

Education and Labor Cabinet
Department for Libraries and Archives
Archives and Records Management Division
(Amended at ARRS Committee)

725 KAR 1:050. Records management program.

RELATES TO: KRS 13B.140, Chapter 171

STATUTORY AUTHORITY: KRS 171.450(2), 171.520

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 171.450(2) requires the department to enforce the provisions of KRS 171.410 to 171.740 by appropriate rules and administrative regulations. KRS 171.520 requires the department to prescribe the policies and principles to be followed by state and local agencies in the conduct of their records management programs; to ensure the maintenance and security of records deemed appropriate for preservation; and to facilitate the segregation and disposal of records of temporary value and to promote the effective and economical use of space, equipment, and supplies needed for the purpose of creating, maintaining, and servicing records. KRS 171.520 authorizes the department to administer and grant any money appropriated to it for providing and improving records management programs of state and local agencies. This administrative regulation establishes uniform policies in the administration of grants to local governments for the improvement of records management programs.

Section 1. Eligibility of Applicants. Any local government office interested in improving the management and preservation of its public records may apply for a grant under the local records program by completing application forms available through the department. For the purposes of this program, a local government office shall mean a "public agency" as defined by KRS 171.410(4).

Section 2. Application Procedures. All applications shall be submitted on the Local Records Program Grant Application portal and include a detailed project description, plan of work, and budget request. Additional guidance is established in the Local Records Program Grant Guidelines. Entries on the application form and any required supporting documents shall be completed as fully as possible, with additional sheets attached if necessary. In signing the application and in accepting a grant award, applicants agree, in carrying out their projects, to abide by the criteria established in this administrative regulation.

Section 3. Categories for Funding. Any project to improve the management and preservation of local public records shall be considered. Categories for funding include:

(1) Security microfilming permanent, vital, or archival records. Security microfilms created with Local Records Program Grant (LRPG) funds shall adhere to the standards and procedures defined in Microfilming and Digital Imaging of Public Records: A Procedural Guide. A certified micrographics laboratory or vendor shall be used. A list of currently certified laboratories may be obtained from the department's website;

(2) Creating digital counterparts or digital indexes of born-analog permanent, vital, or archival records. Digital images or indexes created with LRPG funds shall adhere to standards and procedures described in Microfilming and Digital Imaging of Public Records: A Procedural Guide;

(3) Records preservation, conservation, or restoration projects for at risk or affected permanent, vital, or archival records. These projects shall adhere to current archival best practice and standards. These projects may include services to preserve at-risk records or mitigation of existing damage;

- (4) Purchasing supplies and equipment that promote preservation, conservation, or restoration of permanent, vital, or archival records;
- (5) Establishing a local government records management program or archives. This may include salary for hiring new staff. These funds shall not be designed for ongoing support, and they shall not be used to replace salary funds already being expended by a local government. Salary support shall only be used for compensation of wages up to forty (40) hours per week, and shall not be used for overtime, taxes, or any other fringe benefits;
- (6) Arranging and describing permanent, vital, or archival records, according to generally accepted professional standards of records management and archival theory and practice;
- (7) Codification of ordinances, orders, resolutions, motions, and other government documents for cities and counties. Codification projects shall adhere to Policy Memorandum on Approved Codification Services Vendors and Codification Grant Applicants/Recipients (PM 2021-01); and
- (8) Limited records management for records with less than permanent retention to assist in maintaining usability and accessibility for the entirety of the defined retention period. Records management tasks for these records may include purchase of storage, projects to provide for long-term storage, or access of records with multiple retentions. These projects shall have clearly defined, specific, and time-limited parameters and be recognizable as part of established records management policies, procedures, and goals for the public agency. These funds shall not be used for ongoing records management support.

Section 4. Grant Award Periods. Grants shall be awarded throughout a state fiscal year on a quarterly schedule as established in Section 5 of this administrative regulation.

Section 5. Grant Application Review and Evaluation. All applications shall be reviewed by KDLA staff to ensure compliance with the application requirements established in this administrative regulation. All qualified applications shall be reviewed by an Advisory Group of the State Libraries, Archives, and Records Commission using the criteria established in this administrative regulation. Applications shall be submitted by March 15, June 15, September 15, and December 31. Ranked recommendations shall be presented to the State Libraries, Archives, and Records Commission at the next regular meeting, or special meeting called to reschedule a regular meeting. The State Libraries, Archives, and Records Commission shall make the final decision on grant awards using the criteria established in Section 6 of this administrative regulation.

Section 6. Grant Review Criteria. In reviewing applications and recommending the funding of specific projects, reviewers shall consider:

- (1) If the category for funding fits within the scope of projects outlined in Section 3 of this administrative regulation;
- (2) Urgency of the problem, such as significance and age of the records. Precedence shall be given to local government applicants with critical records problems, those with older records, and those with chronologically complete groupings of records;
- (3) Value and equity in the distribution of grants. The program shall include various types and sizes of local governments, and provide geographic distribution of grants;
- (4) Alignment of the proposed methods with accepted professional standards of records management and archival theories and practices;
- (5) Adequate security and protection of records. Local governments shall house records in fire-resistant facilities, or state how the proposed project shall safeguard the records in question pursuant to KRS 171.710;
- (6) Compliance with all legal requirements regarding custody and public access. This shall include complying with the requirements of the state's Open Records Law pursuant

to KRS 61.870-876 and providing access to the public in an area with proper security and supervision;

(7) Commitment by the local government to a comprehensive records management program. This shall include regular legal disposition of records in accordance with the records retention schedules covering the records of a local government agency, and may also include files control, segregation of inactive or noncurrent material from active files, selective microfilming if appropriate, and training of records personnel in records management standards;

(8) Ninety (90) percent of the grant funds shall be awarded to county clerks unless insufficient qualified applications are received from county clerks; and

(9) If the proposed project was previously funded by LRPG..]

Section 7. Appeals.

(1) An applicant who believes his or her application was wrongly denied by the State Libraries, Archives, and Records Commission may file an appeal with the commissioner of the department.

(2) Procedures.

(a) A formal letter of appeal shall be sent via email or postal mail to the commissioner of the department within five (5) working days of receipt of notice of rejection.

(b) The appeal shall include a brief description of why the applicant believes the decision of the State Libraries, Archives, and Records Commission is in error. The decision of the State Libraries, Archives, and Records Commission shall not be overturned unless there is clear and convincing evidence that the decision violated this administrative regulation. New information shall not be considered in the appeal.

(c) The commissioner of the department shall issue a decision within five (5) working days of receipt of the letter of appeal.

(d) An applicant who is dissatisfied with the commissioner's decision may appeal to Franklin Circuit Court pursuant to KRS 13B.140.

Section 8. Local governments that are awarded grants shall enter into a grant contract with the department. The contract shall establish performance and reporting requirements. Failure to fulfill the requirements may result in the return of the grant funds to the department and may affect future funding considerations.[]]

Section 9. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Local Records Program Grant Guidelines", June 2025.

(b) "Microfilming and Digital Imaging of Public Records: A Procedural Guide", June 2025; and

(c) "Policy Memorandum on Approved Codification Services Vendors and Codification Grant Applicants/Recipients, PM 2021-11", November 2021.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky 40601, Monday through Friday, 9 a.m. to 4 p.m.

(3) This material may also be obtained on the department's website at <https://kdla.ky.gov/Policies/Pages/default.aspx>.

(725 KAR 001:050. 13 Ky.R. 604; eff. 10-2-1986; 48 Ky.R. 564, 2215; eff. 5-3-2022; 52 Ky.R. 622, 1131; eff. 4-7-2026.)