

**Kentucky Department for Libraries and Archives
Archives and Records Management Division**

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Policy Memorandum on Permanent Public Records as Scanned Images

The State Libraries, Archives, and Records Commission issues records retention schedules that provide public agencies with the only authority to legally destroy public records, in KRS 171.420. Under the terms of KRS 171.660, the Department for Libraries and Archives (KDLA) establishes rules and regulations governing reproduction of public records and the procedures to be followed for disposal or destruction of the original document after reproduction. The related regulations are: 725 KAR 1:020 Recording and reproducing public records, 725 KAR 1:030 Scheduling public records for retention and disposal; procedures, and 725 KAR 1:061 Records retention schedules; authorized schedules.

1. Permanent Records

Scanned images of public records scheduled as permanent shall have manual, eye-readable counterparts, such as paper or microfilm. This requirement does not apply to "born digital" images or scanned images of primarily non-textual records (e.g., maps and photographs).

Public agencies may petition the State Archivist to maintain scanned, permanently valuable public records without manual, eye-readable backup. For an exception to be considered, an agency shall document, in writing to the State Archivist, the following elements in its imaging procedures:

1A. Accuracy and Completeness of Records

A process of inspection shall be in place to confirm that imaged documents are legible and that no corners of the original documents were folded or obscured during scanning. This process shall include systematic quality control and audit procedures, as well as operational oversight by staff with detailed knowledge of the process or system used to produce the records.

Resolution and use of gray scale shall be appropriate to capture all needed detail within documents. Similarly, scanned images shall capture all colors that are needed to interpret or understand the meaning of the paper document. The accuracy of the indexing process shall also be assured through procedures that visually verify indexes after they have been keyed or created through optical character recognition.

1B. Maintenance and Retention of Documentation

Full and up-to-date process or system documentation shall be maintained throughout the life of the records. When processes or systems change, updated documentation shall be retained until the retention periods are met. Documentation shall conform to standards established in the Enterprise Architecture and Kentucky Information Technology Standards (KITS).

1C. Audit Trails and Security

Audit trails documenting who accessed or used the system, when they used it, and what the results of use were shall be maintained. Security measures consistent with KITS shall be adopted and applied.

1D. Access to Records

Records maintained in imaging systems shall meet all access requirements defined by Kentucky Revised Statutes or Kentucky Administrative Regulations.

1E. Backup

A backup copy of all image files and indexes shall be created at intervals determined by the frequency of update and the criticality of the imaging system, as established by the creating agency. KITS and Commonwealth Office of Technology guidelines relating to backups and disaster recovery shall be used to determine the frequency and means of backing up imaged records. Off-site backups shall be maintained.

1F. Equipment Maintenance

An effective maintenance program ensuring that scanners, optical disks, and magnetic storage devices are properly housed and regularly maintained shall be in place. Equipment maintenance logs shall document the occurrence of regular maintenance.

1G. Training Programs

Staff employing imaging systems shall receive formal training in system use to ensure that standard procedures are routinely followed.

1H. Compression Algorithms

All images shall be stored in, or convertible to, compression formats identified in the KITS. This is (formerly CCIT) Group IV compression.

1I. Migration of Data

Migration paths for all records, including those stored offline, shall be identified and employed to ensure usability of records throughout their retention period.

If the above conditions are met, the State Archivist may provide written authorization for the petitioning agency to maintain records solely as digital images. Periodic review of compliance with these standards shall be performed by, or on behalf of, KDLA staff.

2. Transfer of Records

The State Archivist may, as a condition of approval, require the transfer of the eye-readable records into the intellectual and physical custody of the State Archives Center, per KRS 171.580 (2). For transfer of digitally imaged public records, agencies shall follow 725 KAR 1:025 Transfer of public records.

3. Grant Programs

The eye-readable exemption does not replace or substitute for the requirements of KDLA's Local Records Program Grant or other funding sources that support records preservation.

4. Non-permanent Records

Non-permanent records may be scanned and maintained without hardcopy, eye-readable originals. Agencies shall meet all the criteria listed above in maintaining scanned, non-permanent records. This is critical to the acceptance of the records as valid documentation of agency transactions and is required for the legal admissibility of public records. Records subject to audit are auditable regardless of format; these criteria for scanned public records shall be used by the Auditor of Public Accounts in evaluating the content of imaged records. Should permanent records approved for eye-readable exemption become non-permanent, the eye-readable exemption no longer applies.