic Film for Archival Records, Silver-Gelatin Type on Polyester Base (ANSI PH1.41-1981), or the latest editions thereof.

002.05 Resolution Specifications

002.05A Any micrographic system for documents must be tested for resolution capability upon installation by use of a camera test chart such as the Rotary Camera Test Chart ANSI/AIIM MS112-1983 and ANSI/AIIM MS 113-1983, the Planetary Camera Test Chart AIIM MS303-1980, five ISO Test Charts No. 2, or the equivalent.

002.05B Any micrographic system for documents must produce a quality index level of not less than 5.0 for first generation microfilm as measured according to American National Standard Practice for Operational Procedures/Inspection and Quality Control of First-Generation, Silver Gelatin Microfilm of Documents ANSI/AIIM MS23-1983, or the latest edition thereof. In applying this standard a lowercase letter "e" height of 1.4 millimeters or less must be used.

002.05C When reading the camera test chart, all pattern groups on the chart must be read. The smallest line pattern (highest numerical designation) in which both horizontal and vertical line direction is clearly discernible is the resolving power of that pattern group. The lowest numerical resolving power of all the pattern groups on the camera test chart is the resolving power of the micrographic system.

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002.05D When reading the camera test chart, the film must be processed to the density standards of this section (430 NAC 7-002).

002.05E Any computer output microfilm system must produce a quality index of not less than 5.0 for first generation microfilm as measured according to American National Standard Practice for Operational Practices/Inspection and Quality Control for Alpha numeric Computer-Output Microforms ANSI/AIIM MS1-1981, or the latest edition thereof.

002.06 Density Specifications

002.06A Background density in first generation negative microfilm of documents must be maintained as nearly as practical in the range of 0.80 to 1.10. No density over 1.30 or under 0.60 is allowed.

002.06B If a density in first generation negative microfilm of documents occurs in the ranges 0.60-0.79 or 1.11-1.30, the agency head shall determine by visual inspection that all such images satisfactorily reproduce all required record information.

002.06C Background density in first generation computer output microfilm must be 1.50 or greater.

002.06D The density of microfilm in a clear area (base plus fog density or D_{min}) must not be greater than 0.10.

002.07 Reduction Ratio Specifications

002.07A A reduction ratio for microfilm of documents of 24 to 1 or less is preferred.

002.07B A reduction ratio for microfilm of documents of greater than 24 to 1 may be used only if the micrographic system can maintain the required quality index at the higher reduction.

002.07C Computer output microfilm must be at a reduction ratio of 48 to 1 or 24 to 1.

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002.08 Preparation and Arrangement of Documents

002.08A Documents must be prepared and repaired before microfilming so that no required information is obscured.

002.08B Documents must be microfilmed in the arrangement which allows the quickest and simplest retrieval.

002.09 Identification and Documentation of Microfilm of Documents

002.09A The following targets must appear at the start of each roll of microfilm:

002.09A1 BLANK SHEET OF PAPER. A blank sheet of white bond paper must be filmed at the beginning of the roll.

002.09A2 START OF ROLL. A target labeled START must be filmed at the beginning of the roll. Letters must be large enough to be readable on the finished film without magnification.

002.09A3 ROLL NUMBER. A target identifying the unique number of the microfilm roll must be filmed. Numbers must be large enough to be readable on the finished film without magnification.

002.09A4 TITLE OF RECORDS. A target identifying the name of the agency, the title of the records series, the inclusive dates of the records series, and the arrangement must be filmed.

002.09A5 CAMERA OPERATOR'S CERTIFICATE. A certificate must be filmed which identifies the microfilm roll number, the micrographics project number, the camera reduction ratio, a brief description of the records to be filmed on this roll, the starting point of the records on this roll, the name of the camera operator, and such other information as may be useful to film users.

002.09B The following targets must appear in the body of the microfilm roll:

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002.09B1 DESCRIPTIVE TARGETS. Descriptive targets must be filmed whenever they would simplify the use of the micrographic record.

002.09B2 INFORMATIONAL TARGETS. Informational targets must be filmed to indicate missing documents, blank pages, illegible original documents, misnumbered pages, corrections or other deviations from the standard filming procedure.

002.09C The following targets must appear at the end of the microfilm roll:

002.09C1 CAMERA OPERATOR'S CERTIFICATE. The certificate must be refilmed when completed by identifying the ending point of the records filmed on this roll and the date filming of this roll was finished.

002.09C2 CERTIFICATE OF AUTHENTICITY. A certificate must be filmed which indicates that the microphotographs appearing on the film are true and accurate reproductions of the original records produced in the regularly conducted activity of the agency; that the records are microfilmed in conformity with the Rules and Regulations of the State Records Administrator and the statutes governing them; that the micrographic process accurately reproduces the records; and that the film forms a durable medium for reproducing the original, if necessary. The certificate must be signed by the agency head or the head of the agency responsible for filming, and it must include the official seal of the agency if there is one.

002.09C3. END OF ROLL. A target labeled END must be filmed at the end of the roll. Letters must be large enough to be readable on the finished film without magnification.

002.10 Identification of Computer Output Microfilm. Computer output microfilm must contain the following identifying information:

002.10A Fiche Number;

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002.10B Date;

002.10C Agency name;

002.10D Title of Record;

002.10E Other information useful to the user.

002.11 Inspection of Micrographic Records. Microfilm must be inspected image by image to ensure completeness, adequacy and accuracy of documentation, legibility, correct arrangement, conformity with standards, and that there were no camera or processing defects.

002.12 Refilming of Defective or Missing Documents

002.12A When inspection of the microfilm reveals that some documents were defective or missing, those documents must be refilmed.

002.12B Refilming may be done at the beginning or end of a later film roll, but must not be done in the body of that film roll.

002.12C Documentation of refilming must, as far as applicable, be the same as the documentation of the original film roll, and must include a start of retake target; the camera operator's certificate from the original film roll; a retake certificate which identifies the original film roll, the material to be retaken, the reason for retaking, and the camera operator; a certificate of authenticity; and an end of retake target.

002.12D Refilmed documents may remain on the roll on which they were filmed or may be spliced to the end of the original film roll, but in no case may they be spliced in the body of the original film roll.

002.12E Refilmed documents must be properly indexed in sufficient detail to enable them to be found.

002.12F Refilmed documents must be inspected in the same manner as the original film roll.

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002.13 Labels for Cartons of Microfilm of Documents. The microfilm carton label must contain:

002.13A Roll number;

002.13B Record title, government subdivision, and agency name;

002.13C Identification of roll contents and dates;

002.13D Reduction ratio;

002.13E Identification of the film as security film or as a working duplicate;

002.13F Micrographics project number.

002.14 Evaluation of Micrographic Records

002.14A The agency head shall have a sample of the product of the micrographics system inspected and approved by the State Records Administrator before the system is placed in regular use. The State Records Administrator may reinspect the micrographics system as necessary to insure compliance with this section (430 NAC 7-002). If the micrographics system is substantively modified in any manner, a new sample of the product of the system must be inspected and approved by the State Records Administrator before the modified system is placed in use.

002.14B Evaluation by the State Records Administrator of a sample of the product of the micrographics system will not substitute for the agency inspection specified in 430 NAC 7-002.11.

002.15 Integrity and Use of Security Micrographic Film

002.15A Security microfilm of documents must be in roll form and must have no breaks, cuts or splices in the body of the film, which is the area following the START target and preceding the END target.

002.15B Security micrographic film must not be used for reference purposes, but may be used only to produce work or reference copies of the film.

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002.15C Security micrographic film must not be written on by any type of marking or writing instrument.

002.16 Storage of Security Micrographic Film

002.16A Security micrographic film must be stored in compliance with American National Standard Photography (film) - Storage of Processed Safety Film ANSI PH1.43-1983, for archival (permanent) storage, or the latest edition thereof.

002.16B Security micrographic film must not be stored on the same premises as the original records or the working copies of the film.

002.16C The agency head shall inspect or have inspected all security micrographic film by sampling once a year for any image, base, or container degradation.

002.17 Disposal of Original Documents. The agency head may destroy original documents after microfilming according to this section (430 NAC 7-002), if all the following conditions are met:

002.17A A duplicate copy of the micrographic record is created;

002.17B The security micrographic record is stored according to 430 NAC 7-002.16; and

002.17C The destruction of the original records is not specifically prohibited by statute or by the records retention and disposition schedules approved by the State Records Administrator.

002.18 Reference or Working Duplicates of Microfilm. The agency head may use internal reference or working copies of microfilm generated in accordance with this section (430 NAC 7-002) in any photographic form that provides the necessary information.

FILED

Allen J. Beermann
Secretary of State

MAY 1 1984

APPROVED:
Date 4-30-84

Bob Kerrey
Governor

APPROVED

BY J. J. AUGUSTAS
Assistant Attorney General

BY 4/12/84
Assistant Attorney General

DATE

FILED
REVISOR OF REGULATIONS
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TITLE 430 - STATE RECORDS ADMINISTRATOR

Chapter 8 - PRACTICE AND PROCEDURE OF THE ADMINISTRATOR

001 Records Management Division

001.01 The Records Management Division of the office of the Secretary of State shall handle the routine daily paperwork and office duties of the Administrator, and such duties as may be required by the Board.

001.02 The Director of Records Management shall be the Director of the Records Management Division.

001.03 All appropriations made for the Enforcement of Standards - Records Management, shall be used for the activities of the Board, the Administrator, and the Records Management Division as necessary and proper to effectuate the purposes of the Records Management Act and the Rules and Regulations promulgated thereunder.

001.04 All authorizations for expenditure of funds appropriated for Records Management shall be made over the signature of the Administrator or his authorized agent.

002 Forms for Records Disposition

002.01 All requests for records disposal which are submitted to the Administrator pursuant to 430 NAC 5-002, shall be on forms provided by the Administrator, in the general format of Form RMA 1, attached.

002.02 All notices of completion of records disposition made pursuant to 430 NAC 5-002.07, shall be on forms provided by the Administrator, in the general format of Form RMA 2, attached.

002.03 Notice of transfer of records shall be made on forms provided by the Administrator in the general format of Form RMA 3, attached.

002.04 Registration of microfilm projects shall be made on forms provided by the Administrator in the general format of Form RMA 4, attached.

002.05 Requests for approval of records retention and disposition schedules and the approval thereof shall be made on forms provided by the Administrator, in the general format of Form RMA 5, attached.

002.06 Reports of records disposition made pursuant to 430 NAC 5-003.02, shall be made on forms provided by the Administrator in the general format of Form RMA 6, attached.

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002.07 Instructions for completing these forms shall be available from the Administrator.

003 Determinations of the Administrator

003.01 The Administrator shall make all determinations required of him by the Records Management Act and the Rules and Regulations promulgated thereunder in writing in standard letter form, which letter shall carry his signature and the seal of his office.

004 Declaratory Rulings

004.01 A petition for a declaratory ruling may be filed by any interested person, who shall be the petitioner, with respect to the applicability to any person, property or state of facts of any rule or statute enforceable by the Administrator, who shall be the respondent.

004.02 Such petition shall state the venue, the specific subject matter, and the name and address of the petitioner; shall contain a short and plain statement of the grounds on which the Administrator's authority or jurisdiction depends; shall contain a specific statement averring the legal capacity of the petitioner to instigate the proceedings; shall concisely set forth all material facts upon which the declaratory ruling is asked, plus a statement of the question or type of relief with which the petition is concerned; and shall be signed by the petitioner.

004.03 Within 30 days after receipt of the petition, the Administrator shall issue any ruling deemed necessary and proper, or shall state that he will not issue a ruling.

005 Promulgation, Amendment or Repeal of Rules

005.01 A petition for the promulgation, amendment or repeal of any rule subject to the authority or jurisdiction of the Administrator may be filed by an interested person. Such interested person shall be the petitioner and the Administrator shall be the respondent.

005.02 Such petition shall state the venue, the specific subject matter, and the name and address of the petitioner; shall contain a specific statement averring the legal capacity of the petitioner to instigate the proceedings; shall state in precise wording the present rule to be repealed or amended, or the proposed rule for promulgation, and the reasons for such promulgation, amendment or repeal; and shall be signed by the petitioner.

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005.03 The Administrator shall receive the petition and refer it to the Board for action at its next meeting, which shall be called within 30 days after receipt by the Administrator of the petition, and such action shall be governed by the rules of the Board.

STATE OF NEBRASKA
SECRETARY OF STATE
RECORDS MANAGEMENT DIVISION

APPLICATION FOR AUTHORITY
FOR RECORDS ACTION

Date _____ RMA # _____

Department _____ Division _____

Title of Records _____

Dates _____ Volume _____ Arrangement _____

Statutes Affecting Retention _____

DESCRIPTION AND USE

EXAMPLE ONLY

AUTHORIZATION REQUESTED: (Check one)

- a. Disposal of present accumulation of non-current records
- b. Establish retention schedule for current records
- c. Microfilm and retain originals (For Security)
- d. Microfilm and destroy originals
- e. Transfer to Records Center or other storage
- f. Transfer to State Historical Society for permanent retention

SUBMITTED BY: _____
Name of official Title

Request Approved _____ Denied _____ Reason _____

Approved by
State Records Board

by _____
Name Title

Name Title

Name Title

RMA 1

Retain blue copy as temporary record
Send remaining copies to Records Mgmt.
Pink Copy will be returned as final
Authorization.

SECRETARY OF STATE
RECORDS MANAGEMENT DIVISION

APPLICATION # _____

RECORDS COMPLIANCE STATEMENT:

This is to certify that in accordance with the authority granted by the STATE RECORDS BOARD on Authorization For
Records Action # _____, dated _____

the following action was taken:

EXAMPLE ONLY

INSTRUCTIONS: Include title of records, volume, covering dates of records involved, action taken.

If disposal action taken, please complete this section. Cubic feet of records destroyed: _____

Method of destruction: baled for waste []; shredded []; burned []; other _____

Department _____ Official _____

RMA 2

AGENCY COPY

STATE OF NEBRASKA
SECRETARY OF STATE
RECORDS MANAGEMENT DIVISION

TRANSFER OF RECORDS

Date _____ RMA# _____

Material received _____

To Archives and Records Center Room _____ Area _____

Department _____ Division _____

Title of Records _____

Dates _____ Volume _____

DESCRIPTION

EXAMPLE ONLY

Space released _____ Location _____

Retention period _____

RMA - 3 - 1

Department Head or Records Officer

Retain blue copy as temporary record
Send remaining copies to Records Mgmt.
Pink Copy will be returned as final copy

STATE OF NEBRASKA
SECRETARY OF STATE
RECORDS MANAGEMENT DIVISION

MICROFILM PROJECT

Date _____ RMA# _____

The following records are to be microfilmed in accordance with Nebraska microfilm standards -

Department _____ Division _____

Title of Records _____

Dates _____ Volume _____ Arrangement _____

DESCRIPTION AND USE

EXAMPLE ONLY

Disposition of records after filming: bale for waste _____ shred _____ return to originating department
_____ sent to Archives _____ to Records Center _____ Security film _____

Signature _____
Department Head or Records Officer Title

Film filed _____ Roll Numbers _____

Originals were _____

Date _____

RMA 4

Retain blue copy as temporary record
Send remaining copies to Records Mgmt.
Pink Copy will be returned as final copy

REQUEST FOR APPROVAL OF
RECORDS RETENTION & DISPOSITION SCHEDULE

SCHEDULE NUMBER

DEPARTMENT, BOARD OR COMMISSION

DIVISION, BUREAU OR OTHER UNIT

TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA

PART I - AGENCY STATEMENT

In accordance with L.B. 641, 1976 Legislature, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in L.B. 641, 1976 Legislature.

SIGNATURE

TITLE

DATE

PART II - ARCHIVAL APPROVAL

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE

STATE ARCHIVIST

DATE

PART III - APPROVAL BY STATE RECORDS ADMINISTRATOR

The attached schedule has been reviewed in accordance with L.B. 641, 1976 Legislature, and is approved as submitted.

EXAMPLE ONLY

(SEAL)

SIGNATURE

ADMINISTRATOR

DATE

RECORDS DISPOSITION REPORT

AGENCY, BOARD OR COMMISSION

DIVISION, BUREAU OR OTHER UNIT

ADDRESS

TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA

In accordance with LB 641, 1976 Legislature, and the Records Retention and Disposition Schedules approved pursuant thereto, the following action was taken:

INSTRUCTIONS: INCLUDE THE SCHEDULE, SECTION, & ITEM NUMBERS; TITLE OF RECORDS; COVERING DATES; VOLUME; AND ACTION TAKEN.

EXAMPLE ONLY

SIGNATURE

TITLE

DATE

SEND ORIGINAL TO RECORDS MANAGEMENT DIVISION. RETAIN COPY FOR YOUR RECORDS.

