

1 07 NCAC 04M .0101 - .0103 is repealed as published in 28:11 NCR 1171 - 1178 as follows:

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4 **CHAPTER 4 – OFFICE ~~DIVISION~~ OF ARCHIVES AND HISTORY**

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6 **SUBCHAPTER 4M ~~ARCHIVES AND RECORDS SECTION~~ DIVISION OF ARCHIVE AND RECORDS**

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9 **SECTION .0100 - ~~NORTH CAROLINA STATE ARCHIVES;~~ ARCHIVES OF NORTH CAROLINA; USE
10 AND SERVICES**

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13 **07 NCAC 04M .0101 STATEMENT OF PURPOSE OF ARCHIVES AND RECORDS SECTION**

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15 **07 NCAC 04M .0102 ARCHIVES SEARCH ROOM HOURS**

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17 **07 NCAC 04M .0103 ARCHIVES REFERENCE SERVICES**

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19 *History Note: Authority G S. 121-4(3); 121-5(d); 143B-62(2)a;*
20 *Eff. February 1, 1985;*
21 *Amended Eff. April 1, 2001; June 1, 1989; May 3, 1986;*
22 *Repealed Eff. June 1, 2014.*

1 07 NCAC 4M .0104 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0104 ~~ADMISSION TO ARCHIVES STACKS~~**

5 ~~(a) Permission for limited access to the archives stacks area may be obtained by researchers providing that an~~
6 ~~application is submitted stating the records to be consulted, the purpose of the access, and the reason why the~~
7 ~~research cannot be conducted from the Search Room. Permission shall be granted only if necessary for the~~
8 ~~researcher to accomplish his purposes. [The stacks storing archival collections are not public spaces.]~~

9 ~~(b) An application for limited access may be approved by the Administrator, Archives and Records Section, the~~
10 ~~Assistant State Archivist, or the supervisor of the Reference Unit.~~

11 ~~(c) Permission for extended access to the archives stacks area may be obtained by researchers on the same basis for~~
12 ~~limited access, except that permission shall be obtained from the Administrator, Archives and Records Section, or~~
13 ~~his designated representative only.~~

14 The stacks storing archival collections are not public spaces.

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16 *History Note:* *Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;*

17 *Eff. February 1, 1985;*

18 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

07 NCAC 4M .0105 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

07 NCAC 04M .0105 ARCHIVES SEARCH ROOM REGULATIONS PUBLIC RESEARCH FACILITIES

Regulations Rules governing researchers' use of the North Carolina State Division of Archives Search Room and Records public research facilities are as follows:

- (1) Brief cases, attache cases, bags, coats, tote bags, or other bulky clothing, notebooks, envelopes, pad folders, privately owned books, maps, and old manuscripts ~~may~~ shall not be taken into the ~~Archives Search Room~~ research [rooms] facilities. Lockers and coat racks are provided outside the ~~Search Room~~ research [rooms] facilities for such items.
- (2) ~~Admission to the Search Room~~ Access to the archival collections shall only be by ~~means of an identification card which shall be obtained from the Security Personnel in the Search Room lobby upon presentation of current photo identification, providing accurate name and address.~~
- (3) Researchers shall request archival records by ~~filling in completely~~ completing the call slips ~~provided; each slip must bear the identification number issued to the researcher. To receive records the identification card shall be surrendered to a member of the Search Room staff. or records request form provided by each facility. Information required to request records includes researcher's name, date, and citation or records to be requested.~~
- (4) ~~[Research facilities]~~ The research facility in Raleigh shall issue [patrons] researchers identification cards to be used when requesting archival records. To receive records in Raleigh, the identification card shall be surrendered to a member of the research [room] facility staff. Upon leaving the research [room] facility in Raleigh, the researcher shall surrender his or her identification card to a member of the research [room] facility staff.
- ~~(4)(5)~~ A researcher may request more than one box or volume of ~~records at the time; these shall be held at the reference desk until the researcher is ready for them.~~ records. However, a researcher may access only one box of loose records or up to three volumes of records ~~may be issued to the researcher~~ at any one time. When use of the box or volumes ~~or box~~ is completed, the researcher shall return the ~~used records prior to the reference desk in order to obtain~~ obtaining another box or other volumes of records.
- ~~(5)(6)~~ Upon return of the records to the Search Room reference desk, they may be examined, and if the researcher has completed his work, the identification card shall then be returned to him. Upon leaving the Search Room, the researcher shall surrender the identification card to the Security Personnel who may Staff shall examine any materials the researcher brings into or removes from the Search Room. research [room] facilities.
- ~~(6)(7)~~ Researchers ~~must~~ shall exercise care in handling records, manuscripts, books, or other materials. In particular, ~~the following patrons researchers shall be observed:~~ observe the following:

- 38 (a) Manuscripts ~~may~~ shall not be marked or otherwise altered or defaced.
- 39 ~~(e)(b)~~ Pens, highlighters, and other writing instruments that create permanent marks shall not be
- 40 permitted in research [rooms-] facilities.
- 41 ~~(b)(c)~~ Pencils or other items are not to No items shall be used as "pointers" when
- 42 reading original records.
- 43 ~~(e)(d)~~ Tape and other office supplies, such as correction fluid and gum
- 44 erasers, are ~~shall~~ not ~~be~~ permitted in the Search
- 45 Room; research [room-] facilities. pencils Pencils are to shall be used with great care to
- 46 ensure no marks or other damages are made to the materials.
- 47 ~~(d)(e)~~ Books Researchers shall not return books or other materials ~~may~~ [shall] not be returned
- 48 to Search Room research [room] facility shelves; these shall be replaced by a Search
- 49 Room staff member.
- 50 ~~(e)(f)~~ All manuscripts, volumes volumes, and reference books from the Search
- 51 Room research [room] facility shelves ~~are to~~ shall be placed on the tables or reading
- 52 stands provided in the Search Room; research [room-] facility; they ~~are~~ shall not ~~to~~ be
- 53 held in the lap or propped against the edge of a table.
- 54 ~~(f)(g)~~ Only ~~one box or [and]~~ one folder of loose papers may ~~from [that]~~ a box of loose papers
- 55 shall be opened at one time in order to avoid ~~mixing;~~ mixing of records or folders.
- 56 ~~(g)(h)~~ Papers ~~are~~ shall not ~~to~~ be rearranged under any circumstances. If a researcher thinks
- 57 something is out of order, he ~~should~~ or she shall notify a Search Room staff member.
- 58 ~~(h)(i)~~ Records from the stacks and reference materials from the Search Room
- 59 are research [room] facility shall not be permitted in the microfilm reading room.
- 60 ~~(7)(8)~~ Smoking, eating, or drinking is shall not be permitted in the Search Room; ~~food is to be left in the~~
- 61 ~~outer lobby of the Search Room.~~ research [room-] facilities.
- 62 (9) A researcher wishing to ~~leave the Search Room~~ temporarily leave the research [room] facility
- 63 must turn in all pulled archival records ~~in order to obtain his identification card to leave the Search~~
- 64 Room and shall verify his or her registration when ~~reentering the Search Room.~~ Eating is not
- 65 permitted in the lounge near the elevators. Space is provided at the Snack Bar in the basement for
- 66 this purpose. reentering.
- 67 ~~(8) [(9)]~~ (10) Orders for copies placed in person by a researcher shall not exceed 50 copies per
- 68 researcher per day. Such Fees for such orders ~~are~~ shall be paid at the time the copies are made and
- 69 may not be billed.
- 70 ~~[(10)]~~ (11) Equipment deemed by the Archives Conservator to be damaging to archival
- 71 records [may] shall not be used in the research [rooms-] facilities. The Archives Conservator shall
- 72 make this determination based upon harm caused by excessive light exposure, tearing, or
- 73 otherwise defacing the document. This shall include the use of equipment that sits on top of or

74 pulls an original item through it to capture the image or provides light levels that damage the
75 document.

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77 *History Note: Authority G.S. 121-4(3); 121-5(d); 132-6.2; 143B-62(2)a;*
78 *Eff. February 1, 1985;*

79 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4M .0106 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0106 DUPLICATION SERVICES ~~PHOTOCOPYING: TRANSCRIPTION:~~**
5 **~~PHOTOGRAPHIC: AND DOCUMENT~~**

6 The Division of Archives and Records shall charge fees pursuant to G.S. 121-5(d) for duplication services for
7 archival records in its custody. The following duplication services are available for archival records in the ~~North~~
8 ~~Carolina State Archives;~~ custody of the Division of Archives and Records:

- 9 (1) photocopies of loose documents;
- 10 (2) imaging of paper and photographic reproductions of maps, newspapers, mounted documents, and
11 bound volumes; materials;
- 12 (3) paper prints from microfilm;
- 13 (4) negative, first-generation or "original" microfilm of records and manuscripts in the custody of the
14 Division, except those under ~~restriction;~~ restriction by law or donation agreement;
- 15 (5) duplicate microfilm of entire rolls of microfilm in the collections of the ~~State Archives;~~ Division;
- 16 (6) ~~typed, certified transcripts of information from Revolutionary Army Accounts in the records of the~~
17 ~~North Carolina Treasurer and Comptroller; from "Register of the North Carolina Continental~~
18 ~~Line"; from John W. Moore's "Roster of North Carolina Troops in the War Between the States";~~
19 ~~and from "Muster Rolls of the Soldiers of the War of 1812: Detached from the Militia of North~~
20 ~~Carolina in 1812 and 1814";~~
- 21 (7)(6) certified photocopies of public records of state agencies, counties, ~~municipalities~~ municipalities, or
22 other political subdivisions of North Carolina; and
- 23 (8)(7) exemplifications prepared ~~in accordance with the requirements of the "Ancient Writings" rule for~~
24 ~~introduction as evidence in a court of law; and law.~~
- 25 (9) ~~prints from the photographic negatives in the State Archives iconographic collection.~~

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27 *History Note: Authority G.S. 121-4(3); 121-4(14); 121-5(d); 132-6.2; 143B-62(2)a;*
28 *Eff. February 1, 1985;*
29 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4M .0107 is adopted with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0107 OUTER BANKS HISTORY CENTER GALLERY REGULATIONS**

5 (a) Eating, drinking, and smoking are not permitted in the Gallery.

6 (b) Visitors may not touch artifacts, art works, or graphics.

7 (c) Children under 12 years ~~[of age]~~ old must be accompanied by an adult over ~~[age 18.]~~ 18 years old.

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9 History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a; 143B-62(2)d;

10 Eff. June 1, 2014.

1 07 NCAC 4M .0202 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0202 PROCEDURE FOR LISTING**

5 (a) A person wishing to have his or her name listed as professional researcher shall make application in writing
6 to: ~~Administrator, Archives and Records Section, Director,~~ Division of Archives and ~~History,~~ Records, 4614 Mail
7 Service Center, Raleigh, North Carolina 27699-4614.

8 (b) The application shall include a brief resume of the applicant's experience ~~which will demonstrate that~~
9 demonstrates his or her qualifications and ~~aid aids~~ in establishing his or her credentials. No special form is required
10 for the application. The application must be accompanied by three letters of recommendation from persons who
11 have engaged the applicant in the capacity of a paid researcher.

12 ~~(c) The application must be accompanied by three letters of recommendation from persons who have engaged the~~
13 ~~applicant in the capacity of a paid researcher.~~

14 (d) Letters of recommendation shall be from persons who ~~are:~~ have a professional relationship with the applicant
15 related to the subject matter of the application. The letters of recommendation shall not be from a relative of the
16 applicant.

17 ~~(1) — unrelated to the applicant or the applicant's spouse; and~~

18 ~~(2) — unacquainted with the applicant except as a researcher.~~

19 (e) The ~~recommendations~~ letters of recommendation shall:

20 (1) outline the nature and extent of the research ~~which- that~~ the applicant undertook for pay; and

21 (2) attest the satisfaction of the reference with the services rendered.

22
23 *History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;*

24 *Eff. February 1, 1985;*

25 *Amended Eff. June 1, 2014; April 1, 2001.*

1 07 NCAC 4M .0203 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0203 APPROVAL OF REQUESTS**

5 The ~~Administrator, [Director, Division]~~ Director of the Division of Archives and ~~Records Section, [Records,]~~
6 Records shall review applications submitted for inclusion in the list of professional researchers. If determined that
7 the applicant satisfies ~~the procedures for listing [that satisfies]~~ the procedures for listing as set forth in Rule .0202 of
8 this Section, then the name of the researcher shall be placed on the list of available researchers as published by
9 the ~~North Carolina State Archives~~ State Archives of North Carolina. The list of professional researchers shall be
10 made available on the Division website at www.ncdcr.gov/archives and upon request in research facilities.

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12 *History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;*
13 *Eff. February 1, 1985;*
14 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4M .0204 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0204 REMOVAL OF NAMES FROM THE LIST**

5 (a) The Director of the Division of Archives and ~~History~~ Records may for good cause remove any person from the
6 list of professional researchers.

7 (b) The term “good cause” as used in this Rule shall mean:

8 (1) misrepresentation of credentials or services to be provided; or

9 (2) [~~consistent~~] more than three complaints in a one-year period [on the part of] from patrons about
10 the work of the researcher.

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12 *History Note:* Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;

13 *Eff. February 1, 1985;*

14 *Amended Eff. June 1, 2014.*

1 07 NCAC 04M .0205 is repealed as published in 28:11 NCR 1171 - 1178 as follows:

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3 **07 NCAC 04M .0205 DEFINITION OF GOOD CAUSE**

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5 *History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;*

6 *Eff. February 1, 1985;*

7 *Amended Eff. April 1, 2001;*

8 *Repealed Eff. June 1, 2014.*

1 07 NCAC 4M .0301 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0301 ACCEPTANCE OF ~~PRIVATE~~ NON-GOVERNMENT PAPERS**

5 (a) Original ~~private papers~~ materials of historical and cultural significance may be accepted for custody in the State
6 Archives of North Carolina ~~State Archives~~ either as a gift or on a loan basis, gift, subject to the approval of the
7 Director of the Division of Archives and History, the Chief of the ~~Archives and Records Section~~, Records, or a
8 designated ~~representative~~ representative from within the Division. Prior to acceptance, the Division shall provide
9 a contract of gift for the donor(s) to execute. The contract of gift shall be maintained in the Division's permanent
10 files.

11 (b) Materials that may be accepted include:

- 12 (1) private manuscripts;
13 (2) audio visual materials;
14 (3) records of private, professional, or civic organizations;
15 (4) copies of pre-1913 family Bible pages listing genealogical data; and
16 (5) student ~~and~~ academic and financial aid records from defunct post-secondary schools and colleges
17 having a campus in North Carolina.

18
19 *History Note: Authority G.S. 121-4(1); 121-4(3); 121-5(d); 143B-62(2)a;*
20 *Eff. February 1, 1985;*
21 *Amended Eff. June 1, 2014; June 1, 1989.*

1 07 NCAC 04M .0302 – 0304 is repealed as published in 28:11 NCR 1171 - 1178 as follows:

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3 **07 NCAC 04M .0302 VALUATION**

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5 **07 NCAC 04M .0303 ORGANIZATIONAL RECORDS**

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7 **07 NCAC 04M .0304 BIBLE RECORDS**

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9 *History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a;*
10 *Eff. February 1, 1985;*
11 *Amended Eff. April 1, 2001; June 1, 1989;*
12 *Repealed Eff. June 1, 2014.*

1 07 NCAC 4M .0401 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0401 REVIEW**

5 ~~Whenever, in the opinion of the Administrator of the Archives and Records Section, any accessioned records in the~~
6 ~~North Carolina State Archives should be destroyed, transferred to another institution, returned to the donor, or for~~
7 ~~some other reason de-accessioned, each record series of the subject records shall be inventoried in detail.~~

8 (a) ~~The [Director,] Director of the Division of Archives and Records shall [determine] review any accessioned~~
9 ~~records in the State Archives of North Carolina when records are:~~

- 10 (1) ~~uplicates;~~
11 (2) ~~not in keeping with the Division collection policies [of the Division] available on the Division~~
12 ~~website and upon request; or~~
13 (3) ~~no longer have permanent historical value.~~

14 (b) ~~Each record series of the subject records shall be [inventoried in detail.] inventoried. The inventory shall be~~
15 ~~forwarded to the Director of the Office of Archives and History.~~

16

17 *History Note:* Authority G.S. 121-4(3); 121-4(12); 121-5(d); 143B-62(2)a;

18 Eff. February 1, 1985;

19 Amended Eff. June 1, 2014; April 1, 2001.

1 07 NCAC 4M .0402 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0402 PREPARATION OF LISTS**

5 ~~Following review by the Director of the Division of Archives and History, a list shall be prepared containing for~~
6 ~~each series of records a description, inclusive dates, and the volume of the subject records. There shall be attached to~~
7 ~~each item description a statement justifying the proposed disposal of the records involved.~~

8
9 If the Director of the Office of Archives and History concurs with the decision to deaccession the identified records
10 series, the Director of the Office of Archives and History shall ask the staff of the Division or Archives and Records
11 to prepare a detailed list for each series of records. The detailed list shall include:

- 12 (a) series name;
13 (b) description of the records;
14 (c) [~~inclusive date and volume~~] date(s) and the quantity of records;
15 (d) statement of rationale for decision to deaccession the records; and
16 (e) statement of proposed disposition of the records. Disposition methods include:
17 (1) destruction; ~~or~~
18 (2) transfer to another institution; or
19 (3) return to donor or heirs.

20
21 *History Note:* Authority G.S. 121-4(3); 121-4(12); 121-5(d); 143B-62(2)a,b;
22 Eff. February 1, 1985;
23 Amended Eff. June 1, 2014.

1 07 NCAC 4M .0403 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0403 APPROVAL BY HISTORICAL COMMISSION**

5 ~~The description and the statement of justification shall be reviewed by the Director of the Division of Archives and~~
6 ~~History, and shall be sent to each member of the North Carolina Historical Commission at least seven days in~~
7 ~~advance of the meeting in which the proposal will be considered.~~

8 ~~Following approval by the North Carolina Historical Commission, a complete list of the records authorized to be~~
9 ~~destroyed by the Commission shall be entered into the minutes of the Commission.~~

10 ~~The subject records may be destroyed following receipt of notification of the approval for destruction by the North~~
11 ~~Carolina Historical Commission.~~

12
13 (a) The Director of the Office of Archives and History shall send the list as set forth in Rule .0402, the rationale for
14 the decision to deaccession the records, and the proposed disposal of the records to each member of the North
15 Carolina Historical Commission at least seven days before the meeting at which the proposal will be considered.

16 (b) Following approval by the North Carolina Historical Commission, the complete list of records authorized for
17 deaccessioning will be entered into the minutes, along with the ~~proposed~~ disposal method as set forth in Rule
18 .0402(e) of this Section.

19 (c) Upon receipt of the minutes of the Commission granting permission for deaccessioning, the Director of the
20 Division of Archives and Records ~~may~~ shall proceed as directed by the Commission, retaining ~~complete~~ records
21 of the action within the Division's files.

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23 *History Note: Authority G.S. 121-4(3); 121-4(12); 121-5(d); 143B-62(2)a,b;*
24 *Eff. February 1, 1985;*
25 *Amended Eff. June 1, 2014.*

1 07 NCAC 4M .0501 is amended as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0501 TRANSFER OF RECORDS TO STATE RECORDS CENTER**

5 The State Records Center ~~will~~ shall accept for transfer to its ~~physical~~ custody the records of state agencies, county
6 agencies, or municipal agencies, ~~providing~~ provided the records are scheduled to be transferred to the State Records
7 Center on an approved records retention and disposition ~~schedule or an approved records retention and disposition~~
8 ~~standard~~ schedule. A records retention and disposition schedule is approved when signed by the creating agency
9 and the Department of Cultural Resources.

10

11 *History Note: Authority G.S. 121-4(2); 121-5(d); 132-8.1; 143B-62(2)b;*

12 *Eff. February 1, 1985;*

13 *Amended Eff. June 1, 2014.*

1 07 NCAC 4M .0502 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0502 LEGAL CUSTODY OF RECORDS**

5 (a) Public records ~~transferred sent to and physically stored in~~ the State Records Center in accordance with the
6 provisions of an approved records retention and disposition ~~schedule or standard,~~ schedule, or in accordance with
7 any other agreement between the Department of Cultural Resources and the originating agency or department, are
8 considered to remain in the legal and official custody of the agency that created or received the records
9 and ~~that~~ transferred them to the State Records Center. A request for access to, or inspection of, ~~paper or~~
10 ~~microfilm~~ these records in the physical custody of the State Records Center by a person other than an authorized
11 employee of the legal custodian ~~will shall~~ not be honored until ~~authority in writing has been granted by an~~
12 ~~appropriate official of the agency having legal custody.~~ the appropriate official of the agency having legal custody
13 provides written authority for the request.

14 (b) Public records transferred to the Division of Archives and Records for permanent retention may be accessed
15 through the public research [areas] facilities of the Division.

16
17 *History Note: Authority G.S. 121-4(2); 121-5(d); 132-6(a); 143B-62(2)b;*

18 *Eff. February 1, 1985;*

19 *Amended Eff. June 1, 2014; June 1, 1989.*

1 07 NCAC 4M .0503 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0503 PROCEDURES FOR TRANSFER OF RECORDS**

5 ~~(a) Physical transfer of records to the State Records Center shall be initiated by the agency or organization~~
6 ~~requesting transfer. A representative of the said agency or organization will submit to the State Records Center~~
7 ~~supervisor a records transfer notice including agency name, title of records, reference to schedule, volume of~~
8 ~~records, their inclusive dates, and the name and telephone number of the representative submitting the request.~~

9 ~~(b) Records Center boxes, together with paper tape and instructions on packing and labeling, shall be sent to the~~
10 ~~agency transferring records upon request, and at the expense of the agency.~~

11 ~~(c) Only records packed in Records Center boxes shall be accepted for storage in the State Records Center.~~

12 ~~(d) The agency or organization initiating the transfer shall arrange records in the boxes and label boxes in~~
13 ~~accordance with instructions. Boxes which do not comply with instructions shall be returned to the agency or~~
14 ~~organization for correction.~~

15 ~~(e) Records which cannot be identified clearly and completely by the information on the label of the Records Center~~
16 ~~box must be accompanied by a typewritten index or box list prepared by the agency or organization of origin.~~

17 ~~(f) Records transferred from within ten miles of Capitol Square, Raleigh, shall be shipped by arrangement with the~~
18 ~~Supervisor, State Records Center. Records transferred from beyond ten miles of Capitol Square, Raleigh, must be~~
19 ~~shipped by the agency or organization concerned, and at its expense.~~

20
21 (a) [An agency or organization] A custodian of public records shall initiate the transfer of records to the State
22 Records Center. A representative of the [agency or organization] custodian shall submit to the State Records Center
23 supervisor a records transfer notice form including agency name, title of records, reference to schedule, quantity of
24 records, their inclusive dates, and the name and telephone number of the representative submitting the request. The
25 custodian shall request from the Division the records transfer notice form.

26 (b) For transfer of paper and other physical [media, the following guidelines shall be adhered to by the transferring
27 agency:] media:

28 {(1) Records Center boxes, together with paper tape and instructions on packing and labeling, shall be
29 sent to the agency transferring records upon request, and at the expense of the agency.

30 (2) Only records packed in Records Center boxes shall be accepted for storage in the State Records
31 Center.}

32 (1) The State Records Center shall only accept records packed in State Records Center boxes. Upon
33 request of the transferring custodian, the Division shall send the agency State Records Center
34 boxes, labels, paper tape, and instructions on packing and labeling the boxes. The agency shall
35 pay the Division for the materials and shipping.

36 ~~[(3)]~~ (2) The ~~[agency or organization]~~ custodian initiating the transfer shall arrange records in the boxes
37 and label boxes in accordance with instructions. Boxes that do not comply with instructions shall
38 be returned to the ~~[agency or organization]~~ custodian for correction.

39 ~~[(4)]~~ (3) Records that cannot be identified clearly and completely by the information on the label of the
40 State Records Center box shall be accompanied by a typewritten index or box list prepared by
41 the ~~[agency or organization of origin]~~ custodian initiating the transfer.

42 ~~[(5)]~~ (4) Records transferred from within ~~[ten]~~ 10 miles of Capitol Square, Raleigh, shall be shipped by
43 arrangement with the ~~[Supervisor,]~~ State Records ~~[Center.]~~ Center staff. Records transferred from
44 beyond ~~[ten]~~ 10 miles of Capitol Square, Raleigh, shall be shipped by the ~~[agency or organization]~~
45 custodian ~~concerned,]~~ concerned and at ~~[it's]~~ the custodian's expense.

46 (c) For transfer of electronic public ~~[records, the following guidelines shall be adhered to by the transferring~~
47 ~~agency:]~~ records:

48 (1) Transfers of databases shall be accompanied by index information required in G.S. 132-6.1.

49 (2) ~~[Agencies]~~ The custodian shall scan records and find them to be free of viruses. The State
50 Records Center shall not accept any electronic public records that contain viruses.

51 (3) ~~[Agencies]~~ The custodian shall generate a hash algorithm for each file being transferred.
52 The ~~[agency]~~ custodian shall include the hash algorithm as part of the transfer.

53 (4) ~~[Agencies]~~ The custodian shall include any metadata generated at the time of file creation and any
54 subsequent metadata created during the use of the file in the records transfer.

55 (5) Upon receipt of the transfer of electronic records, the State Records Center shall verify that the
56 electronic records transferred were complete and unaltered by reviewing the hash algorithm and
57 using antivirus software prior to accepting them for storage by the Division of Archives and
58 Records.

60 *History Note:* Authority G.S. 121-4(2); 121-5(d); ~~132-2; 132-6.1; 143B-62(2)b;~~

61 *Eff. February 1, 1985;*

62 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 04M .0505 is repealed as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0505 RECORDS CENTER REFERENCE SERVICE**

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6 *History Note: Authority G.S. 121-4(2); 121-5(d); 143B-62(2)b;*

7 *Eff. February 1, 1985;*

8 *Amended Eff. June 1, 1989;*

9 *Repealed Eff. June 1, 2014.*

1 07 NCAC 4M .0507 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0507 PERSONNEL RECORDS**

5 Any employee or former employee desiring access to personnel records ~~must~~ in the possession of the State Records
6 Center shall make the request through the personnel office of the agency ~~which~~ that retains legal custody of the
7 records. Upon receipt of request from the appropriate personnel office, the State Records Center ~~will~~ shall forward
8 personnel information to that office.

9

10 *History Note: Authority G.S. 121-4(2); 121-5(d); 143B-62(2)b;*

11 *Eff. February 1, 1985;*

12 *Amended Eff. June 1, 2014; June 1, 1989.*

1 07 NCAC 4M .0508 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0508 CERTIFICATION BY AGENCY WITH CUSTODY**

5 ~~Only copies of records that are in the legal custody of the [The] Department of Cultural Resources may be [shall]~~
6 ~~certified by the Department [certify only copies of records that are in its legal custody.] Copies of records that are in~~
7 ~~the physical custody of the State Records Center must be certified by the agency having legal custody, if such~~
8 ~~certification is requested. In the event that [If] records of terminated agencies are in the State Records Center and are~~
9 ~~in the legal custody of the Department of Cultural Resources, copies may be certified by the Department of Cultural~~
10 ~~Resources.~~

11 (a) The Department of Cultural Resources shall certify only copies of records that are in its legal custody.

12 (b) Copies of records that are only in the physical custody of the State Records Center must be certified by the
13 agency having legal custody, if such certification is requested.

14 (c) If records of terminated agencies are in the State Records Center and are in the legal custody of the Department
15 of Cultural Resources, copies shall be certified by the Department of Cultural Resources.

16
17 *History Note: Authority G.S. 121-4(2),(3); 121-5(d); 132-4; 143B-62(2)b,c;*

18 *Eff. February 1, 1985;*

19 *Amended Eff. June 1, 2014.*

1 07 NCAC 4M .0509 is amended as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0509 DESTRUCTION OF RECORDS IN STATE RECORDS CENTER**

5 ~~The provisions of an approved records retention and disposition schedule will [shall] apply to the records in the~~
6 ~~physical custody of the State Records Center since the records [that] remain in the legal custody of the agency~~
7 ~~concerned. When the approved disposition is destruction, the records will not be destroyed until concurrence in~~
8 ~~writing of the agency with legal custody is received. Records transferred to the State Records Center according to~~
9 ~~Rule .0501 of this Section shall retain the same records retention and disposition schedule as when they were~~
10 ~~transferred. If the disposition of transferred records is destruction, [The] the records shall not be destroyed until the~~
11 ~~agency with legal custody concurs in writing.~~

12
13 *History Note: Authority G.S. 121-4(2); 121-5(b),(c),(d); 132-8.1 143B-62(2)b;*
14 *Eff. February 1, 1985;*
15 *Amended Eff. June 1, 2014.*

1 07 NCAC 4M .0510 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0510 DEFINITION METHODS OF DESTRUCTION**

5 (a) When used in an approved records retention and disposition schedule, the provision that paper records are to be
6 destroyed means that the records ~~are to~~ shall be:

- 7 (1) burned, unless prohibited by local ordinance;
- 8 (2) shredded or torn up so as to destroy the record content of the documents or materials concerned;
- 9 (3) placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the document
10 or materials concerned; or
- 11 ~~(4) buried under such conditions that the record nature of the documents or materials shall be~~
12 ~~terminated; or~~
- 13 ~~(5)(4)~~ (4) sold as waste paper, provided that the purchaser agrees in writing that the documents or materials
14 concerned will not be resold ~~as documents or records~~ without pulverizing or shredding the
15 documents so that the information contained within cannot be practicably read or reconstructed.

16 (b) When used in an approved records retention and disposition schedule, the provision that electronic records are to
17 be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata
18 may not be practicably reconstructed.

19 (c) When used in an approved records retention and disposition schedule, the provision that confidential records of
20 any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner
21 that the information cannot be read or reconstructed under any means.

22
23
24 *History Note: Authority G.S. 121-4(2); ~~121-4(12)~~; 121-5(b),(c),(d); 132-3; 132-8.1; 132-8.2; 143B-62(1)g;*
25 *143B-62(2)b; ~~143B-62(2)b~~;*
26 *Eff. February 1, 1985;*
27 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4M .0511 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0511 DESTRUCTION OF CERTAIN RECORDS SCHEDULED FOR ARCHIVES**

5 Records scheduled in an approved records retention and disposition schedule to be transferred to the State ~~for review~~
6 ~~or accepted by the State Records Center for the State Archives~~ Archives, but not yet accessioned by the State
7 Archives may be destroyed in accordance with procedures approved by the Director of the Division of Archives and
8 History ~~providing:~~ provided:

9 (1) ~~The~~ the records are considered by the Director of the Division of Archives and History not to have
10 permanent value. historical ~~[value;]~~ value pursuant to G.S. 121-5(c); or

11 (2) ~~The~~ the records are exact duplicates or copies of other records in the records series transferred or
12 accessioned.

13

14 *History Note: Authority G. S. 121-4(2); 121-5(b),(c),(d); 132-8.1; 132-8.2; 143B-62(1)g; 143B-62(2)b;*

15 *Eff. February 1, 1985;*

16 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4M .0512 is amended with changes as published in 28:11 NCR 1171 - 1178 as follows:

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4 **07 NCAC 04M .0512 RESTRICTED AREAS IN STATE RECORDS CENTER FACILITIES**

5 Access to the facilities controlled by the State Records Center ~~is~~ shall be limited to persons on official business.
6 Visitors ~~are~~ shall not be permitted in the records storage areas ~~the microfilm areas, [areas,] areas~~ or beyond the
7 administrative office without an escort provided by the State Records Center. All visitors ~~are required to~~ shall sign in
8 when entering and ~~to~~ sign out when leaving the ~~State Records Center building. Visitors who are not known to the~~
9 ~~State Records Center staff will be required to produce identification before being given records requested by~~
10 ~~agencies. facilities. Access~~ Requests for access by visitors not on official business ~~may~~ shall be denied.

11
12 *History Note: Authority G.S. 121-4(2); 132-6; 143B-62(2)b;*
13 *Eff. February 1, 1985;*
14 *Amended Eff. June 1, 2014; April 1, 2001; June 1, 1989.*

1 07 NCAC 4V .0101 - .0105 is repealed as published in 28:11 NCR 1171 - 1178 as follows:
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4 **CHAPTER 4 - DIVISION OF ARCHIVES AND HISTORY**

5
6 **SUBCHAPTER 4V - OUTER BANKS HISTORY CENTER**

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9 **SECTION .0100 - OUTER BANKS HISTORY CENTER: USE AND SERVICES**

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11
12 **07 NCAC 04V .0101 STATEMENT OF PURPOSE**

13
14 **07 NCAC 04V .0102 OUTER BANKS HISTORY CENTER SEARCH ROOM HOURS**

15
16 **07 NCAC 04V .0103 OUTER BANKS HISTORY CENTER REFERENCE AND TECHNICAL**
17 **SERVICES**

18
19 **07 NCAC 04V .0104 ADMISSION TO OUTER BANKS HISTORY CENTER STACKS**

20
21 **07 NCAC 04V .0105 OUTER BANKS HISTORY CENTER SEARCH ROOM REGULATIONS**

22
23 *History Note: Authority G.S. 121-4(3); 121-4(14); 121-5(d); 143B-62(2)a.;*
24 *Eff. June 1, 1990;*
25 *Repealed Eff. June 1, 2014.*

1 07 NCAC 4V .0201 - .0202 is repealed as published in 28:11 NCR 1171 - 1178 as follows:
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4 **SECTION .0200 - PUBLIC HISTORY GALLERY USE**

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6 **07 NCAC 04V .0201 PUBLIC HISTORY GALLERY HOURS**

7
8 **07 NCAC 04V .0202 PUBLIC HISTORY GALLERY REGULATIONS**
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10 *History Note: Authority G.S. 121-4(3); 121-5(d); 143B-62(2)a.;*
11 *Eff. March 1, 1990;*
12 *Repealed Eff. June 1, 2014.*