

**CHAPTER 3
RECORDS RETENTION**

Authority

P.L. 1920, c.46 (N.J.S.A. 47:2-3), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.) and P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended).

Source and Effective Date

R.2003 d.357, effective September 2, 2003.
See: 35 N.J.R. 2437(a), 35 N.J.R. 4084(a).

Chapter Expiration Date

Chapter 3, Records Retention, expires on September 2, 2008.

Chapter Historical Note

The rules in Chapter 3, Records Management, were formerly codified at N.J.A.C. 6:66. Pursuant to N.J.S.A. 52:146-2, the Bureau of Records Management Services in the Division of the State Library in the Department of State and the Archives Section in the Bureau of Law, Archives and HISTORY in the Department of Education, were transferred to the Division of Archives and Records Management in the Department of State, effective June 24, 1983. See: 15 N.J.R. 818(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, Records Management, expired on May 20, 1986 and was adopted as new rules by R.1986 d.238, effective July 7, 1986. See: 18 N.J.R. 820(b), 18 N.J.R. 1401(b).

Pursuant to Executive Order No. 66(1978), Chapter 3, Records Management, expired on July 7, 1991. In accordance with N.J.A.C. 1:30-4.4(f), the rules proposed for reoption with amendments were adopted as new rules by R.1991 d.452, effective August 19, 1991. See: 23 N.J.R. 1912(b), 23 N.J.R. 2519(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, Records Management, expired on August 19, 1996.

Chapter 3, Records Retention, was adopted as new rules by R.1996 d.590, effective December 16, 1996. See: 28 N.J.R. 3513(a), 28 N.J.R. 5183(a).

Chapter 3, Records Retention, expired on December 16, 2001.

Chapter 3, Records Retention, was adopted as new rules by R.2003 d.357, effective September 2, 2003. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 15:3-1.1 Purpose; scope
- 15:3-1.2 Definitions
- 15:3-1.3 Systems of recording; rules; alteration, correction and revision of records
- 15:3-1.4 Examination and transfer of public records; preservation and acquisition
- 15:3-1.5 Responsibilities of public agencies; records programs
- 15:3-1.6 Standards referenced

SUBCHAPTER 2. RECORDS RETENTION

- 15:3-2.1 Retention and disposition of public records
- 15:3-2.2 Disposal of public records
- 15:3-2.3 State Records Center
- 15:3-2.4 State Archives
- 15:3-2.5 Vital records program
- 15:3-2.6 Records of extinct agencies

SUBCHAPTER 3. STANDARDS FOR MICROFILMING OF PUBLIC RECORDS

- 15:3-3.1 Standards for microfilming public records; purpose
- 15:3-3.2 Authority to establish microfilm standards
- 15:3-3.3 Microfilm standards; definitions
- 15:3-3.4 Microfilm standards incorporated by reference
- 15:3-3.5 State and local agencies; microfilmed records
- 15:3-3.6 Microfilm standards; reproduction of original records
- 15:3-3.7 Aperture cards
- 15:3-3.8 Computer output microfilm
- 15:3-3.9 Microfiche
- 15:3-3.10 Updateable microfiche systems
- 15:3-3.11 Microfilm created from digital images; certification, approval
- 15:3-3.12 Duplication of original records after microfilming
- 15:3-3.13 Storage of microforms
- 15:3-3.14 Transfer of microforms
- 15:3-3.15 Disposal of original records after microfilming
- 15:3-3.16 Inspection of microforms, micrographics equipment, and procedures in government agencies
- 15:3-3.17 Notice of intention to microfilm public records
- 15:3-3.18 Microfilm projects

SUBCHAPTER 4. IMAGE PROCESSING OF PUBLIC RECORDS

- 15:3-4.1 Purpose
- 15:3-4.2 Definitions
- 15:3-4.3 Image processing systems
- 15:3-4.4 System administration
- 15:3-4.5 Image storage and retrieval
- 15:3-4.6 Scanners and scanning
- 15:3-4.7 Operation and management of image processing systems
- 15:3-4.8 Security
- 15:3-4.9 Public access

SUBCHAPTER 5. CERTIFICATION OF IMAGE PROCESSING SYSTEMS

- 15:3-5.1 Purpose
- 15:3-5.2 Correspondence and inquiries
- 15:3-5.3 Definitions
- 15:3-5.4 Responsibilities of the Division of Archives and Records Management
- 15:3-5.5 Responsibilities of State and local agencies
- 15:3-5.6 Annual review of image processing systems
- 15:3-5.7 Submission of information generally
- 15:3-5.8 Notification of stakeholders; public notices

SUBCHAPTER 6. STORAGE OF PUBLIC RECORDS

- 15:3-6.1 Purpose
- 15:3-6.2 Definitions
- 15:3-6.3 Record storage facility
- 15:3-6.4 Storage of microforms and other processed film
- 15:3-6.5 Storage of magnetic media and other electronic records
- 15:3-6.6 Exclusions

SUBCHAPTER 7. NEW JERSEY PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT (PARIS) GRANTS

- 15:3-7.1 Purpose
- 15:3-7.2 Definitions
- 15:3-7.3 Eligible applicants
- 15:3-7.4 Grant categories eligible for funding
- 15:3-7.5 Eligible costs
- 15:3-7.6 Ineligible costs
- 15:3-7.7 Procedures
- 15:3-7.8 Awarding of PARIS grants
- 15:3-7.9 Criteria for review and ranking of applications
- 15:3-7.10 Annual public notice

- 15:3-7.11 Commencement of project and payment
- 15:3-7.12 Grant amounts and duration
- 15:3-7.13 Termination of grants

SUBCHAPTER 8. RECORDS DISASTER RECOVERY AND TRIAGE (RECORDS DIRECT) GRANTS

- 15:3-8.1 Purpose
- 15:3-8.2 Definitions
- 15:3-8.3 Eligible applicants
- 15:3-8.4 Eligible costs
- 15:3-8.5 Procedures for applying for a grant
- 15:3-8.6 Awarding of Records DIRECT grants
- 15:3-8.7 Criteria for review
- 15:3-8.8 Commencement of project and payment
- 15:3-8.9 Grant amounts

SUBCHAPTER 1. GENERAL PROVISIONS

15:3-1.1 Purpose; scope

(a) Pursuant to P.L. 1920, c.46 (N.J.S.A. 47:2-3 et seq.), P.L. 1953, c.410 (N.J.S.A. 47:3-26 et al.), and P.L. 1994, c.140 (N.J.S.A. 47:3-26 as amended), the Division of Archives and Records Management in the Department of State is charged with the responsibility for establishing the framework for the management of public records of the State of New Jersey in a systematic and comprehensive fashion. State and local government agencies are required to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and to provide prompt and timely access to the same.

(b) This chapter encompasses all public entities at the State, county and local government levels, including subdivisions thereof, any department, division, board, bureau, office, commission, district, or institution, or other instrumentality within or created by the State or political subdivision or combination of political subdivisions; or any school, fire, or water district or other special district or districts; and any independent authority, commission, district, institution, or instrumentality; or special districts, and authorities.

15:3-1.2 Definitions

The words and phrases used in this chapter shall have the meanings as defined in the "Glossary of Records Management Terms," ANSI/ARMA 10-1999 as amended and supplemented, incorporated herein by reference, except the following words and phrases which shall have the designated meanings, unless the context clearly indicates otherwise:

"Accession" means:

1. The transfer of the legal and physical custody of permanent records from an agency to the State Archives or other archives;

2. The records, also called "accessioned records," so transferred; or

3. The physical and recordkeeping process involved in transferring legal and physical custody of such records.

"Agency" or "agencies" means:

1. Generally, an organization that provides some service, a body having the authority to represent another or others, a government bureau or administrative division, or the place of business of the same; or

2. Specifically, any, or all, or any combination of the following public agency or agencies, as defined herein, currently or previously existing or to be established, depending on the context:

- i. The Office of the Governor and any of the departments of the Executive Branch of State government, and any division, board, bureau, office, commission, institution, or other instrumentality within or created by such department;
- ii. The Legislature of the State, and any office, board, bureau, committee, or commission within or created by the Legislative Branch;
- iii. Any independent State authority, commission, district, institution, or instrumentality;
- iv. Any political subdivision of the State;
- v. Any department, division, board, bureau, office, commission, district, or institution, or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions;
- vi. Any school, fire, or water district or other district or districts;
- vii. Any independent authority, commission, district, institution, or instrumentality;
- viii. Any agency or institution created by a political subdivision, district or other independent authority, or combinations thereof;
- ix. Any subordinate office or agency of i through viii above;
- x. Any office, officer, official, board, or governing body of i through ix above; or
- xi. Any combinations of i through x above.

"Active records or files" means any group of public records maintained in the office of a public agency for conducting daily operations and which is referenced at least once per month.

"Archival records" means:

“Participating agencies” means any two or more agencies involved in a consolidation effort.

(c) The procedures for the disposition of the public records of extinct agencies shall include:

1. Contact with the Division of Archives and Records Management by the officers of any agency that has or may become extinct in order to ensure an unbroken chain of legal custody of their records;

2. A complete inventory of all records, which shall be caused by the mayor or chief executive officer of the extinct agency to be made in cooperation with the consolidated agency or agencies and the Division of Archives and Records Management before any records are transferred, pursuant to P.L. 1920, c.46, §§ 6 and 7 (N.J.S.A. 47:2-3 and 7), P.L. 1977, c.435, § 33 (N.J.S.A. 40:43-66.67), and other State statutes and administrative rules;

3. A review of the records by the Division of Archives and Records Management in order to ascertain if the records:

i. Are needed by a successor agency for conducting current business and must be transferred to that agency;

ii. Must be transferred to the State Records Center or another repository designated by the Division for safekeeping until the expiration of their legal retention period;

iii. Possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention in the State Archives; or

iv. Warrant no further retention and may be destroyed.

4. Review and approval of the Division’s recommendations by the State Records Committee regarding final disposition of such records, pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-15 et seq.), known as the Destruction of Public Records Law (1953), prior to any transfer or other disposition of any records of the extinct agency;

5. Documentation of the disposition of the records of the extinct agency; and

6. Maintenance and permanent preservation of documentation on the disposition of the records of the extinct agency by the Division.

(d) The following pertain to the transfer to the State Archives of archival records of an extinct agency:

1. Archival records of an extinct agency which are deemed to possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention in the State Archives, which are not needed for administrative purposes by a succeeding agency or otherwise provided for by law, shall be transferred

from the extinct agency to the State Archives at such times and in such manner and form as prescribed case-by-case by the Division.

2. The State Archives shall assume full legal custody and ownership of such records upon transfer to the same, and shall thereafter be wholly responsible for their care, maintenance, use and preservation.

3. Archival records required to be maintained by any existing county, municipality, or other public agency shall be preserved in accordance with this chapter.

SUBCHAPTER 3. STANDARDS FOR MICROFILMING OF PUBLIC RECORDS

15:3-3.1 Standards for microfilming public records; purpose

(a) The microfilm standards established under this subchapter are intended to promote uniformity and quality in the production of microforms of the records of State and local governments in New Jersey. This subchapter:

1. Establishes standards for copying records by photographic and microphotographic means;

2. Establishes standards and procedures for use of micrographic technologies to create, use, store, retrieve, preserve and dispose of public records created, received or maintained in any State or local government agency of the State of New Jersey; and

3. Provides for centralized microfilming and services for State and local agencies.

(b) All agencies engaged in microfilming government records shall meet established standards to ensure that:

1. Microfilm copies contain all significant detail and information shown on the original record;

2. Microfilm copies are usable and legible reproductions of the original record;

3. Microfilm reproduction will have the same acceptability and legal status as the original record; and

4. Microfilm reproduction will meet standards of archival quality for long-term preservation of public records.

15:3-3.2 Authority to establish microfilm standards

P.L. 1953, c.410 as amended by P.L. 1996, c.590 (N.J.S.A. 47:3-15 et seq.) requires the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee, to formulate standards and procedures for the photographing, microphotographing, microfilming, data processing, and image processing of public records and for the preservation, examina-

tion and use of such records, including the indexing and arrangement thereof for reference purposes.

15:3-3.3 Microfilm standards; definitions

The words and phrases used in this subchapter shall have the standard meaning of records management terminology as defined in N.J.A.C. 15:3-1.2, except the following words and phrases which apply to this subchapter and shall have the designated meanings, unless the context clearly indicates otherwise:

“Archival microfilm” means a photographic film that conforms to film designated as LE 500 in ANSI/NAPM IT9.1-1996 as amended or supplemented, meets the standards described in this subchapter, and is suitable for the preservation of permanent records when stored in accordance with N.J.A.C. 15:3-6, Storage of Public Records.

“Background density” means the opacity of the area of the microform not containing information.

“Computer-assisted retrieval system” or “CAR” means a records storage and retrieval system, normally microfilm-based, that uses a computer for indexing, automatic markings such as blips or bar codes for identification, and automatic devices for reading those markings and, in some applications, for transporting the film for viewing.

“Computer output microfilm” or “COM” means microfilm containing data converted and recorded from a computer.

“Diazo film” means, for microfilm records, film containing images produced by exposure of an emulsion containing diazonium salts to ultraviolet light and then ammonia fumes, used only for the purposes of creating a use or reference copy of a master microfilm. (See also the definition of “microfilm.”)

“Dry silver film” means, for microfilm records:

1. A non-gelatin silver film containing images produced by exposure of light-sensitive silver crystals developed by applying heat rather than liquid chemicals;
2. Also called dry-process silver film to distinguish it from silver halide or silver gelatin film; and
3. In contrast to silver halide, dry silver film is not archival-quality microfilm and may not be used for master copies of records. (See also the definitions of “microfilm” and “silver halide microfilm.”)

“Microfilm” means:

1. Raw (unexposed and unprocessed) fine-grain, high resolution photographic film with characteristics that make it suitable for use in micrographics;
2. The process of recording microimages on film; or

3. A fine-grain, high resolution photographic film containing microimages. (See also the definitions of “diazo film,” “dry silver film,” “silver halide film” and “vesicular film.”)

“Microform” means:

1. Any recordkeeping media containing images greatly reduced in size, or microimages, usually on microfilm;
2. Roll, generally serialized, microforms include, but are not limited to, microfilm on reels, cartridges, and cassettes; and
3. Flat, generally unitized, microforms include, but are not limited to, microfiche, strips of microfilm in jackets, aperture cards, and opaque microcards. (See also the definition of “microimages.”)

“Micrographics facility” or “facility” means an area used exclusively to make or copy microforms.

“Microimage” means:

1. A document such as a page of text or a drawing that is too small to be read without magnification; or
2. A photographic reproduction so small that a magnifying device is needed to read or view the image.

“Permanent record” has the meaning specified in N.J.A.C. 15:3-1.2.

“Records storage facility” has the meaning specified in N.J.A.C. 15:3-1.2.

“Reference copies,” “work copies” or “use copies” means duplicate copies of original microfilm made to be used for reference or for duplication on a recurring or large-scale basis, as opposed to preservation master copies that must be stored, unused, as specified in N.J.A.C. 15:3-6, Storage of Public Records. (See also the definitions of “diazo film,” “dry silver film” and “vesicular film.”)

“Silver halide film” means, for microfilm records:

1. Archival-quality film containing images produced by exposure of light-sensitive silver halide crystals suspended in a gelatin emulsion; and
2. Also called, more precisely, silver gelatin film to distinguish it from dry silver film, which is not archival-quality microfilm. (See also the definitions of “microfilm” and “dry silver film.”)

“Temporary record” has the meaning specified in N.J.A.C. 15:3-1.2.

“Vesicular film” means for microfilmed records, a film containing images produced by exposure to ultraviolet light and then heat, used only for the purposes of creating a use or reference copy of a master microfilm. (See also the definition of “microfilm.”)

15:3-3.4 Microfilm standards incorporated by reference

(a) The following standards are hereby incorporated in this subchapter by reference, as amended and supplemented. They are available from the issuing organizations at the addresses listed in this section. Copies of these standards are also available for reference purposes in the Reference Room at the Division of Archives and Records Management, State Records Center, 2300 Stuyvesant Ave., Ewing Township, Trenton, New Jersey 08618, during regular business hours:

1. American National Standards Institute (ANSI) and International Organization for Standardization (ISO) standards. ANSI and ISO standards cited herein are available from the American National Standards Institute, 11 West 42nd St., New York, NY 10036. The standards can be ordered on line at: <http://webstore.ansi.org/ansidocstore/default.asp>.

i. ANSI/ARMA 10-1999, Glossary of Records Management Terms;

ii. ANSI/ISO 10602:1995 or ANSI/NAPM IT9.1-1996 Imaging Materials—Processed Silver-Gelatin Type Black-and-White Film—Specifications for Stability;

iii. ANSI/NAPM IT2.19-1994, American National Standard for Photography—Density Measurements—Part 2: Geometric Conditions for Transmission Density;

iv. ANSI/NAPM IT2.18-1996, Photography—Density Measurements—Part 3: Spectral Conditions;

v. ANSI/PIMA IT9.2-1998, American National Standard for Imaging Media—Photographic Processed Films, Plates, and Papers—Filing Enclosures and Storage Containers; and

vi. ISO 18911:2000, Imaging materials—Processed safety photographic films—Storage Practices.

2. Association of Information and Image Management International (AIIM) standards. AIIM standards cited herein may obtain the following standards from the Association of Information and Image Management, 1100 Wayne Avenue, Suite 1100, Silver Spring, MD 20910. The standards can be ordered on line at: <http://www.aiim.org/>.

i. ANSI/AIIM MS1-1996, Recommended Practice for Alphanumeric Computer-Output Microforms—Operational Practices for Inspection and Quality Control;

ii. ANSI/AIIM MS5-1992 (R1998), Micrographic Microfiche;

iii. ANSI/AIIM MS14-1996, Specifications for 16mm and 35mm Roll Microfilm;

iv. ANSI/AIIM MS19-1993, Recommended Practice for Identification of Microforms;

v. ANSI/AIIM MS23-1998, Microfilm of Documents, Operational Procedures/Inspection and Quality Control of First-Generation Silver-Gelatin;

vi. ANSI/AIIM MS32-1996, Microrecording of Engineering Source Documents on 35mm Microfilm;

vii. ANSI/AIIM MS41-1996, Unitized Microfilm Carriers (Aperture, Camera, Copy, and Image Cards);

viii. ANSI/AIIM MS43-1998, Recommended Practice for Operational Procedures/Inspection and Quality Control for Duplicate Microforms of Documents and from COM;

ix. ANSI/AIIM MS45-1990, Recommended Practice for Inspection of Stored Silver-Gelatin Microforms for Evidence of Deterioration; and

x. ANSI/ISO 3334-1991, ANSI/AIIM MS51-1991, Micrographics—ISO Resolution Test Chart No. 2 Description and Use.

3. National Institute of Standards and Technology (NIST) standards. National Institute of Standards and Technology (NIST), formerly the National Bureau of Standards, founded in 1901, is a non-regulatory Federal agency within the U.S. Commerce Department's Technology Administration. NIST standards cited herein may be obtained from the National Institute of Standards and Technology, 100 Bureau Drive, Stop 2322, Gaithersburg, MD 20899-2322. Resolution charts and standards can be ordered on line at: <http://www.nist.gov/>.

i. NIST 1010A, Microimage Test Chart.

15:3-3.5 State and local agencies; microfilmed records

(a) In order to adequately protect the public interest in the effective, economic, and efficient management of all of the records of State and local government in the State of New Jersey and to ensure the preservation of the historical heritage of the State for future generations, every public agency, as defined in N.J.A.C. 15:3-1.2, shall:

1. Pursuant to N.J.A.C. 15:3-1.5(a)3, assign responsibility for an agency-wide program for managing microform records and notify the Division of the name and title of the person assigned the responsibility;

2. Strictly apply State standards and rules for the creation and use of microform records;

3. Manage microformed records as part of other records and information resources management programs of the agency;

4. Include microform records management objectives, responsibilities, and authorities in pertinent agency directives and disseminate them to appropriate officials;

5. Address records management issues, including disposition, before approving new microform records systems or enhancements to existing systems;

6. Train the managers and users of microform records;

7. Develop records schedules covering both source documents (originals) and microform records and finding aids, secure State Records Committee approval, and apply the disposition instructions;

8. Schedule computerized indexes associated with microform records, such as in a computer-assisted retrieval (CAR) system;

9. Ensure that paper records are not destroyed after microfilming without authorization from the Division; and

10. Review practices used to create and manage microform records periodically to ensure compliance with State standards in this subchapter.

15:3-3.6 Microfilm standards; reproduction of original records

(a) Pursuant to the "Destruction of Public Records Law," P.L. 1953, c.410 (N.J.S.A. 47:3-15 to 32 as amended), the photograph, microphotograph, microfilm, or data processed or image processed document or a certified copy of a public record shall have the same force and effect as the original record, provided it conforms to the standards, procedures and rules established by the Division of Archives and Records Management with the approval of the State Records Committee, and the original records may be destroyed or the records therein effectively obliterated, provided said Division has first given its written consent to such destruction or other disposition.

(b) The following standards must be met for documentation and authentication before permission to destroy the originals is granted:

1. Since many factors are involved in the use of microphotography for records management, a careful analysis of each record group should be made before microfilming. Following are some of the most important factors in determining which records are to be filmed:

i. Retention period and volume are perhaps the most important aspects to consider. Since microfilming is expensive, only a large volume of records with retention periods of seven years or longer are ordinarily considered good candidates for microfilming. There are, however, exceptions to this rule of thumb. Records of shorter retention periods but of such volume or use that storage becomes a problem would be one such exception.

ii. Another important factor to be considered is the usage and rate of reference to records. Records with high reference rates or unusual methods of indexing or retrieval may be poor subjects for microfilming.

iii. The records considered for filming must be sufficiently arranged, identified and indexed to insure reasonable ease in locating and retrieving individual documents after they are microfilmed.

2. When converting documents to microfilm, appropriate measures must be taken to insure quality, legality, and adequate access to information contained on the microfilm.

i. The records to be filmed must be arranged, identified and indexed so as to insure efficient access to and retrieval of records after microfilming.

(1) When filming original source documents, place indexes, registers, or other finding aids, if microfilmed, either in the first frames of the first roll of film or in the last frames of the last roll of film of a series.

(2) For microfiche, indices should be placed in the last frames of the last microfiche or microfilm jacket of a series.

(3) On computer-generated microforms, indices should follow the data on a roll of film or in the last frames of a single microfiche, or the last frames of the last fiche in a series.

(4) Other index locations may be used only if dictated by special system constraints, provided such procedures are approved by the Chief of the Bureau of Micrographics and Alternate Records Storage or the Supervisor of Micrographic Services.

ii. The microforms must contain all information shown on the original records to ensure that they can be used for the purposes the original records served.

iii. Raised seals on documents shall be shaded or highlighted in order to render them visible for reproduction unless such measures would obscure signatures or other information recorded on a map, drawing or other document or such a seal is not required by law, regulation, or practice.

(1) If a raised seal is required for a document and is not shaded or highlighted, the document should be annotated with a stamp, label or other means to indicate a raised seal was present on the document when it was reproduced.

(2) Such policies and procedures shall be documented and an affidavit with reference to the same shall be included in each roll film pursuant to (b)9 below.

iii. A master negative shall be created and maintained, pursuant to (b)13 below for any microfilmed public record or records.

(3) Both background density and D-min density must be taken with a transmission densitometer.

(4) The densitometer must meet with ANSI/NAPM IT2.18-1996, for spectral conditions and ANSI/NAPM IT2.19-1994, for geometric conditions for transmission density.

(5) Readings shall be made close to the center of the film strip to avoid edge fog interference.

(6) The background ISO standard visual diffuse transmission density on microforms must be appropriate to the type of documents being filmed. For most documents, optimum density should read 1.0 to 1.20 for original first generation camera film. Acceptable standards will fall between a minimum of 0.80 and a maximum of 1.35.

(7) A density minimum reading taken from the non-image or clear area of the film shall not exceed a reading of 0.12 or manufacturer's specifications using automatic retrieval systems.

(8) The base plus fog density of unexposed, processed films must not exceed 0.10. When a tinted base film is used, the density must be increased.

iii. Resolution. Minimum resolution on microforms of source documents shall be determined using the method in the Quality Index Method for determining resolution and anticipated losses when duplicating, as described in ANSI/AIIM MS23-1998 and MS43-1998 as amended or supplemented, incorporated herein by reference.

(1) Resolution tests shall be performed using an ISO 3334-1991 Resolution Test Chart and the patterns read following the instructions of ISO 3334-1991, or their equivalent.

(2) A microscope having a magnification of 50X to 150X with achromatic objectives must be used to read the resolution on a resolution test chart. The line direction method will be used in making the determination of resolution. A minimum resolution of 80 lines per millimeter on rotary cameras and 110 lines per millimeter on planetary cameras must be obtained on first generation camera film.

(3) The smallest characters should be used to display information to determine the height used in the Quality Index Method.

(4) A Quality Index of five is required at the third generation level.

(5) Due to optical limitations in most photographic systems, film images of thin lines appearing in the original document will tend to fill in as a function of their width and density. Therefore, as the reduction ratio of a given system is increased, the background

density must be reduced as needed to ensure that the copies will be legible.

iv. Processing. All film must be processed in accordance with procedures in ANSI/AIIM MS43-1998, incorporated herein as amended or supplemented. Dry chemical processing will not be acceptable.

(1) Microforms must be processed so that residual thiosulfate ion concentration will not exceed 0.014 grams per square meter in accordance with ANSI/NAP IT9.1-1996 as amended or supplemented, incorporated by reference herein. Film failing to meet the specified limits for thiosulfate concentration will not be acceptable.

(2) Thiosulfate residual content in microfilm processing should be tested at least once a month. Only the methylene blue test method will be considered sufficiently reliable to determine archival quality. Levels of residual thiosulfate ion concentration shall be in accordance with ANSI/NAP IT9.1-1996 as amended or supplemented, incorporated by reference herein, must be maintained.

(3) All film must be inspected for proper indexing, density, resolution and for residual thiosulfate. Film must be free of scratches, abrasions, blemishes or other defects.

(4) Master copies of microfilm and other microimaged records must be processed and maintained in a facility in conformity with and under conditions for the same established in N.J.A.C. 15:3-6, Storage of Public Records in accordance with the provisions of N.J.A.C. 15:3-3.13.

(5) When film is to be cut for jackets or aperture cards, the original roll may be used, provided an uncut duplicate roll of silver halide film has been prepared previously for storage as a master negative.

15:3-3.7 Aperture cards

(a) The components of the aperture card, including the paper and adhesive, must conform to the requirements of ANSI/PIMA IT9.2-1998 as amended or supplemented, incorporated by reference herein.

(b) The 35mm film used in the aperture card application must conform to film designated as LE 500 in ANSI/NAPM IT9.1-1996.

(c) When microfilming on 35mm film for aperture card applications, the format dimensions in ANSI/AIIM MS32-1996, Table 1 are mandatory, and the aperture card format "D Aperture" shown in ANSI/AIIM MS41-1996, Figure 1, shall be used.

15:3-3.8 Computer output microfilm

(a) Computer output microfilm (COM) must meet the requirements of ANSI/AIIM MS1-1996 as amended or supplemented, incorporated by reference herein.

(b) For microfilming source documents or computer generated information (COM) on microfiche, the formats and reduction ratios prescribed in ANSI/AIIM MS5-1992 shall be used as specified for the size and quality of the documents being filmed.

(c) Computer output microfilm (COM) generated images shall be the simplex mode described in ANSI/AIIM MS14-1996 as amended or supplemented, incorporated by reference herein, at an effective ratio of 1:24 or 1:48 depending upon the application.

(d) ANSI/AIIM MS23-1998 as amended or supplemented, incorporated by reference herein, shall be followed for determining the appropriate reduction ratio and format for microfiche to meet image quality requirements.

(e) Indices on computer-generated microforms shall follow the data on a roll of film or in the last frames of a single microfiche, or the last frames of the last fiche in a series pursuant to N.J.A.C. 15:3-3.6(b)2i(3).

15:3-3.9 Microfiche

(a) An uncut duplicate roll of silver halide film shall be created or preserved for storage as a master negative for all public records stored and used on microfiche, unless previous approval has been granted by the Chief of the Bureau of Micrographics and Alternate Records Storage or the Supervisor of Micrographics and Imaging Services.

(b) Pursuant to N.J.A.C. 15:3-3.6(b)14vi(5), when film is to be cut for jackets or aperture cards, the original roll may be used, provided an uncut duplicate roll of silver halide film has been prepared previously for storage as a master negative.

(c) For microfiche, indices shall be placed in the last frames of the last microfiche or microfilm jacket of a series pursuant to N.J.A.C. 15:3-3.6(b)2i(2).

15:3-3.10 Updateable microfiche systems

(a) An updateable microfiche system is to be used only in special applications. Any agency considering using such a system should first contact the Supervisor of Micrographics and Imaging Services to review the proposed applications.

(b) The updateable microfiche must meet the microfilm specifications as outlined in N.J.A.C. 15:3-3.6 with the following additions:

1. Each microfiche must have the specified targets at the beginning and ending of each row;

2. Each time a microfiche is updated, a certificate of authenticity shall be inserted at the end of the added documents;

3. If permanent records are to be microfilmed and the hard copy records destroyed, the microfiche security copy shall be on silver halide film and stored under archival conditions; and

4. The expunging equipment on the updateable microfiche camera shall be rendered inoperable if an agency intends to request that the original copy of the records that have been microfilmed be destroyed. The hard copy of the records may not be destroyed until approval has been granted by the Division according to the procedures established under N.J.A.C. 15:3-2.2, Disposal of public records.

15:3-3.11 Microfilm created from digital images; certification, approval

(a) Pursuant to the provisions of P.L. 1994, c.140 as implemented in N.J.A.C. 15:3-4, Image Processing of Public Records, and 15:3-5, Certification of Image Processing Systems, any microfilm, produced by any means, that is intended to serve as backup for records in an image processing system established and maintained for the creation, management, or storage of public records in a State or local government agency, must receive approval by the Chief of the Bureau of Micrographics and Alternative Records Storage or the Supervisor of Micrographics and Imaging Services that said microfilm meets all of the standards established in N.J.A.C. 15:3-3.6, Microfilm standards; replacement of original records, before the system can be submitted for certification by the State Records Committee.

(b) Any image processing system established and maintained for the creation, management, or storage of public records in a State or local government agency must receive the approval of the Chief of the Bureau of Micrographics and Alternative Records Storage, or the Supervisor of Micrographics and Imaging Services, and the Chief of the Bureau of Records Management pursuant to the provisions of P.L. 1994, c.140, and N.J.A.C. 15:3-4, Image Processing of Public Records, and 15:3-5, Certification of Image Processing Systems, before the system can be submitted for certification by the State Records Committee.

(c) All microfilm created from digital images and intended for use as public records must be certified per P.L. 1994, c.140, and N.J.A.C. 15:3-4, Image Processing of Public Records, and 15:3-5, Certification of Image Processing Systems, and receive the approval of the Chief of the Bureau of Micrographics and Alternative Records Storage, or Supervisor of Micrographic and Imaging Services per the standards and procedures established for microfilm and microfilming of public records established under the provisions in this subchapter.

(c) P.L. 1994, c.140 provides for the replacement of paper records and records on other media with copies of the records in image processing systems, and for the disposal of the original records with the approval of the State Records Committee under certain conditions. The conditions for disposal of original records include conformance with established standards for image processing systems, and any related record retention schedules approved by the State Records Committee, and that disposal is not contrary to other State or Federal statutes or regulations.

(d) The intent of P.L. 1994, c.140 is to ensure the preservation, integrity, and accessibility of public records in image processing systems by the establishment of standards, procedures and guidelines. Furthermore, P.L. 1994, c.140 provides that as long as these standards, procedures and guidelines are followed, image processed documents can be used in evidence in any court or proceeding in New Jersey with the same force and effect as the original public record.

15:3-4.2 Definitions

The words and terms used in this subchapter shall have the standard meaning as established in Technological Report for Information and Image Management—Glossary of Imaging Technology (ANSI/AIIM TR2-1992, as amended and supplemented, incorporated herein by reference) and in Glossary of Records Management Terms—A Guideline (ARMA A4542, as amended and supplemented, incorporated herein by reference), except as otherwise defined in State statutes, including:

“Agency” or “agencies” means any board, body, department, commission, or office of an official of the State, or any political subdivision thereof, or any public board, body, commission or authority created pursuant to law.

“AIIM” means the Association for Information and Image Management (AIIM), a standards-setting body affiliated with the American National Standards Institute (ANSI), which is the principal developer of standards for microforms and information storage technologies involving images, such as optical disks and scanners. The address of the Association for the purpose of ordering publications is as follows:

Association for Information and Image Management
AIIM Publication Sales
1100 Wayne Ave., Suite 1100
Silver Spring, MD 20910-5603
Telephone: (301) 587-8202
Fax: (301) 587-2711

“ANSI” means the American National Standards Institute (ANSI), a private national standards organization in the United States, which coordinates the development and maintenance of various industry standards. ANSI serves as the United States representative to the International Orga-

nization for Standardization (ISO). The Institute’s address is as follows:

American National Standards Institute
11 West 42nd St., 13th Floor
New York, NY 10036
Telephone: (212) 642-4900
Fax: (212) 302-1286 (orders only)

“ARMA” means the Association of Records Managers and Administrators International (ARMA), which is the principal records and information management association in the United States and Canada, and one of the organizations accredited by the American National Standards Institute (ANSI) to develop records management standards. The Association’s address is as follows:

Association of Records Managers and Administrators International
4200 Somerset Dr., Suite 215
Prairie Village, KS 66208
Telephone: (800) 422-2762
Fax: (913) 341-3742

“CCITT” means the Consultative Committee for International Telegraphy and Telephony (CCITT), a constituent of the International Telecommunications Union (ITU), which is an international organization headquartered in Geneva, Switzerland, within which governments and the private sector coordinate global telecommunications networks and services. Founded in Paris in 1865 as the International Telegraph Union, the International Telecommunications Union took its present name in 1934 and became a specialized agency of the United Nations in 1947. Under the reorganization of the ITU in 1992, the CCITT was consolidated with the Telecommunications Standardization Sector (ITU-T) of the agency. The Committee’s address for the purpose of ordering publications is as follows:

Sales Services
International Telecommunications Union
Place des Nations
CH-1211 Geneva 20
Switzerland
Telephone: +41 22 730 641 (English)

“Division of Archives and Records Management” or “Division” means the Division of Archives and Records Management in the Department of State established pursuant to the Governor’s Reorganization Plan filed April 29, 1983; furthermore, pursuant to P.L. 1994, c.140 (N.J.S.A. 47:1-75), whenever in any law, rule, regulation, order contract, document, judicial or administrative proceeding, reference is made to the “Public Records Office,” “Bureau,” or “Bureau of Archives and History” in the Department of Education, or the administrator thereof, the same shall be considered to mean and refer to the Division of Archives and Records Management in the Department of State.

“DoD” means the Department of Defense, a cabinet-level agency of the United States government, which establishes standards for the Department’s functional community for use in automated information systems. The Department’s address for the purpose of ordering publications is as follows:

Defense Technical Information Center (DTIC)
8725 John J. Kingman Rd., Suite 0944
Fort Belvoir, VA 22060-6218
Telephone: (800) 225-3842

“IEEE” means the Institute of Electrical and Electronic Engineers, the world’s largest technical professional organization, which establishes standards in the fields of electrical, electronics and computer engineering. The Institute’s address for the purpose of ordering publications is as follows:

IEEE Computer Society Press
Customer Service Center
10662 Los Vaqueros Circle
P.O. Box 3014
Los Alamitos, CA 90720-1314
Telephone: (800) CS-BOOKS
Fax: (714) 821-4641

“Image processing” means, in general, the computer-related discipline wherein analog or digital images are the main data object, or the manipulation and control of data representing two-dimensional images, including raster images generated by scanning and raster conversions of electronic data created in other formats, vector-based data from computer-aided design (CAD) and other illustration systems, and digital images from digital, video and other camera systems; or, specifically, the creation, preparation, capture, recording, indexing, storage, retrieval, reproduction, control, use and management of direct representations or images of documents using these techniques.

“Imaging” means the production of representations of two-dimensional images of documents or other objects from digitally generated data or scanners and other means of data capture, or the recording of such images on microforms, videotape, optical disk or other data storage media.

“ISO” means the International Organization for Standardization, which coordinates national standards bodies worldwide. The Organization’s address is as follows:

International Organization for Standardization
Central Secretariat
1, rue de Varembré
Case postale 56
CH-1211 Geneva 20
Switzerland
Telephone: 41 22 749 01 11
Fax: 41 22 733 34 30

“Long-term record” or “long-term records” means a record or series of records required by a Federal or State statute or regulation, or by a retention schedule approved by the State Records Committee per P.L. 1953, c.410 (N.J.S.A. 47:3-20 et seq.), to be retained by the originating agency for 10 or more years after creation, filing, or completion.

“NISO” means the National Information Standards Organization, which is the principal United States organization for the development of library, archival and information management standards. Its members include the Society of American Archivists (SAA), National Archives and Records Administration (NARA), American Library Association (ALA), and the Association for Information and Image Management (AIIM). The Organization’s address for the purpose of ordering publications is as follows:

NISO Press Fulfillment
P.O. Box 338
National Information Standards Organization
Oxon Hill, MD 20750-0338
Telephone: (800) 282-NISO (282-6476)
Fax: (301) 567-9553

“NIST” means the National Institute of Standards and Technology, formerly known as the National Bureau of Standards, the principal standards agency within the United States government. NIST oversees the development of Federal information processing standards and conducts related studies for other Federal agencies. The Institute’s address for the purpose of ordering publications is as follows:

National Institute of Standards and Technology
National Technical Information Service (NTIS)
U.S. Department of Commerce
Springfield, VA 22161
Telephone: (703) 487-4650

“Open system” means a system that implements sufficient open specifications for interfaces, services, and supporting formats to enable properly engineered image processing applications that can be ported with minimal changes across a wide range of systems, can interoperate with other applications on local and remote systems, and can interact with users in a style that facilitates access and maintenance of public records on such systems.

“Open systems environment” means the comprehensive set of interfaces, services, and supporting formats, plus user aspects for portability or interoperability of applications, data, or users, as specified in information technology standards and profiles referenced in this subchapter.

“OSF” means the Open Systems Foundation, which hosts industry-wide, collaborative software research and development for the distributed computing environment. Founded in 1988, OSF joined with X/Open Company Ltd. (X/Open) to form the Open Group in February 1996 to work together to deliver technology and wide-s-scale adoption of open systems specifications. The Foundation’s address is as follows:

Open Systems Foundation
 11 Cambridge Center
 Cambridge, MA 02142
 Telephone: (617) 621-8700
 Fax: (617) 621-8781

“Public record” or “records” means any and all public records as defined in P.L. 1953, c.410 (N.J.S.A. 47:3-16) as amended.

“Resolution” means digital resolution as defined in Technological Report for Information and Image Management—Resolution as It Relates to Photographic and Electronic Imaging (ANSI/AIIM TR26, as amended and supplemented, incorporated herein by reference).

“SAA” means the Society of American Archivist (SAA), the oldest and largest organization for archives and archivists in North America. The association establishes standards and guidelines for the identification, preservation and use of records of historical value. The Society’s address is as follows:

Society of American Archivists
 600 S. Federal, Suite 504
 Chicago, IL 60605
 Telephone: (312) 922-0140
 Fax: (312) 347-1452

“State Records Committee” or “committee” means the State Records Committee established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20).

15:3-4.3 Image processing systems

(a) State and local government agencies planning and procuring automated image processing systems intended to supplement or replace paper recordkeeping systems shall use the guidelines set forth in Technical Report for Information and Image Management—Electronic Imaging Request for Proposal (RFP) Guidelines (ANSI/AIIM TR27-1991, as amended and supplemented, incorporated herein by reference), for any preliminary system definition, feasibility assessment, procurement specifications, request for proposal (RFP), or formal monitoring of systems, insofar as they do not conflict with rules promulgated by the State Records Committee, or procurement procedures established by their State or local government.

(b) The life expectancy rating of any optical media employed by any image processing system used for keeping of records shall correspond to the retention period of the records, unless otherwise approved by the State Records Committee under procedures established according to the provisions of N.J.A.C. 15:3-4.7(e).

1. The life expectancy rating of any optical media shall be demonstrated according to criteria established by the National Institute of Standards and Technology in

Development of a Testing Methodology to Predict Optical Disk Life Expectancy Values (NIST Special Publication 500-200).

2. Vendors’ claims for life expectancy shall be accompanied by detailed specifications of the test parameters.

(c) Any image processing system used to create, store or maintain public records designated for long-term or permanent retention by retention schedules approved by the State Records Committee shall produce backup copies of such records on paper that meet the standards set forth in Permanence of Paper for Printed Publications and Documents in Libraries and Archives (NISO Z39.48-1992, as amended and supplemented, incorporated herein by reference); produce backup copies of such records on microfilm which meets the standards set forth in N.J.A.C. 15:3-3.6; or provide for a completely and clearly documented, demonstrated and tested path to migrate data to other media. Any proposed data migration routine or facility shall be tested for viability on a periodic basis or following any changes to the configuration of the system according to procedures established under the provisions of N.J.A.C. 15:3-4.7.

1. Otherwise, retention and storage of the original records is required.

2. Such records and backup copies shall be stored and maintained in accordance with N.J.A.C. 15:3-6, Storage of Public Records.

(d) Preference shall be given to image processing systems employing WORM (Write-Once-Read-Many) non-erasable optical disks for recordkeeping systems which include records with long-term or permanent retention schedules, since WORM optical disks permit images and associated information to be recorded but not erased from the disk, and images on WORM disks can be reviewed, if necessary, for evidentiary purposes to prove that images have not been erased or altered in any way.

(e) Whenever applicable and appropriate, preference shall be given to systems which support:

1. The standard volume and file structure for WORM and rewritable media as set forth in Volume and File Structure of Write-Once and Rewritable Optical Disks Using Non-Sequential Recording for Information Interchange—Universal Disk Format (ISO/IEC 13346, as amended and supplemented, incorporated herein by reference);

2. The standard media and operating system independent volume and file structure for CD-ROM and WORM applications as set forth in Volume and File Structure of Read-Only and Write-Once Compact Disk Media for Information Interchange (ISO 13490, as amended and supplemented, incorporated herein by reference); or

3. The standard software-related volume and file structure for use on CD-ROM optical media as set forth

in Volume and File Structure of CD-ROM for Information Interchange (ANSI/NISO/ISO 9660, as amended and supplemented, incorporated herein by reference).

(f) Preference shall be given to those image processing systems which physically store the index entries related to an image, including the creation or scanning date, with the image.

1. Electronic date-stamping of imaged records, in addition to being useful for indexing purposes, shall be used to certify and authenticate the images for legal purposes.

2. If an imaging system creates and maintains external indexes, documented policies and procedures shall be established for backup and refreshing of such external indexes stored on magnetic or other media.

3. Documented policies and procedures shall be established to ensure the migration of all indexes, along with the associated images, to other systems or other media.

(g) Image processing systems used for keeping public records shall conform to a standard architectural framework for open systems standards, such as the Technical Architectural Framework for Information Management (TAFIM) published by the United States Department of Defense (DoD), the IEEE Guide to Open Systems published by the Institute of Electrical and Electronic Engineers (IEEE), or the X/Open Architectural Framework published by the X/Open Users Council of the Open Software Foundation (OSF), or their equivalent, whenever possible.

(h) Image processing systems shall implement an open systems environment, including a comprehensive set of interfaces, services, and supporting formats, plus user aspects for portability and interoperability of applications, data or users, as specified by the information technology standards and profiles cited in this subchapter.

(i) Preference shall be given to standard turn-key imaging systems and systems implemented in a commercial off-the-shelf (COTS) manner.

1. Customization of image processing systems shall be implemented only as necessary and appropriate.

2. Any customization or changes in configuration of an image processing system shall be completely and thoroughly documented.

(j) Application development software shall be based on the open systems model defined in N.J.A.C. 15:3-4.2 and (g) above, which allow for migration and portability of all application coding.

1. Application development software shall incorporate a full set of Application Program Interfaces (API). Application development efforts shall rely on API to the maximum extent practical.

2. Software customization implemented through any means other than API shall be discouraged, unless there is extraordinary and demonstrable justification for utilizing alternate software development approaches.

(k) Non-proprietary image file header labels shall be used by the image processing system, or the system developer shall provide a detailed definition of the image file header label structure by the image processing system. If a proprietary image header label is used, the system developer shall provide a completely and clearly documented, demonstrated and tested bridge to a non-proprietary image file header label.

(l) The system hardware and/or software shall provide a quality assurance capacity to verify that information is written to the optical media.

(m) All images reproduced by image processing systems shall exhibit a degree of legibility and readability comparable to the original image. The legibility of any such image displayed on a monitor or reproduced on paper shall be equivalent to resolution standards established under N.J.A.C. 15:3-4.6. Monitors and printers utilized by imaging systems shall have the ability to meet such standards.

(n) Public agencies shall ensure that optical disk storage systems receive periodic maintenance, inspection, and testing, as established under procedures in N.J.A.C. 15:3-4.7(e).

(o) Unless otherwise specified in rules promulgated by the State Records Committee, Technical Report for Information and Image Management—The Use of Optical Disks for Public Records (ANSI/AIIM TR25-1995, as amended and supplemented, incorporated herein by reference) is recommended as guidance for system planning, implementation and operation of imaging systems for public records.

15:3-4.4 System administration

(a) Procedures for administering imaging systems, as established under procedures in N.J.A.C. 15:3-4.7(e), shall include, provision for journaling, logging, backup, and recovery of system components.

(b) Documentation of the use and administration of all imaging systems during the normal course of operation of an agency shall be created and maintained in order to ensure the legal integrity of the system.

(c) A schedule of incremental and complete backups of the system, including optical media and any indexes on magnetic media, shall be established and adhered to strictly, according to procedures established in N.J.A.C. 15:3-4.7(e).

1. A regular schedule of backups shall be instituted and performed for all information on the system, including indexes.

2. Backups shall be periodically tested for restoring lost data or reestablishing the system after a system failure.

(d) Documented disaster recovery plans and procedures shall be established for all image processing systems used for keeping public records. Disaster recovery plans and procedures shall be reviewed and updated at least annually.

(e) Security copies of public records on optical disks or other media shall be stored in secure and suitable facilities according to record storage rules promulgated by the State Records Committee.

(f) Appropriate schedules for refreshing optical disks and associated indexes shall be established and strictly adhered to whenever it is determined to be necessary for continued preservation of optical and magnetic media.

1. Byte error rates (BER) shall be reviewed periodically to evaluate deteriorating data on optical disks.

2. Imaging systems shall be capable of detecting and correcting errors automatically. Optical disks shall be refreshed while the information can still be corrected, to avoid losing the ability to read them.

(g) Imaging systems shall produce a standard set of reports for capacity, monitoring, maintenance, auditing, security, and system operations management. Systems shall also be capable of creating and producing customized management reports.

(h) An agency may use more than one image processing system.

1. If an agency uses more than one imaging system, each system must meet all the requirements for imaging processing systems established in this subchapter.

2. If an agency ceases to maintain the hardware and software necessary to satisfy the conditions of the standards, procedures and rules, imaged records that are contained in the system shall be deemed destroyed by the agency unless the existing imaged records are converted to a format compatible with a compliant imaging system that the agency implements or continues to maintain.

15:3-4.5 Image storage and retrieval

(a) Any image processing system used for public records shall support standard file formats and compression methods and allow for the interchange of documents with other systems. Recommended standards include Tagged Image File Format (TIFF), CCITT Group III and/or IV, and Open Document Architecture/Open Document Interchange Format (ODA/ODIF). Image processing systems shall include CCITT Group III and/or IV electronic facsimile (fax) capabilities and standard file formats, incorporated herein by reference, or the system developer shall provide completely documented and tested procedures and techniques for the

conversion of images and data in compliance with these standards.

(b) Image processing systems shall meet an established open system standard architecture, as set forth in N.J.A.C. 15:3-4.3(g), and shall run on standard hardware, operating systems, and networking systems.

(c) Preference shall be given to systems built with relational database technology using Structured Query Language (SQL).

(d) Workflow and file folder processing software shall be written in standard, portable programming languages.

15:3-4.6 Scanners and scanning

(a) An image processing system used for keeping public records shall record direct reproductions of scanned documents.

1. Imaging systems shall not be capable of altering a public record as scanned, except for standard computer-enhancement routines used to improve the legibility of scanned documents. Editing of recorded text or characters by an image processing system used for keeping public records shall not be permitted.

2. Documentation of such manual or automatic computer-enhancement processes and procedures used while scanning documents shall be thoroughly documented for proof of authenticity of the records maintained on the imaging system.

(b) A visual quality control evaluation shall be performed for each and every scanned image and related index data as images are scanned and/or before they are permanently recorded onto optical or magnetic media.

(c) Scanner quality shall be evaluated on the basis of the standard procedures contained in American National Standard for Information and Image Management—Recommended Practice for Quality Control of Image Scanners (ANSI/AIIM MS44-1988, as amended and supplemented, incorporated herein by reference).

(d) The AIIM standard resolution target, AIIM Scanner Target (AIIM X441), RIT Process Ink Gamut Chart (AIIM X443) for use with ANSI/AIIM standard ANSI/AIIM MS44, as amended and supplemented, and/or the ITU-T Standard Image Set (CD-ROM) for Use with National Communication System Information Bulletin 93-45 (AIIM X501), all incorporated herein by reference, shall be used whenever applicable, to test resolution and quality control for operation of scanners.

(e) The appropriate scanning density shall be determined and used for all scanning of public records. Minimum scanning densities for public records shall be as follows:

1. A scanning density with a minimum of 200 dots per inch (dpi) or more is required for scanning bitonal documents containing text or numerals no smaller than six point type.

2. A scanning density with a minimum of 300 dots per inch (dpi) is required for bitonal engineering drawings, maps, and other documents with background detail.

(f) The minimum scanning densities cited in (e) above may not be adequate in all cases. Appropriate scanning density and techniques may differ from document to document due to the attributes of individual documents, purpose of scanning, and the characteristics and limitations of scanning equipment.

1. The scanning density for documents shall be selected and validated using tests on samples of the actual documents to be scanned before scanning is begun, and shall be tested periodically thereafter according to procedures established under N.J.A.C. 15:3-4.7(e) below. Testing and review procedures shall include the comparison of selected recorded images against the original documents after the documents are scanned and recorded, to ensure that records are adequately reproduced and recorded.

2. Higher densities and/or alternative scanning techniques, such as using a selected standard grayscale scanning routine, may be required for adequate reproduction of some documents.

3. Higher resolutions shall be required for computer-aided design (CAD) drawings, where further manipulation or integration and precise measurements are needed.

4. Because some scanners may not capture the full color spectrum and lose significant detail when scanning a document containing certain colors, scanner capabilities shall be reviewed and tested on samples of the actual records to be scanned.

(g) CCITT Group III and/or Group IV compression techniques, incorporated herein by reference, shall be used for scanning documents without continuous tonal qualities. If the use of proprietary compression techniques is required by an image processing system, the system developer shall provide a completely documented and tested gateway to CCITT Group III and/or Group IV compliant data transmission capabilities, incorporated herein by reference.

(h) If legacy records, backfiles, or batch files of documents are scanned, rules promulgated by the State Records Committee for processing and scanning such records shall be followed, including certification and reporting procedures required by rule by the Bureau of Micrographics and Alternate Records Storage of the Division of Archives and Records Management.

15:3-4.7 Operation and management of image processing systems

(a) Optical disk systems shall not be operated in environments with high levels of airborne particles or without adequate temperature and humidity controls, according to rules promulgated by the State Records Committee.

(b) Complete and accurate indexes are essential when records are stored on optical media.

1. Image processing systems shall include an indexing system and procedures for adequate indexing that permit rapid identification and retrieval for viewing or reproducing of all related records maintained in the systems.

2. The requirement to maintain an indexing system shall be met if an indexing system is functionally comparable to a reasonable hardcopy indexing system which is consistent with statutory requirements.

3. Operational procedures shall include a check of indexing accuracy at the time the indexes are created and periodic testing thereafter under procedures established in (e) below.

4. Preference shall be given to systems which incorporate indexes or other retrieval information directly on the optical disk.

5. Backup, refreshing, and data migration procedures must ensure the preservation of all indexing associated with records in the image processing system, and the continued ability to identify, retrieve, and reproduce all relevant documents.

(c) Particular care shall be given to labeling all optical disks, magnetic tapes and other storage containers, especially when the disk or tape containing their corollary indexes is stored on separate media. Standard practices shall be encouraged for labeling optical disks and cartridges, as set forth in Technical Report for Information and Image Management—Recommendations for the Identifying Information to be Placed on Write-Once-Read-Many (WORM) and Rewritable Optical Disk (OD) Cartridge Label(s) and Optical Disk Cartridge Packing/Shipping Containers (ANSI/AIIM TR21-1991, as amended and supplemented, incorporated herein by reference).

(d) All aspects of the design and use of the image processing systems shall be documented. Documentation on an image processing system shall include:

1. Administrative procedures for imaging, storage, and retrieval of records;

2. Technical specifications for all the components of the system;

3. Problems encountered in the operation of the system and measures taken to address such problems; and

4. Any and all hardware and software modifications made to the system.

(e) Per P.L. 1994, c.140, the Division of Archives and Records Management, with the approval of the State Records Committee, is required to review and approve image processing systems.

1. The Division shall conduct an annual review of agencies employing image processing systems for keeping public records, which will include a review of systems maintenance, operation and administration; backup, disaster recovery and data migration procedures; and compliance with other rules for image processing promulgated by the State Records Committee.

2. Each agency employing image processing systems for keeping public records shall report any changes or addition to their system, annually, on the anniversary date of the original certification of their imaging system, or no later than 23 working days, excluding State holidays, following that date. Failure to make such an annual report may result, upon action of the State Records Committee, loss of certification of said system.

3. An agency shall submit an annual report to the Chief of the Bureau of Records Management as specified in N.J.A.C. 15:3-5.6.

4. The Division shall, based on this report and any other supplementary information it may require, issue a certificate to the agency stating whether or not the image processing system complies or continues to comply with applicable rules.

5. If the Division determines that an image processing system fails to comply with applicable rules, it shall state in writing to the agency how the system and operational procedures are not in compliance, and provide guidance as to changes that must be made to achieve compliance.

6. A copy of a certification of compliance from the Division shall be presented with every request by an agency for approval of record retention schedules or disposal of original records used or maintained on image processing systems.

(f) The Bureau of Records Management of the Division of Archives and Records Management shall provide training and other records and information management support services to State and local government agencies to assist in the planning, implementation, and maintenance of image processing systems used for keeping public records; and serve as a repository for information concerning State, national and international standards, procedures and guidelines for image processing systems, including all published documents cited or referred to in this subchapter; and produce, publish and distribute technical bulletins, guidelines and other publications to implement and explain established standards, procedures and rules for image processing systems; and shall revise and reissue the same as warranted by advances in technology, issuance of new national and international standards, or other relevant events.

15:3-4.8 Security

(a) A security subsystem and procedures for system administration and file access that cannot be disabled or circumvented, except for properly authorized functions of a systems manager, shall be provided for all image processing systems used for keeping public records.

(b) Imaging systems shall not be capable of altering a record as scanned and/or recorded, except for standard computer-enhancement routines used to improve the legibility of scanned documents.

(c) Means of control shall be established and maintained to prevent unauthorized creation, addition, alteration, deletion, or deterioration of any imaged record.

(d) Corrections or additions to records shall be recorded as new documents and maintained in the recordkeeping system along with the original record.

(e) Court-ordered expungement of information recorded on a Write-Once-Read-Many (WORM) optical disk system shall be implemented according to recommendations provided in Technical Report for Information and Image Management—The Expungement of Information Recorded on Optical Write-Once-Read-Many (WORM) Systems (AIIM TR28-1991, as amended and supplemented, incorporated herein by reference).

(f) Security subsystems and procedures for system administration and file access shall be completely and thoroughly documented and auditable.

1. To ensure the integrity, accuracy, and reliability of the public records contained in image processing systems, such systems shall create and retain a record of the location, date, operator and equipment involved in the production of all images it copies or produces.

2. Imaging systems shall create and maintain logs of all system and file access and activities.

3. Only authorized persons shall have access to logs and other documentation of security subsystems and procedures.

15:3-4.9 Public access

(a) The implementation and use of image processing systems shall not limit or hinder public access to public records. Image processing systems shall provide access which is equivalent, or better than, that provided by previous recordkeeping systems.

(b) The right of the public to inspect and copy public records pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.) shall, with respect to the copying of records maintained by an image processing system, be deemed to refer to the right to receive printed copies of such records.

SUBCHAPTER 5. CERTIFICATION OF IMAGE PROCESSING SYSTEMS

15:3-5.1 Purpose

(a) The Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee as established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20), promulgated at N.J.A.C. 15:3-4, "standards, procedures and rules for image processing of public records for the preservation, examination and use of such records, including indexing and arrangement thereof," as required by P.L. 1953, c.410 (N.J.S.A. 47:3-26) as amended, and P.L. 1994, c.140 (N.J.S.A. 47:1-12). This subchapter, N.J.A.C. 15:3-5, sets forth procedures to be used by State and local agencies for the evaluation and certification of image processing systems for public records and an annual review of the same per the provisions of P.L. 1994, c.140, including section 6 of the same (N.J.S.A. 47:3-20 as amended), and N.J.A.C. 15:3-4.7.

(b) P.L. 1994, c.140 amends section 12 of P.L. 1953, c.410 (N.J.S.A. 47:3-26) and other sections of the New Jersey Statutes to allow the use of image processing systems for keeping public records under standards, procedures and guidelines established by the Division of Archives and Records Management in the Department of State, with the approval of the State Records Committee (see N.J.A.C. 15:3-4). Per Article 6 of P.L. 1994, c.140 and N.J.A.C. 15:3-4.7(e), the Division of Archives and Records Management, with the approval of the State Records Committee, is required to review and approve image processing systems used by State and local agencies for public records. N.J.A.C. 15:3-4.7(e)1 requires the Division of Archives and Records Management to "create an annual report for agencies employing image processing systems for keeping public records, which will include a review of systems maintenance, operation and administration, backup, disaster recovery and data migration procedures, and compliance with other rules for image processing promulgated by the State Records Committee." This subchapter implements that requirement.

(c) P.L. 1994, c.140 provides for the replacement of paper records and records on other media with copies of the records in image processing systems and for the disposal of the original records with the approval of the State Records Committee under certain conditions. The conditions for disposal of original records include conformance with established standards for image processing systems and any related record retention schedules approved by the State Records Committee and that such disposal is not contrary to any other State or Federal statutes or regulations. These conditions include certification that such systems conform to State standards for image processing systems for public records and an annual review to confirm the continued compliance of the same. Evidence of compliance with such standards shall be required by the State Records Committee prior to approval of retention schedules or approval of disposal of public records on an image processing system.

(d) The intent of P.L. 1994, c.140 is to ensure the preservation, integrity, and accessibility of public records in image processing systems by the establishment of relevant standards, procedures and guidelines. The implementation of procedures for certification and review of image processing systems ensure the preservation of public records created and maintained on image processing systems and aid in the future in the migration of records and other data maintained on such systems to new recordkeeping systems or other record storage media.

(e) Furthermore, P.L. 1994, c.140 provides that as long as these standards, procedures and guidelines are followed, image-processed documents can be used in evidence in any court or proceeding in New Jersey with the same force and effect as the original public record. The implementation of procedures for certification and review of image processing systems ensure the continued evidentiary value of public records created and maintained on image processing systems.

15:3-5.2 Correspondence and inquiries

All correspondence and inquiries concerning this subchapter should be addressed to:

Director
Department of State
Division of Archives and Records Management
2300 Stuyvesant Avenue
PO Box 307
Trenton, NJ 08625-0307
(609) 530-3205
Fax Number: (609) 530-6121

15:3-5.3 Definitions

The words and terms used in this subchapter shall have the standard meanings as established in Technological Report for Information and Image Management—Glossary of Imaging Technology (ANSI/AIIM TR2-1992), incorporated herein by reference, as amended and supplemented, and in Glossary of Records Management Terms—A Guideline (ARMA A4542) incorporated herein by reference as amended and supplemented, except as otherwise defined in Title 47 of the State Statutes or in rules promulgated by the Division of Archives and Records Management as approved by the State Records Committee, including those contained in N.J.A.C. 15:3-4.2. The addresses of AIIM and ARMA for the purpose of ordering documents may be found in N.J.A.C. 15:3-4.2.

15:3-5.4 Responsibilities of the Division of Archives and Records Management

(a) Per P.L. 1994, c.140, the Division of Archives and Records Management, with the approval of the State Records Committee, shall evaluate and certify image processing systems as compliant with established standards, rules and procedures for such systems for the keeping of public records.

(b) Per N.J.A.C. 15:3-4.7(e)1, the Division shall create and maintain an image processing system evaluation form to be used by agencies employing image processing systems for keeping public records to evaluate and review systems maintenance, operation and administration; backup, disaster recovery and data migration procedures; and compliance with other rules for image processing. See N.J.A.C. 15:3-5.5(e). Said image processing evaluation form shall be used to evaluate systems for certification, that such systems are compliant with the rules for image processing systems promulgated by the Division and approved by the State Records Committee, as well as for the annual review of such systems.

(c) The Division shall distribute the image processing evaluation form upon request, or at least annually, to each agency employing image processing systems for public records within 30 days of the anniversary date of the original certification of their imaging system as required by N.J.A.C. 15:3-4.7(e)2.

(d) The Chief of the Bureau of Micrographics and Alternate Storage and the Chief of the Bureau of Records Management of the Division of Archives and Records Management or the acting chief of said bureaus shall review such forms and supporting documentation submitted by a public agency and, based on these reports and any other supplementary information it may require, shall determine if the documented system is in compliance with N.J.A.C. 15:3-4. Upon their recommendation, the Division shall, with the approval of the State Records Committee, issue or decline to issue a certificate to the agency stating whether or not the image processing system complies or continues to comply with applicable rules.

(e) If the Division determines that an image processing system fails to comply with applicable rules, it shall state in writing to the agency how the system and operational procedures are not in compliance and provide guidance as to changes that must be made to achieve compliance as required by N.J.A.C. 15:3-4.7(e)5.

(f) The Division shall acknowledge the receipt of forms and supporting documentation submitted by a public agency and, based on these reports and any other supplementary information it may require, shall determine within 23 working days if the documentation on the system is complete and the system is in compliance with established standards, procedures, and rules for image processing for public records, and shall notify the applicant of their findings within that time period. Upon completion of the application process and approval of an application by Chief of the Bureau of Micrographics and Alternate Records Storage and the Chief of the Bureau of Records Management of the Division of Archives and Records Management, or the acting chief of said bureaus, the Division shall submit the application for approval by the State Records Committee at the next regularly-scheduled meeting of the Committee following a period of 23 working days for receipt of written public

comment on the application, including the required period for legal notice for the action to be included on the agenda of the meeting. Upon the approval or disapproval of the State Records Committee of an application for certification or recertification of an image processing system in a regularly-scheduled meeting, the Division shall, accordingly, issue or decline to issue a certificate to the agency, stating whether or not the image processing system complies or continues to comply with applicable rules. If the Division or the State Records Committee determines at any point in the process that an application or required documentation is incomplete or an image processing system fails to comply with applicable rules, it shall notify the agency in writing as soon as such a determination is made, stating what actions need to be taken to complete the application or how the system and operational procedures are not in compliance and provide guidance as to changes that must be made to achieve compliance as required by N.J.A.C. 15:3-4.7(e)5.

(g) The Division shall provide training and other records and information management support services to State and local government agencies to assist in the planning, implementation, and maintenance of image processing systems used for keeping public records, including implementation of the provisions of this section; serve as a repository for information concerning State, national and international standards, procedures and guidelines for image processing systems; produce, publish and distribute technical bulletins, guidelines and other publications to implement and explain established standards, procedures and rules for image processing systems; and revise and reissue the same as warranted by advances in technology, issuance of new national and international standards, or other relevant events.

15:3-5.5 Responsibilities of State and local agencies

(a) State and local public agencies shall submit a completed copy of the image processing evaluation form provided by the Division, along with supporting documentation, to the Division for review and evaluation of each existing or proposed image processing system used for creation, storage or management of public records for determination that the same is in compliance with State standards at N.J.A.C. 15:3-4, as required by P.L. 1994, c.140 (N.J.S.A. 47:1-12).

(b) Agencies shall submit requests for review and evaluation of proposed image processing systems to the Division before purchasing and installation of such a system for keeping public records. Agencies shall submit to the Division a request for review and evaluation of any image processing systems in use for or to be used for keeping public records. It shall be the responsibility of any agency using or proposing to use such a system for recordkeeping to request that the Division review and certify or recertify the same and to file an evaluation form and supporting documentation with the Division as specified in this section. Upon notification by the Division such an application is complete, the agency shall be responsible for posting and notifying stakeholders of their application for certification

or recertification of an image processing system for keeping public records, and shall provide public access to a copy of the completed application and supporting documentation.

(c) In conformance with N.J.A.C. 15:3-5.4(c), an agency shall submit a completed annual report, being an annotated copy of the original evaluation form per N.J.A.C. 15:3-5.6, to the Chief of the Bureau of Records Management annually, upon the anniversary date of the original certification of the image processing system by the State Records Committee, but no later than 23 working days (Monday through Friday, excluding State holidays), after the anniversary date of said certification.

(d) A copy of a certificate of compliance from the Division shall be presented with every request by an agency for approval of record retention schedules or disposal of original records used or maintained on image processing systems.

(e) Agencies shall maintain and submit to the Division the following information on any and all image processing systems used for creation, management or storage of any public records:

1. Agency profile: An agency shall provide agency profile information, including Department, division, bureau or agency office name; agency representative and Management Information Systems (MIS) representative names and titles; and all associated addresses, telephone and facsimile numbers, and e-mail addresses.

2. Records management:

i. Using the agency's related records retention schedules, an agency shall list the records series titles, descriptions, and inclusive dates of all public records created, stored or maintained in the image processing system;

ii. An agency shall note if records retention schedules are being used at the agency and if routine records disposal practices are being followed using the Request and Authorization for Records Disposal form supplied by the Division of Archives and Records Management; and

iii. An agency shall denote which office oversees the image processing system, such as the office of records and information management (as in the case of a municipality, the Municipal Clerk), Management Information Services (MIS), or other office or agency, including contractual arrangements with another office or agency or service bureau;

3. Feasibility study:

i. An agency shall state if a feasibility study had been conducted prior to the purchase and implementation of the imaging system;

ii. If a feasibility study has been conducted for such an image processing system, a copy of the study shall be submitted along with any request for evaluation and certification of the system;

4. System configuration:

i. An agency shall identify the name, version, and manufacturer of any hardware, operating system, and network systems employed by the system per N.J.A.C. 15:3-4.5, as applicable;

ii. An agency shall state if the image processing system employs or otherwise meets an established open system architecture standard as set forth in N.J.A.C. 15:3-4.3(g) and, if so, identify the applicable open architecture standard;

iii. An agency shall list the name, version, and manufacturer of any software that is currently used by the image processing system;

iv. An agency shall describe if the system stores and retrieves records and information on-line or off-line, such use of external drives or a juke box;

v. An agency shall list the types of file contained on the system, such as data, text, database, forms or image files, including file formats per N.J.A.C. 15:3-4.5;

vi. An agency shall list all media used by the system to store records and information, such as magnetic tape, diskettes, or WORM, CD-ROM, or other types of optical disks;

vii. An agency shall list all scanners used by the system, including manufacturer and model number, as well as scanning standards maintained for scanning various types of documents, such as dots per inch (dpi), density and resolution, as required by N.J.A.C. 15:3-4.6;

viii. An agency shall describe its problem management system or any problem management measures it maintains, such as maintenance of a Hardware/Software Error Log, per N.J.A.C. 15:3-4.7(d)3;

ix. An agency shall describe its quality control system or any quality control measures it maintains, such as maintenance of a Scanned Images Log and routine visual quality control measures for images; and

x. An agency shall document security measures for system administration and file access for the image processing system as required by N.J.A.C. 15:3-4.8;

5. Disaster prevention/recovery: The agency shall describe and document disaster prevention and recovery plans for their records as required by N.J.A.C. 15:3-4.4(d) including:

i. Disaster prevention/recovery plans, policies and procedures in use;

State Records Committee
 PO Box 307
 Trenton, NJ 08625-0307
 Telephone: (609) 530-3200
 Fax: (609) 530-6121

“Storage housing” means a physical structure supporting containers enclosing or holding records media and may consist of racks, shelves, drawers or cabinets.

“Tuple” means a data object containing two or more components. The components of a tuple may be of different types whereas all elements of a list have the same type.

“UL” means Underwriters Laboratory, Inc., a provider of product safety certification and quality system registration services. The address of the Laboratory is as follows:

Underwriters Laboratory, Inc.
 333 Pflingsten Road
 Northbrook, IL 60062
 Telephone: (847) 272-8800

15:3-6.3 Record storage facility

(a) P.L. 1953, c.410, § 16 (N.J.S.A. 47:3-30) as amended, effective Sept. 18, 1953, mandates the Division of Archives and Records Management in the Department of State with the approval of the State Records Committees as established by P.L. 1953, c.410, § 6 (N.J.S.A. 47:3-20) to “make and promulgate rules and regulations for the effective administration of the laws relating to public records.” Furthermore, N.J.A.C. 15:3-4.4(e) promulgated under P.L. 1994, c.140, § 4 (N.J.S.A. 47:3-26 as amended) requires the State Records Committee to promulgate rules for secure and suitable facilities for the storage of public records.

(b) The following pertain to referenced standards:

1. This section is intended for use in conjunction with the following referenced national and international standards as amended and supplemented, incorporated herein by reference. The standards cited in the subsection are available from the American National Standards Institute, Inc. (ANSI) or other standards-setting organizations as cited in N.J.A.C. 15:3-6.2. They are also available for use and inspection at the Division of Archives and Records Management, 2300 Stuyvesant Avenue, Trenton, New Jersey per the provisions of N.J.A.C. 15:3-4.7(f).

- i. ANSI/NAPM IT9.11. Imaging Media—Processed Safety Photographic Films—Storage;
- ii. ANSI/NFPA 1-1997. Fire Prevention Code;
- iii. ANSI/NFPA 10-1994. Portable Fire Extinguishers;
- iv. ANSI/NFPA 13-1996. Installation of Sprinkler Systems;

v. ANSI/NFPA 25-1995. Inspection, Testing and Maintenance Water-Based Fire Protection Systems (Revision of ANSI/NFPA 13-A);

vi. ANSI/NFPA 40-1997. Storage and Handling of Cellulose Nitrate Motion Picture Film;

vii. ANSI/NFPA 70-1996. National Electric Code;

viii. ANSI/NFPA 72-1996. National Fire Alarm Code;

ix. ANSI/NFPA 80-1995. Fire Doors and Fire Windows;

x. ANSI/NFPA 80A-1996. Fire Doors and Fire Windows, Protection from Exterior Fire Exposures;

xi. ANSI/NFPA 90A-1996. Installation of Air Conditioning and Ventilating Systems;

xii. ANSI/NFPA 90B-1996. Installation of Warm Heating and Air Conditioning Systems;

xiii. ANSI/NFPA 220-1993. Types of Building Construction;

xiv. ANSI/NFPA 221-1997. Fire Walls and Fire Barrier Walls;

xv. ANSI/NFPA 231-1995. General Storage;

xvi. ANSI/NFPA 232-2000. Standard for the Protection of Records;

xvii. ANSI/NFPA 232A-1995. Fire Protection for Archives and Records Centers;

xviii. ANSI/UL 155. Test for Fire Resistance of Vault Doors;

xix. NEDCC Technical Leaflet. The Environment. Temperature, Relative Humidity, Light and Air Quality: Basic Guidelines for Preservation;

xx. NBS Technical Notice 839. Fire Protection; and

xxi. NFPA 909-1997, Standard for the Protection of Cultural Resources Including Museums, Libraries, Places of Worship, and Historic Properties.

2. All building and construction in the State of New Jersey, undertaken by any State or local government agency, subdivision, district or authority must comply with the provisions of the Uniform Construction Code (UCC), N.J.A.C. 5:23, as adopted by the Department of Community Affairs, Division of Codes and Standards in 35 N.J.R. 1939 et seq., effective May 5, 2003.

(c) Records storage facilities containing public records, except for those facilities or portions of facilities excluded in this subsection, shall comply with all appropriate building and safety codes, standards, rules and guidelines for storage of records as amended and supplemented, incorporated herein by reference including:

1. Any records storage facility used for the storage public records shall be of a nature that minimizes the potential for and the resultant effects of fire. Records storage facilities shall be Type I, II, or III construction per the International Building Code (IBC-2000), Section 602.1, as amended by N.J.A.C. 5:23, that are those types of construction in which the exterior walls are of noncombustible materials and the interior building elements are of fire-resistive materials permitted under the provisions of IBC-2000.

i. For new construction, reference:

(1) IBC-2000, Chapter 2, Use and Occupancy Classification, Section 311, Storage Group S;

(2) IBC-2000, Chapter 7, Fire-Resistant Rated Construction; and

(3) IBC-2000, Chapter 9, Fire Protection Systems.

ii. For general requirements and existing buildings considered for use as record storage facilities, reference:

(1) ANSI/NFPA 232-2000, Standard for the Protection of Records; and

(2) ANSI/NFPA 909-1997, Standard for the Protection of Cultural Resources Including Museums, Libraries, Places of Worship, and Historic Properties.

2. The facility should be a stand-alone structure. In the event the structure is shared with other tenants, firewalls of approved construction shall separate the records storage facility from other areas in the building. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers, Chapter 2-3, Fire Risk Evaluation Factors.

3. If the record storage facility is located in a structure with other non-related tenants, activities conducted in other parts of the building shall not be of the nature which would create a hazard to the records stored there. Reference:

i. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-3, Fire Risk Evaluation Factors;

ii. ANSI/NFPA 80. Fire Doors and Fire Window; and

iii. ANSI/NFPA 80A. Fire Doors and Fire Window, Protection from Exterior Fire Exposure.

4. Access to the facility shall be restricted to authorized personnel. Adequate security procedures and systems shall be provided to prevent loss, theft, or destruction of public records and to ensure the safety and integrity of the public records stored there.

5. A record storage facility shall maintain a fire prevention program based on good housekeeping practices. Smoking, use of open flame devices or the presence of flammable materials shall be prohibited in storage areas. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-6, Fire Prevention Program.

6. The facility shall have appropriate fire detection and suppression systems with procedures in place to ensure their effectiveness. Reference:

i. ANSI/NFPA 72. National Fire Alarm Code;

ii. ANSI/NFPA 1. Fire Prevention Code;

iii. ANSI/NFPA 10. Portable Fire Extinguishers;

iv. ANSI/NFPA 13. Installation of Sprinkler Systems;

v. ANSI/NFPA 25. Inspection, Testing and Maintenance of Water-Based Fire Protection Systems;

vi. ANSI/NFPA 231. General Storage. Chapter 5-1, Automatic Sprinkler Systems;

vii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-1, Fire Detection;

viii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-2, Automatic Sprinkler Systems;

ix. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-4, Gaseous Extinguishment;

x. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5-5, Comparison of Systems; and

xi. NBS Technical Notice 839. Fire Protection.

7. A slightly positive air pressure balance should be maintained within the records storage area so as to ensure consistency of temperature and relative humidity and minimize infiltration of contaminants. Reference: ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage. Chapter 7.2, Air Conditioning Requirements.

8. Air handling ducts shall be equipped with fire detectors and applicable shutoff apparatus. Reference:

i. ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage. Chapter 7.2, Air Conditioning Requirements;

ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 7-4, Air Conditioning/Ventilation; and

iii. ANSI/NFPA 90A. Installation of Air Conditioning and Ventilation Systems.

9. The facility shall have a power supply sufficient to maintain environmental controls, security, lighting, fire detection and suppression equipment. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 5, Fire Control Systems.

10. No cellulose nitrate films shall be stored in the same records storage facility with other types of record media. If any cellulose nitrate film is retained by an agency, it shall be maintained per ANSI/NFPA 40. Storage and Handling of Cellulose Nitrate Film as amended and supplemented, incorporated herein by reference. Reference:

- i. ANSI IT9.11. Imaging Media—Processed Safety Photographic Film—Storage. Chapter 7.3, Air Purity;
- ii. ANSI/NFPA 40. Storage and Handling of Cellulose Nitrate Film; and
- iii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-1, Types of Media.

11. All door openings of the records storage facility shall be fitted with a suitable and approved fire-resistant door. Reference:

- i. ANSI/UL 155. Test for Fire Resistance of Vault Doors; and
- ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-10, Vault Door Specifications.

12. All electrical wiring within the facility, exclusive of low-power alarm circuits, shall be encased in approved conduit. Reference:

- i. ANSI/NFPA 70. National Electric Code;
- ii. ANSI/NFPA 232. Chapter 2-11, Electrical Service; and
- iii. ANSI/UL 155. Test for Fire Resistance of Vault Doors.

13. Portable fire extinguishers of a type appropriate for Class A fires shall be readily accessible inside and immediately outside the record storage area. Reference:

- i. ANSI/NFPA 10. Standard for Portable Fire Extinguishers; and
- ii. ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-13, Fire Suppression.

14. All record storage containers within a facility shall be kept at least six inches from piping or conduits. Reference: ANSI/NFPA 232A. Fire Protection for Archives and Records Centers. Chapter 2-12, Operating Practices.

15. Per ANSI/NFPA 232, 7.1.3.1, where paper records are stored on open shelf file equipment at heights 12 feet (3.7 meters) or less, the design criteria of ANSI/NFPA 13, Standard for the Installation of Sprinkler Systems, shall

be in accordance with Ordinary Hazard Group 2. Where paper records are stored on open shelf file equipment at heights in excess of 12 feet (3.7 meters), the design criteria of ANSI/NFPA 230, Standards for Fire Protection of Storage, shall apply. Storage shall be considered a Class III Commodity. Where paper records are stored on open shelf file equipment, rack structures and solid, slatted or wire mesh shelving shall be constructed of non-combustible material.

i. For new construction, reference:

- (1) IBC-2000, Chapter 2, Use and Occupancy Classification, Section 311, Storage Group S;
- (2) IBC-2000, Chapter 7, Fire-Resistant Rated Construction; and
- (3) IBC-2000, Chapter 9, Fire Protection Systems.

ii. For general requirements and existing buildings considered for use as record storage facilities, reference:

- (1) ANSI/NFPA 232-2000, Standard for the Protection of Records, Chapter 7, File Rooms; and
- (2) ANSI/NFPA 13, Standards for the Installation of Sprinkler Systems, Chapter 12, Storage.

(d) Records storage facilities containing archival, permanent, or other records with long-term retention schedules due to their continuing legal, administrative or historical value shall comply with all standards, rules and guidelines for storage of public records promulgated in this subchapter together with NEDCC Technical Leaflet. The Environment. Temperature, Relative Humidity, Light and Air Quality: Basic Guidelines for Preservation, as amended and supplemented, incorporated herein by reference (except when special records media require additional environmental and other controlled conditions), including:

1. A power supply sufficient to maintain proper archival environmental controls, security, fire detection and suppression equipment;

2. An HVAC system with adequate levels of control to establish and maintain archival storage conditions, including heating, cooling, dehumidification, humidification, particle control and gaseous pollution control, and a slightly positive air pressure balance within the records storage area so as to ensure:

i. Stability of temperature and relative humidity and minimization of fluctuations in the same;

ii. Maintenance of a stable temperature no higher than 21.1 degrees Celsius (70 degrees Fahrenheit) and a stable relative humidity between 30 and 50 percent relative humidity (RH), unless particular media require additional environmental and other controlled conditions as promulgated in this rule or incorporated by reference, as amended and supplemented. In most cases, maintenance of lower temperatures will increase protection and preservation of archival records; and

iii. Minimization of infiltration of contaminants at better than 50 percent of 0.5 micron particles;

3. Temperature and relative humidity shall be systematically measured and recorded;

4. All lighting systems within an archival storage facility, exclusive of emergency lighting systems, shall be incandescent lamps, also known as tungsten lamps.

i. Light sources which shall be avoided are halogen, diachronic reflector lamps, fluorescent lamps, mercury lamps, metal halide lamps, and sodium HID lamps due to discharge of high intensity ultraviolet photons which are known to damage archival materials; and

ii. Ultraviolet light filters shall be placed on all fluorescent lights (and other light sources as appropriate) in areas where archival records are stored, displayed, processed or researched to eliminate wavelengths below 415 nanometers (nm);

5. Work, reference and storage areas shall be constructed so as to avoid prolonged exposure of archival records to direct or indirect sunlight which contain ultraviolet rays which can damage archival material;

6. Per N.J.A.C. 15:3-4.3(c)1, public records created, copied or stored on paper, which have been designated for permanent or long-term retention by State or Federal regulation or law or a retention schedule approved by the State Records Committee, shall be created or copied and stored on paper which meets the standards set forth in NISO Z39.48-1992. Permanence of Paper for Printed Publications and Documents in Libraries and Archives, as amended and supplemented, incorporated herein by reference, unless an exception is granted by the State Records Committee as part of a records retention schedule per N.J.S.A. 47:3-15 et seq. due to backup on other media such as microfilm or other considerations;

7. Storage containers, folders and other enclosures for archival material shall be constructed of acid-free buffered, lignin-free paper, or other material free of harmful off-gassing, especially sulfur dioxide, nitrogen oxides, peroxides and ozone which catalyze harmful chemical reactions that lead to acid in materials; and

8. Electrostatic precipitators shall not be used because they produce ozone.

(e) Designation of records storage facilities shall be as follows:

1. Per Executive Order No. 109, approved December 8, 1981, and the State Agency Transfer Act, P.L. 1971, c.375 (N.J.S.A. 18A:73-26 as amended), filed April 25, 1983, the Division of Archives and Records Management has been designated as the official State Records Storage Center. Semicurrent or concurrent records of State agencies shall be transferred to the State Records Center when records are no longer needed for current operations of the agency, but may still be used infrequently due to continuing legal, fiscal, or administrative value, per records retention schedules established by the State Records Committee pursuant to the provisions of N.J.S.A. 47:3-15 et seq. and N.J.A.C. 15:3-2.5.

2. Per P.L. 1920, c.46, § 7, (N.J.S.A. 47:2-7) as amended and the State Agency Transfer Act, P.L. 1971, c.375 (N.J.S.A. 18A:73-26 as amended), filed April 25, 1983, the Division of Archives and Records Management has been designated as the official State Archives. Archival records of a public agency which are deemed by a records retention schedule established and approved by the State Records Committee pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-15 et seq.) to possess sufficient legal, administrative, evidential, historical, artifactual, or other value to warrant permanent retention which are not needed for administrative purposes by the agency shall be transferred to the State Archives at such times and in such manner and form as prescribed by the Division. The State Archives shall assume full legal custody and ownership of such records upon transfer to the same and shall thereafter be wholly responsible for their care, maintenance, use and preservation.

3. The Division may designate alternative records storage facilities for public records, provided such facilities shall conform to the standards promulgated in this subchapter as approved by the State Records Committee as established pursuant to P.L. 1953, c.410 (N.J.S.A. 47:3-20 et al.).

(f) Exclusions from this subchapter shall be as follows:

1. File areas and temporary storage areas. For the purposes of this section, the term "records storage facility" excludes:

i. Central file areas and file rooms containing active or semi-active records used and maintained in their office of origin;

ii. Records staging areas used for the temporary storage of records before their transfer to a records center or other disposition, provided no records are held in these staging areas for a period not to exceed 12 months; and

iii. Records storage areas used solely for the storage of noncurrent records that have approved retention schedules of less than three years and are not suitable for transfer to a records storage facility due to requirements for high security, technical servicing, or other special recordkeeping provisions; and

2. Additional standards or rules. Nothing in this subchapter shall be deemed to restrict any public agency from promulgating, implementing or employing more restrictive standards, rules, or guidelines for storage facilities for records in any media, type or format created or received by said agency, or from promulgating, implementing or employing additional restrictions, procedures or rules for the storage of public records which they may deem necessary for the preservation, security or integrity of any public record or series or group of public records in their custody.

i. Low relative humidity shall be maintained to protect against fungus growth on tapes, particularly tapes that have been spliced. Growth takes place at spliced sites.

ii. If tapes are transferred from an air conditioned storage area to a normal office or reference area, they shall be given 24 hours to acclimate to the new environment before use.

iii. Tape storage areas shall be kept free of dust and other contaminants.

iv. Creation of changing stress in audiotapes by thermal and hydroscopic cycling will result in print-through, deterioration of sonic content, and changes in timing, as well as loss of oxide coating.

7. Accidental exposure of audiotapes to magnetic fields, especially tapes in long-term storage, may cause erasure of recordings.

i. Tapes shall not be stored on metal shelving or in metal storage equipment or enclosures.

8. Tapes shall be stored in polyethylene bags or their plastic boxes may be retained for storage. Cassette tapes without containers shall be provided with new boxes.

9. Tapes shall be stored vertically on shelves to minimize distortion of the tape.

10. Audiotape equipment shall receive periodic maintenance to minimize possible damage to tapes and maximize playback quality. Major areas of maintenance include:

i. Cleaning magnetic heads, capstan, pinch rollers, tape guides and lifters, scape and flutter filters, and tape tension arms;

ii. Demagnetization of tape heads, as well as other metal parts tape contacts;

iii. Replacement of pinch rollers; and

iv. Maintenance operations normally performed by technical personnel, including:

- (1) Alignment of magnetic heads;
- (2) Adjustment of tape tension;
- (3) Replacement of worn heads; and
- (4) Adjustment of bias and equalization.

15:3-6.6 Exclusions

(a) Nothing in this subchapter shall be deemed to restrict any public agency from promulgating, implementing or employing more restrictive standards, procedures or rules for the storage of records in any media, type or format.

(b) The provisions promulgated under this subchapter notwithstanding, the Division of Archives and Records Management and the State Records Committee may, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., promulgate, establish or enact such standards, rules or guidelines for the storage of public records which they may deem necessary for the preservation, security or integrity of any public record or series or group of public records.

SUBCHAPTER 7. NEW JERSEY PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT (PARIS) GRANTS

Authority

P.L. 2003, c.117, Sections 38 and 39

Source and Effective Date

R.2004 d.477, effective December 20, 2004.
See: 36 N.J.R. 4000(a), 36 N.J.R. 5688(a).

15:3-7.1 Purpose

This subchapter constitutes the rules of the New Jersey Public Archives and Records Infrastructure Support (PARIS) grant program for the award of grants on the basis of need and specific competitive evaluative criteria to county and municipal governments for the management, storage and preservation of public records pursuant to the provisions of P.L. 2003, c.117, sections 38 and 39.

15:3-7.2 Definitions

The words and phrases used in this subchapter shall have the same meaning as defined in N.J.A.C. 15:3-1.2, as amended and supplemented, except the following words and phrases which shall have the designated meanings, unless the context clearly indicates otherwise.

“Applicant” means the duly chartered and incorporated county, city, township, town, borough, and village government in New Jersey.

“Approved project period” means the amount of time during which the grant recipient shall complete satisfactorily the approved project to be eligible for the full funding authorized for the project.

“DARM” means the Division of Archives and Records Management in the Department of State as established by the Governor’s Reorganization Plan filed April 25, 1983 as set out under N.J.S.A. 18A:73-26.

“Grant award recipient not in good standing” means a county or municipal government that was awarded a PARIS grant in a previous grant cycle but failed to complete all requirements of the grant.

“Preservation” or “records preservation” means the provision of adequate facilities, processes and procedures to protect, care for, or maintain records, including conversion of records to another media for migration of data or to ensure long-term preservation, and specific measures to maintain, repair, restore or protect records.

“Project Manager” means the full-time management-level executive or officer designated by the governing body to have the authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk shall serve as project manager for any application for a PARIS grant for a municipality.

“Records storage” means the housing and safekeeping of public records as provided in N.J.A.C. 15:3-6.

“State Records Committee” means the body established by P.L. 1953, c.410, Section 6 et seq. (N.J.S.A. 47:3-20), comprised of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management in the Department of State, or their designee.

15:3-7.3 Eligible applicants

(a) An application shall be eligible for a PARIS grant if the following conditions are satisfied:

1. The applicant meets the definition of the term “applicant” found in this subchapter;
2. The applicant’s project manager has personally attended in its entirety at least one mandatory training session on PARIS grant applications presented by DARM during the current grant cycle; and
3. The applicant is in good standing under the PARIS grant program.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

In (a)2, inserted “during the current grant cycle”.

15:3-7.4 Grant categories eligible for funding

(a) Inventory and planning grants that include the following subcategories are eligible for funding:

1. Records inventory, including government-wide or special focus inventories of active and inactive records;
2. Records retention scheduling, as provided by procedures, guidelines and standards established by the State Records Committee per N.J.A.C. 15:3-2.1(e) through (g); or
3. Records survey and program planning, which provides a governmental entity with helpful information

about its records by conducting an intensive inventory of the same. The survey shall result in a strategic plan and the development of records management policies and procedures to form a basic framework for on-going records management.

(b) Active records grants that include the following subcategories are eligible for funding:

1. Files management projects to reorganize files, implement classification systems, and develop written policies and procedures to train staff;
2. Planning projects to develop, test and implement disaster prevention, response and recovery plans and systems and projects to inhibit damage and/or restore records damaged in a disaster;
3. Projects to index or improve access to any active records;
4. Imaging and document management needs assessment and implementation projects;
5. Needs assessments and implementation projects for electronic records management systems;
6. “e-Government” projects to enhance the ability to transact business over the internet;
7. Business process analysis (BPA) projects for the analysis and improvement of business processes that create or maintain records;
8. The development of needs assessments or implementation of records conversion systems not covered under another category; or
9. Projects that use local government records as teaching tools in the classroom.

(c) Inactive records grants that include the following subcategories are eligible for funding:

1. Planning and design projects to conduct feasibility studies and to develop plans for records storage and an inactive records management program;
2. Implementation of programs and provision of facilities for the improvement of storage, management and preservation of inactive records; or
3. Design studies to provide county archival and records storage facilities, including county-wide needs assessment for shared services with municipal governments, user requirements, feasibility study, schematic drawings and estimate of construction costs.

(d) Historical records grants that include the following subcategories are eligible for funding:

1. Needs assessment and planning;
2. Historical records storage facility improvement projects that support alarm systems, fire detection and

suppression systems and other environmental controls and monitoring equipment.

3. Improving access to historical records;

4. Records conversion for preservation purposes including microfilming and imaging;

5. Preservation and conservation of historical records, including general maintenance and other practices that inhibit or retard deterioration of records;

6. Outreach and public programs that support the use of historical local government records in informational brochures, local history publications, videos, etc.; or

7. Projects that use local historical records as teaching tools in the classroom.

(e) Records program staffing grants that include the following subcategories are eligible for funding:

1. Salary and benefits for a professional Records Manager and/or Archivist;

2. Salary and benefits for archives and records management technicians and technical support staff directly related to an established archives and records management program; or

3. Hourly wages for temporary or part-time personnel directly related to a grant project.

Amended by R.2006 d.210, effective June 5, 2006.

See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

In b(2), inserted "prevention, response" and "and projects to inhibit damage and/or restore records damaged in a disaster"; deleted "or" from the end of (c)1; in c(2), inserted "provision of" and substituted "; or" for a period at the end; added (c)3; inserted "and suppression" in (d)2 and in d(5), substituted "and conservation of historical records, including" for "consisting of" and inserted "or retard"; and added (e).

15:3-7.5 Eligible costs

(a) The following expenses directly related to the project are eligible for grants:

1. Document imaging systems and bar coding equipment;

2. The cost of retaining consultants to make studies or prepare reports, recommendations, or inventories;

3. Registration, accommodations and travel to selected professional conferences, seminars, meetings and courses;

4. Purchase of supplies and materials directly related to a grant project;

5. Capital expenditures for equipment, including computer equipment;

6. Cost of producing publications directly related to a grant project;

7. Purchase or construction of records storage facilities or additions to existing structures and lease or rental of temporary records storage facilities or services;

8. Repairs to a records storage facility or that component of a building used exclusively for storage of and access to public records;

9. Standard archival and records center boxes and containers, acid free folders and other specialized archival supplies;

10. Shelving, map cabinets and specialized fire-proof file cabinets;

11. Vehicles used exclusively in the transportation of records and records storage and retrieval equipment;

12. Professional consultants and temporary or permanent personnel directly related to the grant project;

13. Design studies to provide county archival and records storage facilities, including county-wide needs assessment for shared services with municipal governments, user requirements, feasibility study, schematic drawings and estimate of construction costs;

14. Planning projects to develop, test and implement disaster and recovery plans and systems and projects to inhibit damage and/or restore records damaged in a disaster; and

15. Salary and benefits for a professional Records Manager and/or Archivist and archives and records management technicians and technical support staff.

Amended by R.2006 d.210, effective June 5, 2006.

See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

Inserted "directly related to a grant project" in (a)4; substituted "a grant" for "the" in a(6), in a(7), inserted "records storage" and "and lease or rental of temporary records storage facilities or services"; in a(8), inserted "records storage facility or that component of a" and "used exclusively for storage of and access to public records"; in a(10), inserted "specialized fire-proof"; deleted "and" from the end of a(11); substituted a semicolon for a period at the end of (a)12; and added 13, through 15.

15:3-7.6 Ineligible costs

(a) The following expenses are ineligible for grants:

1. On-going expenses such as routine repairs, building maintenance, or systems maintenance;

2. Hiring a grant writer or project manager;

3. Purchase of photocopier, fax machine, telecommunication or other office equipment;

4. Standard office filing cabinets, motorized filing cabinets and equipment, files and file folders;

5. Office furniture such as desks, chairs, tables or work stations;

6. Office supplies, including tape measures, calculators and marking pens;

7. Wooden shelving of any kind;
8. Cartons or boxes other than the standard archival and records center boxes or containers;
9. Administrative or operational costs of the agency receiving funding;
10. Academic degree programs; and
11. Salary and benefits for clerical and administrative support personnel not directly related to a grant project.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

Inserted "or project manager" in (a)2; substituted "telecommunication or" for "telephones and" in a(3); in a(4), inserted "filing", "motorized filing cabinets and equipment," and "and file folders"; deleted "other" preceding "containers" in (a)8; deleted "and" from the end of (a)9; substituted "; and" for a period at the end of a(10); and added a(11).

15:3-7.7 Procedures

(a) Annual announcement of grant submission dates shall be published in the New Jersey Register and posted on the DARM website www.njarchives.org.

(b) The following four basic steps shall constitute the PARIS grant application procedure:

1. The applicant's project manager shall attend at least one mandatory training session on PARIS grant applications presented by DARM. This training session will review the grant application forms and guidelines that are available on DARM's website. Times and locations for these training sessions shall be posted on the DARM website.

2. The applicant shall submit an application on forms provided by DARM. The application forms shall be available at the address below and posted on the DARM website. A separate original signed written application and seven copies of the complete application shall be submitted to:

PARIS Grants Administrator
Division of Archives and Records Management
P.O. Box 307
Trenton, NJ 08625-0307
Fax: (609) 530-6121
Email: paris.grants@sos.state.nj.us
Delivery: 2300 Stuyvesant Avenue, Ewing
Township, Trenton, NJ 08618-3226

3. A notice of receipt for each application shall be sent by DARM to each applicant.

4. Completed applications shall include:

- i. The amount of grant and completion date;
- ii. The project period;
- iii. The project scope;

- iv. Special requirements;
- v. A projected completion date;
- vi. Personnel and budget, including an organizational chart and resumes;
- vii. Governing body authorizations;
- viii. Annual or most recent fiscal action plan; and
- ix. Authorized signature.

(1) The governing body of a county shall designate by resolution the signatory for the grant application. The signatory on the application shall be a full-time management-level executive or officer of the county with appropriate authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk shall serve as signatory for any application for a PARIS grant for a municipality.

(c) Each application shall contain sufficient information to ensure that the State Records Committee is able to conduct an adequate and thorough review. Applications not technically complete at the time of review, established by the State Records Committee, shall not be eligible.

(d) Applications not funded in a given grant cycle may be revised and submitted in a subsequent grant cycle.

(e) Application materials for projects not funded shall be retained by the State Records Committee for three years following announcement of grant awards. Applicants may request return of a copy of their application materials within this three-year period. After three years, the State Records Committee may dispose of all application materials for non-funded projects, in accordance with the Destruction of Public Records Act (P.L. 1953, c.410, N.J.S.A. 47:3-17).

(f) The designated signatory on the application shall serve as project manager responsible for implementation and reporting for a grant.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

In b(2), substituted "seven" for "either four", deleted "or an electronic version" and "on a compact disc shall be submitted for each project. Applications"; in (e), substituted "three years" for the first occurrence of "one year" and "three-year" for the second occurrence of "one year" and "dispose of" for "discard" and inserted "in accordance with the Destruction of Public Records Act (P.L. 1953, c.410, N.J.S.A. 47:3-17)".

15:3-7.8 Awarding of PARIS grants

(a) In each grant cycle, PARIS grants shall be allocated according to a ranking of applications in a given grant cycle, subject to the availability of funds.

(b) The ranking of applications shall be based on criteria established in N.J.A.C. 15:3-7.9.

(c) The State Records Committee reserves the right to award less or more funding than requested.

(d) The State Records Committee may award grants on an outright or contingent basis.

(e) Grant decisions of the State Records Committee are final.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

Substituted “an” for “a conditional or” and inserted “or contingent” in (d).

15:3-7.9 Criteria for review and ranking of applications

(a) Within a given grant cycle, applications shall be reviewed and ranked on the basis of need and the following specific competitive evaluative criteria:

1. Soundness of the plan of work, including its timetable;
2. Qualifications or suitability of persons who will be paid with grant funds;
3. Appropriateness of the budget for the planned work;
4. Whether the applicant has satisfied each of the requirements for relevant project categories as identified in these rules and elaborated upon in the application and guidelines for PARIS grants;
5. Potential of the project to develop or enhance the management, storage, or preservation of records, rather than to support such on-going activities;
6. Demonstrated support for, and progress towards, developing a records management, storage or preservation program; and
7. Demonstration that the project will adhere to and meet all relevant standards and guidelines for the management, storage and preservation of the related records in accordance with Title 47 of the New Jersey State statutes and implementing rules.

15:3-7.10 Annual public notice

(a) DARM shall annually publish a notice in the New Jersey Register and post on the DARM website www.njarchives.org a listing of the categories, subcategories, and specific projects that have been targeted for funding in a given grant cycle and an annual timetable for the grant cycle.

(b) DARM shall annually publish a public notice in the New Jersey Register and post on the DARM website a timetable for grant applications in a given grant cycle. The annual timetable shall include:

1. Application submission deadlines;
2. Notification of award dates;

3. Start dates of projects;
4. Completion dates of projects;
5. Interim report due dates, if any;
6. Final report due dates; and
7. Maximum award amounts.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).

Section was “Priority for funding”. Substituted “; and” for a period at the end of (b)6; and added (b)7.

15:3-7.11 Commencement of project and payment

(a) Upon receipt of a grant award, payments shall be made based on the following schedule:

1. Up to 50 percent of total grant awarded after notification of approval of application and budget and receipt by DARM of resolution accepting grant award and executed contracts;
2. Additional funds up to 90 percent of total grant based upon estimates of need for funds to continue project and timely submission of any interim reports; and
3. Remainder of total grant awarded after submission of final report on project within approved project period.

15:3-7.12 Grant amounts and duration

(a) The State Records Committee shall establish minimum and maximum amounts for PARIS grant awards based on the funds available pursuant to P.L. 2003, c.117, sections 38 and 39, and shall post these amounts on the DARM website www.njarchives.org and publish them in a public notice in the New Jersey Register.

(b) Grants shall be for a period of not more than one year; however, applications for multi-year projects will be accepted and awarded on an annual basis, provided adequate progress on the project during the previous year of the grant cycle is demonstrated by the applicant.

(c) Continued ongoing funding for dedicated archives and records management staff shall be a priority of the PARIS grant program according to the following schedule, but subject to the criteria in (c)1 through 3 below:

- Funding Year 1 — Funded 100 percent
- Funding Year 2 — Funded 100 percent
- Funding Year 3 — Funded 75 percent
- Funding Year 4 — Funded 50 percent
- Funding Year 5 — Funded 25 percent
- Funding Year 6 and beyond — Funded 0 percent

1. All PARIS grants shall be for one year only, and nothing in this section shall be construed to be a binding commitment to fund archives and records management beyond one year.

2. All PARIS grant proposals requesting funding of staff positions in subsequent years shall be subject to competitive review in future grant cycles, including demonstration in a county or municipal government's second-round grant application that the staff achieved success in developing and improving the local government's records program in the first year.

3. Future grants for continuation of staffing shall be subject to availability of sufficient funds in the New Jersey Public Records Preservation Account.

Amended by R.2006 d.210, effective June 5, 2006.
See: 37 N.J.R. 3030(a), 38 N.J.R. 2509(b).
Added (c).

15:3-7.13 Termination of grants

(a) Grant award recipients that fail to fulfill the terms of the grant will receive notice that their grant funding will be terminated.

(b) Failure to complete all interim or final reporting or other requirements outlined in the grant award shall result in withholding of grant payments.

(c) Grant award recipients shall have 30 days from the notice of termination to satisfy all terms of the notice of termination or remaining grant payments shall be withheld.

(d) Grant award recipients not in good standing shall be ineligible to apply for other PARIS grants.

SUBCHAPTER 8. RECORDS DISASTER RECOVERY AND TRIAGE (RECORDS DIRECT) GRANTS

Authority

P.L. 2003, c.117, Sections 38 and 39

Source and Effective Date

R.2004 d.478, effective December 20, 2004.
See: 36 N.J.R. 4003(a), 36 N.J.R. 5691(a).

15:3-8.1 Purpose

This subchapter constitutes the rules of the Records Disaster Recovery and Triage grant program for the award of grants to county and municipal governments where immediate response is necessary to prevent the irretrievable loss of vital, permanent or archival records damaged by man-made or natural phenomena.

15:3-8.2 Definitions

The words and phrases used in this subchapter shall have the same meaning as defined in N.J.A.C. 15:3-1.2, as amended and supplemented, except the following words and phrases which shall have the designated meanings, unless the context clearly indicates otherwise.

"Applicant" means any duly chartered and incorporated county, city, township, town, borough, or village government in New Jersey.

"DARM" means the Division of Archives and Records Management in the Department of State, as established by the Governor's Reorganization Plan filed April 25, 1983, as set out under N.J.S.A. 18A:73-26.

"Director" means the Director of the Division of Archives and Records Management in the Department of State, who also serves as the Secretary of the State Records Committee.

"Emergency disaster and response efforts" means a response to damage caused by fire, water, man-made or natural phenomena where immediate response is necessary to prevent the irretrievable loss of vital, permanent or archival records.

"Project Manager" means the full-time management-level executive or officer designated by the governing body to have the authority and subject matter knowledge to oversee the fulfillment of the grant terms. Pursuant to the provisions of N.J.S.A. 40A:9-133(e)(6), the Municipal Clerk shall serve as project manager for any application for a PARIS grant for a municipality.

"State Records Committee" means the body established by P.L. 1953, c.410, Section 6 et seq. (N.J.S.A. 47:3-20), comprised of the State Treasurer, the Attorney General, the State Auditor, the Director of the Division of Local Government Services in the Department of Community Affairs, and the Director of the Division of Archives and Records Management in the Department of State, or their designee.

15:3-8.3 Eligible applicants

County and municipal governments are eligible to apply for these emergency grants.

15:3-8.4 Eligible costs

(a) Costs attendant to the following shall be eligible for grants:

1. Personnel such as conservation/preservation consultants, clerical workers, and laborers;
2. Purchased services such as freeze-drying, micro-filming, freezer storage, transportation and rental; and
3. Supplies, such as acid free boxes, folders, and other enclosures, cleaning materials, plastic milk crates, and storage boxes.

15:3-8.5 Procedures for applying for a grant

(a) Applicants shall immediately contact DARM after damage caused by fire, water, man-made or natural phenomena where immediate response is necessary to prevent the irretrievable loss of vital, permanent or archival records.