Mississippi Department of Archives & History

Local Government Records Office

Local Government Records Committee Rules and Procedures in Accordance with Section 25-60-1, *MCA, 1972*

(Adopted by Local Government Records Committee, September 26, 1996)
(Submitted to Secretary of State, October 16, 1996)
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(Adopted by Secretary of State, June 1, 1999)
(Amended by Local Government Records Committee October 20, 2009)

I. Committee Meeting Schedule

The Local Government Records Committee shall hold quarterly meetings on the third Tuesday of January, April, July and October at 10:30 a.m. The Committee shall meet in Jackson, Mississippi, unless another location is agreed upon by the Committee at its regularly scheduled meeting.

A press release detailing the dates, times, and locations of the meetings will be distributed to statewide and local publications as deemed necessary by the Committee. The Chairman may call special meetings as necessary. The meeting times and locations for special meetings will be determined by the Chairman. All meetings of the Local Government Records Committee shall be in accordance with Section 25-41-5, *Mississippi Code of 1972, Annotated*, as amended, which states:

> "All official meetings of any public body, unless otherwise provided in this chapter or in the Constitutions of the United States of America or the State of Mississippi, are declared to be public meetings and shall be open to the public at all times unless declared an executive session as provided in Section 25-41-7."

II. Procedures for Public Comment on Local Government Records Control Schedules to be Considered by the Committee

A. Solicitation of Public Comment

As the records control schedules under consideration by the Committee will affect records of interest to every citizen of this state, it is the intent of the Local Government Records Committee that citizens have an opportunity to comment on the proposed retention schedules. In accordance with The Mississippi Public Records Act of 1983 (Section 25-61-1, *Mississippi Code of 1972, Annotated*, as amended) all proposed records control schedules and proposed amendments to existing schedules will be available at the Department of Archives and History and posted on the Department website for public review and comment during the thirty (30) calendar-day period immediately prior to the scheduled Committee meeting. To solicit public comment, the

Department of Archives and History will issue a statewide press release to newspapers and other media, local historical societies, history departments at public and private in-state colleges and universities and community and junior colleges, and other appropriate statewide and local organizations. Interested individuals and organizations must submit a written request to the Local Government Records Office to be included on the press release notification list. Press releases will list the records for which schedules are proposed and will explain how to access the proposed schedules and how to submit comments to the Committee. The Local Government Records Office also will notify records custodians of the proposed schedules.

In the event of a special meeting, the Chairman may set different limits on the length of time available for public comment.

B. Timetable for Submission of Proposed Schedules by Local Governmental Entities and for the Public to Comment on Proposed Schedules

Any local governmental entity submitting an application for a records control schedule, shall submit, in the manner suggested and on forms prepared by the Local Government Records Office, a proposed records control schedule no later than sixty (60) days prior to a scheduled meeting of the Local Government Records Committee.

The public shall have the immediate thirty (30) days prior to the scheduled meeting of the committee to review and submit written comments on the proposed records control schedules.

C. Procedures for Addressing Public Comment on Proposed Records Control Schedules

Comments received by the Local Government Records Office will be compiled by office staff into a general statement that will be presented to the Local Government Records Committee during its consideration of the records control schedule to which the comments pertain.

Time shall be allotted at the beginning of each meeting of the Local Government Records Committee for members of the public to comment on records control schedules under consideration by the Committee.

III. Implementation of Records Control Schedules Approved by the Committee

Pursuant to Section 25-60-1, *Mississippi Code of 1972, Annotated*, as amended, records control schedules approved by the Local Government Records Committee shall be authoritative and directive and shall have the force and effect of law.

Revisions, modifications, or amendments proposed by the Committee during its consideration of a proposed records control schedule shall be deferred for consideration until the next scheduled meeting so that such revisions, modifications, or amendments may be put forth for public comment in the manner prescribed by Committee rules and procedures.

All approved records control schedules will be posted on the Department website. Officials of local governmental entities will be notified of approved schedules via email. Itemized listings of the approved records control schedules will be submitted to the following organizations for distribution in printed publications, on a website, and/or by other means: Mississippi Municipal

League, Mississippi Association of Supervisors, Mississippi Association of School Superintendents, Mississippi Sheriffs' Association, Mississippi Bar, Mississippi Historical Society, the Family Research Association, and other organizations at the discretion of the Committee. Special entity-specific schedules will be submitted to the officials of the local governmental entities to which the schedules apply.

Any member of the Committee may, at the request of a citizen or local government office, request that the committee revise, modify, or amend an approved records control schedule. Such requests for revisions, modifications, or amendments must be submitted to the Local Government Records Office by the Committee member at least forty-five (45) days prior to a scheduled meeting of the Local Government Records Committee in order to solicit public comment on the proposed revisions.

IV. Disposition Limitations

The following passage shall be inserted into the instructions issued with any approved records control schedule:

> No local government records dating prior to 1920 shall be destroyed without special schedule directions issued by the Committee. Records dating prior to 1940, but after 1919, may be destroyed only with the written approval of the Director of the Department of Archives and History. The Committee may modify these dates according to the historical value of a particular record series by placing a special statement in the retention period of such series in an approved records control schedule.

V. Use of Reformatting Technology

The use of digital imaging or microfilming is acceptable compliance with retention requirements outlined in the approved retention schedules only if the reformatting process complies with standards promulgated by the Mississippi Department of Archives and History for microfilm or digital imaging. When records have been reformatted in compliance with such standards, the reformatted record shall be deemed to be the original record following disposition of the original copy and must be retained in accordance with all approved retention schedules.