



AGENDA
STATE RECORDS COMMITTEE
July 18, 2013
10:00AM

Location: New Jersey State Records Center Conference Room
2300 Stuyvesant Avenue
Trenton, NJ 08625-0661
(www.nj.gov/treasury/revenue/rms/directions.shtml)

Announcement of Open Public Meeting
Reading of the May 16, 2013 minutes

I. ADMINISTRATIVE ACTIONS:

- A. Announcement of Approval of Destruction Authorization:**
1. Routine Request: #81-927 - #82-092 (exemption to series 82 number 078)
 2. Artemis Request: #512136 - #512613
- B. Image Processing System Certification:**
Report to the State Records Committee (See attached)

II. IMAGING CERTIFICATION:

- A. Roxbury Township Public Schools
- B. Washington Township Public School District
- C. Ramsey School District
- D. Mansfield Township Elementary School
- E. Hopewell Valley Regional School District
- F. Wallington Public Schools
- G. Rowan University Enterprise Imaging System

III. OLD BUSINESS:

- A. Image Certifications: None
- B. Retention Schedules: None
- C. Special Request and Authorization for Records Disposal: See attached
 1. Woodbridge Township Health Department Disaster (Middlesex County) – prepared by John Berry
- D. Other:
Reading of the October 18, 2007 and November 8, 2007 Draft Minutes

IV. NEW BUSINESS:

A. Records Retention Schedules:

1. **Local Schedules** – prepared by Argean Cook
County Welfare Departments and Board of Social Services - C980000-008 – Item 0625-0000,
0150-0000, 0600-0004, 0600-0006, 0600-0007, 0605-0000, 0602-0001
2. **Department of Human Services** – prepared by Vilirie Perry
Disability Services – Office of Home and Community Services - S542101-002
3. **Motor Vehicle Commission** – prepared by Vilirie Perry
 - a. Compliance and Safety – Driver Review – Bus Application S790502-002 – Item 0001-0000
 - b. Facilities and Support Services (FSS) – Imaging Services Center (ISC) – Imaging
Unit/Transaction Review C794001-001 Item 0007-0000
4. **Department of Transportation** – prepared by Barbara Goszka
General Schedule – S871000-001

B. Special Request and Authorization for Records Disposal:

1. Hudson County Correctional Facility Phase One – prepared by Argean Cook

V. OTHER BUSINESS: None



STATE OF NEW JERSEY
STATE RECORDS COMMITTEE

PO Box 661, Trenton, NJ, 08625-0661 609.530.3200

www.treas.state.nj.us

MINUTES
STATE RECORDS COMMITTEE
July 18, 2013

Michael J. Tyger, Secretary, called the 405th meeting of the State Records Committee to order at 10:02 a.m. on the above date. He stated that notice of the meeting had been posted in the Secretary of State's Office and published in the state's daily newspapers in conformance with the requirements of the Open Public Meetings Act.

ATTENDANCE:

SRC: Attorney General, Lisa Dorio Ruch, designee
Division of Local Government Services, Erin Mallon Knoedler, designee
State Auditor, William Robinson, designee
State Treasurer, Michael Tyger, designee
State Archives, Joseph Klett

Staff: John Berry, Records Analyst 1, Records Management Services
Argean Cook, Records Analyst 2, Records Management Services
Kathryn Cornell, Program Technician, Records Management Services
Barbara Goszka, Acting Deputy Manager for Records Management and Imaging Services,
Records Management Services
Maureen Hedden, Administrative Analyst II, Records Management Services
Vilirie Perry, Records Analyst 1, Records Management Services
Howard Schwartz, Supervisor, Records Management, Records Management Services
Ellen Callahan, NJ Archives, Department of State

Other: Dustin W. Artman, Jeffrey Foster, Peter Nelson, Department of Human Services
Stephen Crescenzi, Department of the Treasury
Inspector General Johanna Jones, Maria Jacobi, Department of Transportation
Fred Terranova, Brielle Mills, Arlene Davison, Motor Vehicle Commission
Lieutenant Ron Edwards, Paul Paradise, Captain Stevette Scott, Mary Beth Stull, Hudson County
Joanne McKinley, CNA

MINUTES:

APPROVAL OF PREVIOUS SRC MEETING MINUTES:

Upon motion, seconded, the Committee voted to approve the May 16, 2013 minutes five (5) yes, none (0) no, and none (0) abstentions.

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorization:

1. Secretary Tyger announced the approval of routine hardcopy requests for disposal of public records: #81-927 - #82-092 (except for series 82 number 078)
2. Secretary Tyger also announced the approval of routine online Artemis requests for disposal of public records - #512136 - #512613

B. Image Processing System Certification:

Report to the State Records Committee: (See attached)

II. IMAGING CERTIFICATION:

- A. **Roxbury Township Public Schools** – Roxbury Township Public Schools proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071801-MF)
- B. **Washington Township Public School District** – Washington Township Public Schools proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071802-MF)
- C. **Ramsey School District** – Ramsey School District proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071803-MF)
- D. **Mansfield Township Elementary School** – Mansfield Township Elementary School proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071804-MF)

- E. Hopewell Valley Regional School District** – Hopewell Valley Regional School District proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071805-MF)
- F. Wallington Public Schools** – Wallington Public Schools proposed an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071806-MF)
- G. Rowan University Enterprise Systems** – Rowan University Enterprise Systems proposed an enterprise imaging system. Hyland Software is the vendor. The paper documents will serve as the eye-readable back-up. Argean Cook stated that the system meets all of the requirements for certification. Upon motion, seconded, the Committee approved certification of the applicant's image processing system. (Certification # 13071807-MF)

Joseph Klett questioned if Image Certifications were going to stop being presented to the Committee. Barbara Goszka replied that it is still under review and that they will continue until the rules change. Mr. Tyger added that it will take a while for that to happen.

III. OLD BUSINESS:

A. Image Certifications: None

B. Retention Schedules: None

C. Special Request and Authorization for Records Disposal: See attached

1. Woodbridge Township Health Department Disaster (Middlesex County) – prepared by John Berry

John Berry and Howard Schwartz reported they conducted a follow up site visit that confirmed that township documents were properly destroyed and stored.

D. Other:

The reading of the October 18, 2007 and November 8, 2007 Draft Minutes

Michael Tyger received advice from the Division of Law in reference to approving the above minutes even though most current SRC members did not represent their organization on the SRC back in 2007. The Division of Law indicated that approval indicates acceptance of the minutes as prepared as the best representation of the meeting. Members did not have to be on the SRC at the time of the meeting in order to vote on those minutes. Mr. Tyger attended the October 2007

meeting and was aware of the November 2007 meeting but could not attend, and as the only current member on the Committee in 2007 and at present went on record as saying the minutes are consistent with his notes and or knowledge of both meetings. Upon motion, seconded, the Committee voted to approve the October 18, 2007 and November 8, 2007 minutes five (5) yes, none (0) no, and none (0) abstentions.

Joseph Klett posed a question about updating the SRC Website with the minutes of these and other meetings that are not currently on-line. The Chair, on behalf of the Committee, asked Barbara Goszka to research how long and how far back the packages should be posted and make some recommendations to the SRC. Ms. Goszka will report on her findings and recommendations at the next SRC meeting.

IV. NEW BUSINESS:

A. Records Retention Schedules:

1. Local Schedules – prepared by Argean Cook
County Welfare Departments and Board of Social Services - C980000-008 – Item 0625-0000, 0150-0000, 0600-0004, 0600-0006, 0600-0007, 0605-0000, 0602-0001 - Approved without change.. At the request of the State Archives, Records Management staff will follow-up to see why the retention for series 0205 (Destruction Logs) requires permanent retention.
2. Department of Human Services – prepared by Vilirie Perry
Disability Services – Office of Home and Community Services - S542101-002 – Approved with the following change: Change the word “participant” to “client” in item 0007-0000
3. Motor Vehicle Commission – prepared by Vilirie Perry
 - a. Compliance and Safety – Driver Review – Bus Application S790502-002 – Item 0001-0000 – Approved without change
 - b. Facilities and Support Services (FSS) – Imaging Services Center (ISC) – Imaging Unit/Transaction Review C794001-001 Item 0007-0000 – Approved without change
4. Department of Transportation – prepared by Barbara Goszka
General Schedule – S871000-001 – Mr. Klett offered encouragement and praise to DOT for taking on this large-scale consolidation of retention schedules, but noted for the record that it was highly irregular for the SRC to consider a schedule without consensus from Records Analysts and Archivists. He had a number of questions for Inspector General Johanna Jones of DOT, all of which she answered to his satisfaction. Upon motion, seconded, the Committee voted to approve the schedule as presented, four (4) yes, none (0) no, and one (1) abstention with the condition that the Archives written questions will be worked on by DOT, Archives, and Records Management staff over the next 60 days with the goal of coming to the next SRC meeting with resolution to, or at least a plan for addressing, all questions. Mr. Klett abstained because it was “irregular and unprecedented” for a schedule to be considered by the SRC without Archives questions addressed.

B. Special Request and Authorization for Records Disposal: prepared by Argean Cook

1. Hudson County Correctional Facility Phase One

Upon motion, seconded, the Committee approved Phase One, the disposal of Inmate Records (from 1/2003 thru 12/2012) which have not yet exceeded retention requirements. Due to the poor condition of the records damaged in Superstorm Sandy, the paper records are not in good

enough shape to keep as is, salvage is cost-prohibitive, and the data contained in the records can be recreated, as required, from a State Corrections Information System. Hudson County Corrections will now focus efforts on Phase Two, Medical History Records also damaged which do not have back-up on central computer systems as is the case for the Phase One records.

C. OTHER BUSINESS: None

There being no other business, the Committee adjourned at 12:00 pm.

A handwritten signature in black ink, appearing to read "Michael Tyger", written over a horizontal line.

Michael Tyger
Secretary
State Records Committee

Imaging Administrative Actions SRC June 20, 2013					
Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Amendment	08101601-NM	Township of Monroe	Added Records Series	Expanding inclusive years	
Amendment	13051607-MF	Camden County College Enterprise Imaging System	Added Records Series	Added records from Financial Aid	
Amendment	12081601-MF	Department of Law & Public Safety, Consumer Affairs	Added Records Series	Expanding inclusive years	
Amendment	06061506-MF	Township of Brick Enterprise	Added Records Series	Added record series from the Engineering and Municipal Clerk Schedule	
Amendment	07092001-NM	Township of Winslow	Added Records Series	Expanding inclusive years	

Imaging Administrative Actions SRC June 20, 2013					
Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Amendment	03051501-MF	Township of Brick Municipal Utilities Authority Accounting	Added Records Series	Expanding inclusive years	
Amendment	07092004-NM	Department of Human Services Family Care	Added Records Series	Expanding inclusive years	
Amendment	04021902-MF	Township of Woodbridge Building Department	Change in Support Vendor		Storage Engine
Amendment	06101903-MF	County of Hunterdon Office of the Clerk	New/Upgrade of Hardware	Fujitsu fi-6240Z Scanners	

Imaging Administrative Actions SRC June 20, 2013					
Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Amendment	06101903-MF	County of Hunterdon Office of the Clerk	New/Upgrade of Software	AiLIS5 to AiLIS6	
Amendment	03051501-MF	Township of Brick Municipal Utilities Authority Accounting	New/Upgrade of Software	Upgrade Software to 2.5.0 SPS	
Amendment	12081601-MF	Department of Law & Public Safety, Consumer Affairs	Service Bureau Back file conversion	Scanning for Marriage and Family done by Jewish Vocational Services, Scanning for Cosmetology and Social Work done by Bright Star Day forward scanning for Marriage and Family done by Hudson Community Enterprise	

Imaging Administrative Actions SRC June 20, 2013

Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Amendment	06061506-MF	Township of Brick Enterprise	Upgrade of Disaster Recovery Plan		
Amendment	07092004-NM	Department of Human Services Family Care	Upgrade of Disaster Recovery Plan		
Amendment	11012030-NM	Lakeland Regional High School	Added Records Series	Expanding inclusive years	
Annual Review	10071501-NM	Ocean County Utilities Authority			
Annual Review	08101601-NM	Township of Monroe			
Annual Review	06042001-NM	City of Summit Clerk's Office			

Imaging Administrative Actions SRC June 20, 2013					
Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Annual Review	07092004-NM	Department of Human Services Family Care			
Annual Review	11012030-NM	Lakeland Regional High School			
Annual Review	04021902-MF	Township of Woodbridge Building Department			
Annual Review	09021903-NM	County of Hunterdon Prosecutor's Office			
Annual Review	06110903-NM	Township of Woodbridge			

Imaging Administrative Actions SRC June 20, 2013

Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Annual Review	08032003-MF	County of Middlesex Surrogate			
Annual Review	06101903-MF	County of Hunterdon Office of the Clerk			
Annual Review	03051501-MF	Township of Brick Municipal Utilities Authority Accounting			
Annual Review	12062104-MF	New Providence School District			

Imaging Administrative Actions SRC June 20, 2013					
Administrative Action Type	Certification #	Agency	Amendment Type	Amendment Description	Vendor (if Applicable)
Annual Review	06061506-MF	Township of Brick Enterprise			
Annual Review	09091702-NM	City of Bayonne Police Department			
Annual Review	12062114-MF	Pemberton Township Schools			
Annual Review	07092001-NM	Township of Winslow			
Annual Review	06110901-NM	City of Newark			

Imaging Certification Summary July 18, 2013

Roxbury Township Public Schools

Roxbury Township Public Schools proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Pupil File/Student Record	100 years
Confidential Disciplinary File – Student Violence, Vandalism, and/or Substance Abuse Incident Report	100 years
Student Health File – Health History/Immunization	100 years
Payroll Register – Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years
Confidential Medical File – Employee File	40 yrs. after termination of employment
Special Education File – Student Placement File Public & Nonpublic School	100 years

Washington Township Public Schools

Washington Township Public Schools proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Pupil File/Student Record	100 years
Confidential Disciplinary File – Student Violence, Vandalism, and/or Substance Abuse Incident Report	100 years
Student Health File – Health History/Immunization	100 years

Imaging Certification Summary July 18, 2013

Records Series	Retention
Payroll Register - Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years *
Confidential Medical File – Employee File	40 yrs. after termination of employment
Special Education File – Student Placement File Public & Nonpublic School	100 years
Records Series	Retention

Ramsey School District

Ramsey School District proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Pupil File/Student Record	100 years
Confidential Disciplinary File – Student Violence, Vandalism, and/or Substance Abuse Incident Report	100 years
Student Health File – Health History/Immunization	100 years
Payroll Register - Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years
Confidential Medical File – Employee File	40 yrs. after termination of employment
Special Education File – Student Placement File Public & Nonpublic School	100 years

Imaging Certification Summary July 18, 2013

Mansfield Township Elementary School

Mansfield Township Elementary School proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Payroll Register - Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years
Confidential Medical File – Employee File	40 yrs. after termination of employment

Hopewell Valley Regional School District

Hopewell Valley Regional School District proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Pupil File/Student Record	100 years
Confidential Disciplinary File – Student Violence, Vandalism, and/or Substance Abuse Incident Report	100 years
Student Health File – Health History/Immunization	100 years
Payroll Register - Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years
Confidential Medical File – Employee File	40 yrs. after termination of employment
Special Education File – Student Placement File Public & Nonpublic School	100 years

Imaging Certification Summary

July 18, 2013

Wallington Public Schools

Wallington Public Schools proposes an imaging system. AccuScan Digital Archival Solutions is the vendor. DORES will produce their archival microfilm. Penny Imaging Exchange Inc. will process their microfilm. The system meets all of the requirements for certification.

Records Series	Retention
Pupil File/Student Record	100 years
Confidential Disciplinary File – Student Violence, Vandalism, and/or Substance Abuse Incident Report	100 years
Student Health File – Health History/Immunization	100 years
Payroll Register - Master	60 years
Employee File – Full & Part Time Employee File	6 yrs. after termination of employment
Employment History Record Card	80 years
Confidential Medical File – Employee File	40 yrs. after termination of employment
Special Education File – Student Placement File Public & Nonpublic School	100 years

Rowan University Enterprise

Rowan University Enterprise proposes an enterprise imaging system. Hyland Software is the vendor. The paper documents will serve as the eye-readable back-up. The system meets all of the requirements for certification.

Records Series	Retention
Address Registration: Change of Data	Until information is transferred to permanent record
Affidavit of Jersey Residency	5 yrs. After graduation or termination from college
Application for Graduation/Conferment of Degree	3 yrs. after graduation or termination from college
Application Pass/Unsatisfactory Grade Option	3 yrs. after graduation or termination from college

Imaging Certification Summary
July 18, 2013

Records Series	Retention
Authorization for Course Registration at Another College	5 yrs. after graduation or termination from college
Class List	Permanent
College Catalog (Master)	Permanent
Course Withdrawal Request	7 yrs. after graduation or termination from college
Independent Study Application and Contract – Fall, Spring, and Summer Semester	5 yrs. after graduation or termination from college
Permanent Record Card	Permanent
Permission to Audit a Course	1 yrs. after date submitted
Request and Release to Inspect Student Records	Permanent
Request for Re-Admittance	5 yrs. after graduation or termination from college
Request for Official Transcript of Academic Record	3 yrs. after date submitted
Request for Unofficial Transcript	3 yrs. after date submitted
Request to Release Student Records	Permanent
Student Proficiency Tests	3 yrs. after graduation or termination from college



State of New Jersey
DEPARTMENT OF TREASURY
TRENTON NJ 08625

CHRIS CHRISTIE
Governor

LT. GOVERNOR KIM GUADAGNO
Secretary of State

Reply to: DIVISION OF REVENUE AND ENTERPRISE SERVICES -RMS
2300 STUYVESANT AVENUE, P.O. BOX 661
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TEL. (609) 530-3200 • FAX (609) 530-6121
www.state.nj.us/treasury/revenue/rms/recman.shtml

DIVISION OF REVENUE AND ENTERPRISE SERVICES - RECORDS MANAGEMENT SERVICES

Damaged Records Disposal Recommendation

TO: State Records Committee

FROM: John Berry, Records Analyst 1
Howard Schwartz, Supervisor - RMS

DATE: July 18, 2013

SUBJECT: Woodbridge Township Health Department (Middlesex County),
Authorization for Disposal of Damaged Records Recommendation (H-Sandy)
(Conditionally Approved by the State Records Committee on 5.16.2013 - Pending Site
Visit and Follow-up Report)

Agency Disaster Site Visit/Follow-Up:

On October 29, 2012, Woodbridge Township Health Department's Building (Woodbridge Animal Shelter & Pet Adoption Center - WASPAC) had flooded due to H-Sandy which saturated some records located in several bottom level cabinet drawers. On July 1, 2013, Records Management Services Staff met with Erica Schneckendorf and others to view progress of restoration. It was determined by RMS staff that the Health Department's records are being properly stored and is following DORES-RMS recommendations/corrective actions conditionally approved by the State Records Committee on May 16, 2013.

When all of the recommendations/corrective actions have been satisfied, the agency will submit *the Damaged Records Disposal Recommendations Satisfied Certification*.

All damaged records were submitted in DORES - RMS ARTEMIS System waiting for approval to be destroyed (Request ID #'s 15448, 15453, 15457).

Agency Contact: Erica Schneckendorf
Phone: 732-855-0600 ext.5027



STATE OF NEW JERSEY
STATE RECORDS COMMITTEE

P.O. BOX 307, TRENTON, NJ, 08625-0307 609.530.3200

www.njarchives.org

DRAFT MINUTES
STATE RECORDS COMMITTEE
October 18, 2007

Karl J. Niederer, Secretary, called the 345th meeting of the State Records Committee to order at 10:05 a.m. on the above date. He stated that notice of the meeting had been posted in the Secretary of State's Office and was published in the state's daily newspapers in conformance with the requirements of the Open Public Meetings Act.

ATTENDANCE:

SRC: Director, Division of Archives and Records Management, Karl J. Niederer,
Secretary

Attorney General, John Turi, designee

State Treasurer, Michael Tyger, alternate designee

State Auditor, Frederick Hansen, designee

Director, Division of Local Government Services, Marc Pfeiffer, designee

Staff: Argean Cook Blackwood, Records Analyst II, Records Management

Melissa Backes, Archivist II, PARIS Grants Program

Beth Colosimo, Records Analyst II, PARIS Grants Program

Donald Cornelius, Archivist II, Global Review

Sean A. Curry, Administrator, PARIS Grants Program

Joseph L. Falca, Supervisor, Records and Forms Analysis, Records
Management

Barbara Goszka, Manager, Imaging Services

Joanne M. McKinley, Records Analyst I, Imaging Certification

Kenia Nunez, Fiscal Officer, PARIS Grants Program

Karen A. Perry, Records Analyst I, Records Management

Vilirie D. Perry, Records Analyst I, Records Management

Albin Wagner, Deputy Director, Records Management

Others: Donna Graham, John LaMacchia, Pinelands Commission

George Hogan, Sean J. Keating, County of Hudson, Robert Citrino,
LargeDoc Solutions, Vendor (Hudson County)

Patrick Reilly, Public Advocate, Mental Health and Guardianship
Advocacy

Robert Sparks, Steven Tunney, Department of Human Services Medical
Assistance and Health Services, Family Care

Steven Tunney, Department of Human Services, Medical Assistance and
Health Services

R. Neil Vance, Banking and Insurance, Life and Health, Life and Health
Actuarial

APPROVAL OF PREVIOUS SRC MEETING MINUTES:

Review and approval of the Committee's June 21, June 28, July 19, August 16, and September 20, 2007 minutes will be delayed to a future meeting.

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorization:

Secretary Karl J. Niederer announced the approval of routine requests for disposal of public records #66-789 through #67-008.

B. Imaging Certification Renewals/Amendments/Administrative Actions:

Report submitted to the State Records Committee (see attached).

C. PARIS Grants and Records DIRECT Programs:

Report submitted to the State Records Committee (see attached).

II. OLD BUSINESS:

A. Records Retention Schedules: None

B. Imaging Certification: None

C. Other: None

III. NEW BUSINESS:

A. Records Retention Schedules:

1. Department of Banking and Insurance

Division of Life and Health – S580312-001 - Approved without change.

2. NJ Transit Authority

Rail Operations, Signal Engineering – S802511 - 002 – Approved with the following change: record series 0011-0000 delete the phrase "*since inception of this office*" at the end of the record series description.

3. Public Advocate

Mental Health and Guardianship Advocacy – S700500 - 001 – Approved without change.

B. Imaging Certification:

1. Hudson County Engineering Department

Hudson County proposed certification of an image processing system for the County Engineering Department. LargeDoc is the system vendor and will create the microfilm backup. Joanne McKinley stated that the application meets all state standards and requirements for certification. Upon motion, seconded, the Committee unanimously approved certification of the applicant's image processing system. (Certification #0710801-MF)

2. Department of Human Services Office of Customer Service

Department of Human Services Essex County proposed certification of an image processing system for the Office of Customer Service. IBM is the system vendor. Ms. McKinley stated that the application meets all state standards and requirements for certification. Upon motion, seconded, the Committee unanimously approved certification of the applicant's image processing system. (Certification #0710802-NM)

3. Pinelands Commission

Pinelands Commission proposed certification of an image processing system using a FileNet Server through the Department of the Treasury, Office of Treasury Technology. Ms. McKinley stated that the application meets all state standards and requirements for certification. Upon motion, seconded, the Committee unanimously approved certification of the applicant's image processing system. (Certification #0710803-NM)

C. Request and Authorization for Records Disposal:

1. City of Newark, Fire Headquarters Request and Authorization for Records Disposal for Damaged, Unsalvageable Records, #66-998

Mr. Falca presented a request for records disposal from the Fire Headquarters, City of Newark, for 101 cubic feet of records. The request for disposal was submitted because the records were deemed unsalvageable due to water damage. Upon motion, seconded, the Committee unanimously approved the request.

2. City of Plainfield City Clerk Request and Authorization for Records Disposal for Damaged, Unsalvageable Records, #

Mr. Falca presented a request for records disposal from the Clerk, City of Newark, for 133 boxes of records. The request for disposal was submitted because the records were deemed unsalvageable due to long-term, extensive water and mold damage. Due to the severity of the situation, the Committee tabled the request until the November meeting.

D. Public Archives and Records Infrastructure Support (PARIS) Grants Program:

PARIS Grant Action Items

The following PARIS grant action item was presented by Sean Curry, Melissa Backes, and Beth Colosimo with recommendations for approval. Upon motion, seconded, the Committee approved the PARIS grant policies by a vote of four (4) yes, none (0) no, and one (1) abstention (Hansen).

1. PARIS Grants Program Public Notice Year 2008-2009

PARIS staff requested the following changes to the public notice setting eligibility requirements, funding levels, and the application time-line for PARIS Grants Program Year 2008-2009:

- a. Change in the time-line to allow an extra week for the creation of the final report to the State Records Committee, and to allow PARIS staff to provide SRC members with a copy well before the SRC meeting.
- b. Change in time-line language, to alleviate confusion as to when municipal assessments must be accepted by the SRC to secure eligibility.
- c. Change in the language, to allow communities to extend certain program year 2006-2007 projects beyond 31 December 2007 and not lose eligibility. This is necessary for some high priority projects to be completed, including county-sponsored municipal needs assessments, and conservation projects on hold awaiting the state waiver. PARIS staff will limit extension through strict administrative policy.

The following PARIS grant action item was presented by Sean Curry, Melissa Backes, and Beth Colosimo with recommendation for cancellation. The Committee agreed to table the item until a future meeting.

2. Clifton City Project #0616020

Due to a lack of progress, specifically relevant to the hiring of a Records Manager, PARIS staff recommends that this project be canceled. The City of Clifton received funding to continue funding of this position in program year 2007-2008 and will continue to work with PARIS staff towards compliance.

The following PARIS grant action items were presented by Sean Curry, Melissa Backes, and Beth Colosimo with recommendations for approval. Upon motion, seconded, the Committee approved the PARIS grant action items by a vote of four (4) yes, none (0) no, and one (1) abstention (Hansen).

3. Burlington County Shared Serv. Demonstration #6483, Project #6030005

Burlington County requested the transfer of \$98,000 from Project #06030004, County Clerk Deed Book Preservation into Project #06030005, Shared Services Demonstration Project in order to fund complete needs assessments and strategic plans for its constituent municipalities. This is in compliance with the requirements set by the SRC during the PARIS Grants Program Year 2007-2008 awards, and set forth in the SRC PARIS Grants Program Award publication.

4. Essex County Imaging System and Microfilming Public Works Records Continuation From Year 2005-2006 #6494, Project #6070002

Essex County requested the transfer of \$1,500 from project 02, Imaging Systems & Microfilming to Project Year 04, Day Forward Imaging to purchase one additional server to accommodate requirements for storage space and processing.

5. Gloucester County Extensive Feasibility and Engineering Facility Study #6465, Project #6080002

Gloucester County requested acceptance of the Records Management Needs Assessment and Strategic Plan for the Division of Social Services compiled by Smart and Associates.

6. Gloucester County Preservation and Conservation of Public Records #6480, Project #6080003

Gloucester County requested approval of the Conservation Treatment Plan of records held by the Gloucester County Historical Society per deposit agreement written by the Conservation Center for Art and Historic Artifacts.

7. Flemington Borough Municipal-wide Needs Assessment and Strategic Plan #6516, Project #6100901

Flemington Borough requested acceptance of the historical records assessment written by Susan Duhl.

8. New Brunswick City Municipal-wide Needs Assessment and Strategic Plan #6519, Project #6121301

New Brunswick City requested acceptance of the records management needs assessment and strategic plan compiled by NJIT/CIAT.

9. Somerset County CSSD: Countywide Needs Assessment and Facility Planning #6502, Project #6180081

Somerset County requested acceptance of the records management needs assessment and strategic planning reports for Bernardsville, Bound Brook, Bridgewater, Millstone and Warren compiled by Access Systems.

10. Old Bridge Township Municipal-wide Needs Assessment and Strategic Plan #6438, Project #6121501

Old Bridge Township requested acceptance of the records management needs assessment compiled by Schoor DePalma.

11. Howell Township Municipal-wide Needs Assessment and Strategic Plan #6521, Project #6132101

Howell Township requested acceptance of the records management needs assessment compiled by Eisenberg.

12. Edison Township Municipal-wide Needs Assessment and Strategic Plan #5696 and #5697, Project #5120501

Edison Township requested acceptance of the records management needs assessment compiled by Eisenberg and Associates, as well as the preservation assessment compiled by Turul.

13. North Bergen Municipal-wide Needs Assessment and Strategic Plan #6524, Project #6090801

North Bergen Township requested acceptance of the records management needs assessment compiled by Eisenberg and Associates.

14. Passaic City Municipal-wide Needs Assessment and Strategic Plan #6525, Project #6160701

Passaic City requested acceptance of the records management needs assessment compiled by Eisenberg.

15. Bergen County Treatment Plan, County Clerk's Office #6526, Project #6020003

Bergen County requested acceptance of the treatment plan for the County Clerk's historical records compiled by Jeffrey Rigby, Conservator.

16. Camden County Municipal-wide Needs Assessment and Strategic Plan #5693, Project #5040001

Camden County requested acceptance of the records management needs assessments for two constituent municipal governments: Gloucester City and Woodlynne. The County's additional municipal surveys were approved by the Committee at the May 17, 2007 meeting.

17. Bergen County Municipal-wide Needs Assessment and Strategic Plan #6527, Project #6020081

Bergen County requested acceptance of the records management needs assessment for Hackensack City compiled by Concorde. This is the first assessment from a larger county-sponsored project to complete assessments in 35 of their 70 municipal governments.

IV. OTHER BUSINESS:

A. Approval of the 2008 meeting dates for the State Records Committee

Secretary Karl J. Niederer presented, to the Committee for approval, the list of proposed Committee meetings dates for 2008, including the PARIS Grants Awards. Upon motion, seconded, the Committee approved the dates by a vote of five (5) yes, none (0) no, and none (0) abstention.

B. PARIS Grants Program Awards for Excellence for 1st Year Grantees held on October 10, 2007 at the New Jersey State House

Secretary Karl J. Niederer announced that the October 10, 2007 awards ceremony was "a great event" and expressed his appreciation to the Committee members for their support. Secretary Niederer also thanked DARM staff notably Beth Colosimo, PARIS Grants staff member for her work in coordinating the ceremony and the annual report that was presented at that time. He stated that Secretary of State Nina Mitchell Wells', Esq. and participant's response were "uniformly favorable". He further noted that William Dressel, Executive Director of the New Jersey League of Municipalities suggested that the 2008 awards ceremony be held at the League of Municipalities Annual Conference in Atlantic City.

There being no further business, the Committee adjourned at 11:31 a.m.

Michael Tyger
Secretary
State Records Committee



STATE OF NEW JERSEY
STATE RECORDS COMMITTEE

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DRAFT MINUTES
STATE RECORDS COMMITTEE
November 8, 2007

Albin Wagner, Secretary designee, called the 346th meeting of the State Records Committee to order at 10:05 a.m. on the above date. He stated that notice of the meeting had been posted in the Secretary of State's Office and was published in the state's daily newspapers in conformance with the requirements of the Open Public Meetings Act.

ATTENDANCE:

SRC: Director, Division of Archives and Records Management, and Secretary,
Albin Wagner, designee
Attorney General, John Turi, designee
State Auditor, Frederick Hansen, designee

Staff: Argean Cook Blackwood, Records Analyst II, Records Management
Beth Colosimo, Records Analyst II, PARIS Grants Program
Joseph L. Falca, Supervisor, Records and Forms Analysis, Records
Management
Barbara Goszka, Manager, Imaging Services
Joanne M. McKinley, Records Analyst I, Imaging Certification
Karen A. Perry, Records Analyst I, Records Management
Vilirie D. Perry, Records Analyst I, Records Management

Others: Pat Dziubek, County of Middlesex IT Department, Patrick Dolphin,
LargeDoc Solutions, Vendor (Middlesex County)
Eileen Gore, Deputy Municipal Clerk Hamilton Township
Linda McDermott Princeton Township Clerk, John Pettenati, Princeton
Township Construction Official, Patrick Dolphin, LargeDoc Solutions,
Vendor (Princeton Township)

MINUTES:

APPROVAL OF PREVIOUS SRC MEETING MINUTES:

The June 28, 2007, July 19, 2007, and August 16, 2007 minutes were approved. The June 21, 2007, September 20, 2007, and October 18, 2007 minutes were tabled due to a lack of a quorum and will be voted on at the December 13, 2007 meeting.

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorization:

Alternate Secretary Albin Wagner announced the approval of routine requests for disposal of public records #67-009 through #67-188.

B. Imaging Certification Renewals/Amendments/Administrative Actions:

Report submitted to the State Records Committee (see attached).

C. PARIS Grants and Records DIRECT Programs:

Report submitted to the State Records Committee (see attached).

II. OLD BUSINESS:

A. Records Retention Schedules: None

B. Imaging Certification: None

C. Other: None

III. NEW BUSINESS:

A. Records Retention Schedules:

1. Local Schedule, Municipal Clerk – M200000-905 – Approved without change.

B. Imaging Certification:

1. Middlesex County Engineering and Planning
Middlesex County proposed certification of an imaging system for the Planning and Engineering Departments. LargeDoc Solutions is the system vendor and will create microfilm backup. Ms. McKinley stated that the application met with all of the standards and requirements for certification. Upon motion, seconded, the Committee unanimously approved certification of the applicant's image processing system. (Certification #07110802-MF)

2. Township of Princeton Code Enforcement, Engineering, and Planning and Zoning

Township of Princeton proposed certification of an imaging system for the Code Enforcement, Engineering, and Planning and Zoning Departments. LargeDoc Solutions is the system vendor and will create microfilm backup. Ms. McKinley stated that the application met with all of the standards and requirements for certification. Upon motion, seconded, the Committee unanimously approved certification of the applicant's image processing system. (Certification #07110801-MF)

C. Public Archives and Records Infrastructure Support (PARIS) Grants Program: None

IV. OTHER BUSINESS: None

There being no further business, the Committee adjourned at 10:17 a.m.

Michael Tyger
Secretary
State Records Committee

County Welfare Departments & Board of Social Services
Schedule # C980000-008

The following documents reflect the changes/additions to the County Welfare schedule. The version comparison (amendment) report and retention schedule history are chronicled in Artemis.

Request for Changes

We were contacted by Peter Nelson and Jeffrey Foster from the Department of Human Services Division of Family Development (DFD) in reference to Imaging Certification as it pertains to the DIMS project. During multiple meetings we reviewed the retention schedule to identify records series for federally mandated programs administered by County Welfare Agencies (CWA). It came to our attention that these record series contained a retention period associated with financial records i.e. 'after final payment'.

It was also requested to create a separate record series for verification documents.

Research

As a result of researching the Federal Register Rules and Regulations, I learned that Temporary Assistance for Needy Families (TANF), General Assistance (GA), Food Stamps and Medicaid/NJ Family Care are federally funded and mandated programs. These programs are administered by the twenty-one (21) counties under the direction of the DFD and its director, Jeanette Page-Hawkins.

DFD made contact with their Federal counterparts who informed them that they retain these records for six years. This extended retention beyond the three (3) year Federal requirement is due to a current legal hold.

Additional research into Federal Register / Vol. 65, No. 101 revealed that, "***it is not efficient administration for State agencies to manage, store, and retain financial records well past the 3 years required by Federal regulations... This is especially the case because FNS pays 50 percent of State administrative costs.***"

Analysis

Final analysis of Federal Register / Vol. 65, No. 101 / Rules and Regulations page 33438 concluded that there is justification to remove the financial condition "after final payment" from the following record series:

- 0150-0000 – Case Files
- 0600-0004 – Case Files – Emergency Assistance
- 0600-0006 – Case Files – Temporary assistance to Needy Families (TANF)/Child Welfare/Social Services
- 0600-0007 – Case Files-Medical Case Records-Application and Supporting Documentation – All Programs Administered by Medical Assistance & Health Services
- 0605-0000 – Food Stamp Employability Training Program File
- 0620-0001 – General Assistance Program-General Assistance Case Files

County Welfare Departments & Board of Social Services
Schedule # C980000-008

The new retention period for the aforementioned record series is six (6) years. This fulfills county agencies' financial retention period as well CWAs' administrative need.

Based on administrative need, the below record series was added:

- 0625-0000 – Verification Documents – Retention Period 6 years

After in-house discussion and approval, the amended schedule was sent to DFD for examination. All items were reviewed by DFD legal department and director. The proposed schedule was approved by both and the signed original is enclosed.

Respectfully submitted,

Argean T.P. Cook

Cook, Argean

From: Jeffrey Foster <Jeffrey.Foster@dhs.state.nj.us>
Sent: Thursday, January 03, 2013 2:18 PM
To: Perry, Karen; Cook, Argean
Cc: Peter Nelson
Subject: Retention Schedule Change - DIMS Project

Good Afternoon, Karen:

As per our December 19, 2012 meeting with Argean and Howard Schwartz regarding the DIMS project, the Department of Family Development OIS would like to request a separate record series number for verification and supporting documents in the County Welfare Departments & Board of Social Services retention schedule-C980000-007. Since verification and supporting documents will have their own record series number, the "supporting documentation" may need to be removed from the following record series:

Food Stamp Program:

Case File
0150-0000

Income Maintenance

Case File
0600-0000

By making the following changes to the retention schedule, this will allow the County Welfare Agencies to retain less paper once documents have been scanned into DIMS.

Argean:

If any of the information above is not accurate or I am missing a step, please let me know and reply to all.

Thank you for your time.

Jeff

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Cook, Argean

From: Jeffrey Foster <Jeffrey.Foster@dhs.state.nj.us>
Sent: Friday, January 11, 2013 11:59 AM
To: Cook, Argean; Dustin Artman
Cc: Peter Nelson; Joseph Brandecker
Subject: DIMS Record Series Associated with Verification/Eligibility Documents

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon, Argean/Dustin:

In regards to our 12/19/12 meeting, I wanted to review the record series numbers that may be affected when adding a new record series number for *Verification and Eligibility documents*. We need to be sure that we cover the four programs involved in DIMS: **TANF, GA, Food Stamps and Medicaid/NJ Family Care Programs**. Below is the list that was discussed in our meeting, please let me know if I am missing any other record series numbers.

Once agreed upon, a draft of the retention schedule can be assembled.

0150-0000
0600-0000
0600-0006
0600-0007
0605-0000
0620-0000
0620-0001
0622-0000
0623-0000

Thank you for your time.

Jeff

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Parts 260, 261, 262, 263, 264, and 265

RIN 0970-AB77

Temporary Assistance for Needy Families Program (TANF)

AGENCY: Administration for Children and Families, HHS.

ACTION: Final rule.

SUMMARY: The Administration for Children and Families (ACF) issues regulations governing key provisions of the new welfare block grant program enacted in 1996—the Temporary Assistance for Needy Families, or TANF, program. It replaces the national welfare program known as Aid to Families with Dependent Children (AFDC) and the related programs known as the Job Opportunities and Basic Skills Training Program (JOBS) and the Emergency Assistance (EA) program.

These rules reflect new Federal, State, and Tribal relationships in the administration of welfare programs; a new focus on moving recipients into work; and a new emphasis on program information, measurement, and performance. They also reflect the Administration's commitment to regulatory reform.

EFFECTIVE DATES: These regulations are effective October 1, 1999.

FOR FURTHER INFORMATION CONTACT: Mack Storrs, Director, Division of Self-Sufficiency Programs, Office of Family Assistance, Administration for Children and Families (ACF), at 202-401-9289, or Ann Burek, Family Assistance Program Specialist, at 202-401-4528.

Deaf and hearing-impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 between 8 a.m. and 7 p.m. Eastern time.

SUPPLEMENTARY INFORMATION: On November 20, 1997, the Administration for Children and Families published a Notice of Proposed Rulemaking that covered key provisions of the new welfare block grant program, known as Temporary Assistance for Needy Families, or TANF. We provided an extended 90-day comment period, which ended on February 18, 1998. We offered commenters the opportunity to submit comments by mail or electronically via our Web site. A number of commenters took advantage of the electronic access, but a significant portion of the comments we received

electronically duplicated comments we received in the mail.

Eight major national organizations (three associations representing State groups, three advocacy groups, and two labor organizations) and one Congressman requested the opportunity to present their comments to us orally. We granted their requests, holding four meetings in Washington in June, July, and August 1998. The national organizations focused largely on those issues that they had identified as priority concerns in their written statements. In a few instances, they modified their suggestions, endorsed comments that had been offered by other commenters, or provided clarifying information. The Congressman expressed his interest in: (1) Providing States more flexibility in operating their programs; (2) collecting data that would be adequate for the effective enforcement and oversight of TANF; and (3) placing sufficient emphasis on ensuring that States met their maintenance-of-effort (MOE) requirements and did not supplant existing State spending.

The discussions did not introduce any new policy concerns or proposals. They are part of the public record, and individuals interested in reviewing notes on these meetings have the same access to that information as they do to other comments that were submitted in written form.

Before discussing the comments in more detail, we want to point out that we changed the part and section references for this TANF rule. One commenter noted that our use of parts 270 through 275 for the TANF rules would likely cause confusion because the major Food Stamp rules used similar section numbers. In response to that comment, we have shifted all our part and section numbers down by ten; thus, for example, the provisions that appeared in part 270 of the NPRM appear in part 260 of this final rule.

To help you make your way through these changes, we include both NPRM and final-rule section references in this preamble discussion.

Comment Overview

After accounting for the duplications, we received nearly 270 comments on the NPRM. The largest number of comments came from State welfare agencies and social services departments, followed by advocacy groups and other State-level organizations. We also heard from a significant number of Governors, national associations, local government offices, Federal legislators, community-based organizations, State legislators,

and the general public. We received a lesser number of comments from other Federal agencies and members of the educational, business, child care, research, Tribal, and organized labor communities.

The only policy area that generated a significant number of "single-issue" comments was domestic violence. We received about 25 comments from women's, legal, and other groups that focused exclusively on the domestic violence provisions in the NPRM. We also received a handful of comments, mostly from the general public, that focused exclusively on the role of education in promoting self-sufficiency.

A substantial majority of the comments that addressed our regulatory framework were positive. Commenters generally seemed to agree that it was helpful for our rules to provide specific guidance on how we intended to implement the penalty process and make penalty determinations. In fact, based on the detailed questions and comments we received, one could conclude that some commenters were looking for an expansion on the amount of detail contained in the rule.

On the positive side, in addition to support of particular policies, commenters indicated that the rules provided some helpful clarifications of the statute, expressed appreciation for our regulatory development process, noted "positive steps" we had taken, and noted numerous places where our proposed rules appropriately reflected the statute.

In general, however, many commenters had mixed views on the policy proposals on the NPRM, supporting some, but opposing others. For example, with respect to the domestic violence policies, most commenters supported the general approach and commended our encouragement of State implementation of the Family Violence Option. However, most also expressed a number of concerns about specific provisions in the proposed rules.

Likewise, many of the States, advocates, and national organizations supported the proposed rule in a number of areas (such as the flexibility afforded States to define work activities and the reduction in penalty liability for States that failed only the two-parent participation rate), but expressed objections to our approach on other major issues.

The policy issues that generated the most consistent negative reactions were separate State programs, child-only cases, and continuation of waivers. Commenters expressed major concerns that: the proposed rules would stifle

recommended that the Department seek an amendment to the Act.

Section 4(c) of the Act allows the Department to promulgate administrative rules that are necessary or appropriate for the effective administration of the FSP. As the proposed rule noted, in Fiscal Years (FYs) 1991 through 1993, FNS had received requests from State agencies for retroactive funding going back to FY 1981 even though the Federal record retention requirement for State agencies is 3 years. While the Department recognizes that State laws may require retention of records that exceed Federal requirements, the Department believes it is not efficient administration for State agencies to manage, store, and retain financial records well past the 3 years required by Federal regulations and in particular to be actively reviewing stale financial records more than 3 years old. This is especially the case because FNS pays 50 percent of State administrative costs. The intended effect of the proposed limitation on claiming costs is to direct State agency and Federal resources toward the present operation of the program. The Department believes State agencies have a responsibility to properly claim Federal funding on a timely basis.

The commenter noted that the deadline in the proposed rule was calculated based on the quarter in which the State agency obligated the funds, and suggested using another baseline such as date of payment, which is used by DHHS.

In the final rule the Department has based the deadline calculation on the quarter in which the cost was incurred by the State or local agency, whichever first incurred the cost. It is at that point that the cost should have been reported on the SF-269, Financial Status Report, for that report period.

One commenter suggested that the definition of the term "audit exception" which was provided in the preamble of the proposed rule be included in the regulatory text. The commenter noted that the deadline does not apply to an audit exception and suggested that the rule clarify what would happen if an audit were performed by non-Department Federal auditors or State or private auditors. The commenter also asked whether any procedures will be established to permit the State to provide such audits to Department audit staff in order to gain approval to claim additional costs.

In the final rule, the Department has included a definition of the term "audit exception" in § 277.11(d)(5)(ii) of the regulatory text. It has also clarified in the same paragraph that the term

"audit" includes Federal and State-initiated audits. This includes audits performed by Department auditors, non-Department Federal auditors, State auditors, or private auditors as long as the audit complies with Department audit requirements in 7 CFR 277.17 and 7 CFR part 3015. It also specifies that the audit must have been started within 3 years of the date of submission of the final SF-269 report of the relevant fiscal year to which it applies. Once the audit is resolved, any claim for retroactive Federal funding arising from such an audit should be submitted promptly to FNS with a copy of the relevant audit findings. This procedure will supplement but not replace any other Federal reporting requirements to the cognizant agency for audits in § 277.17 and 7 CFR part 3015. Finally, the final rule makes minor modifications to the proposed wording in § 277.11(d)(4) to improve clarity. The change has no substantive effect.

At the time of the proposed rule and in accordance with 7 CFR 277.4 and 7 CFR 3015.82, State agencies used the SF-269, Financial Status Report, to report costs during the fiscal year as well as final obligations and expenditures in a final (or closeout) SF-269 due December 30 following the fiscal year. At that time, the Letter of Credit, which was the payment method, was closed for that fiscal year. After that, as the proposed rule noted, the SF-270 would be used to request funds for prior year expenditures. Thus, the proposed rule would have required that States use the Form SF-270, Request for Advance or Reimbursement, to request payment for prior year expenditures. OMB requires the use of the SF-270 when a State agency wants to adjust the program's financial status when the Letter of Credit is not used. However, reporting forms follow payment systems and subsequently FNS' payment system was changed.

7 CFR 3015.102 provides that Letters of Credit are to be used to pay Department recipients (i.e., State agencies) when all the following conditions exist:

(i) There is or will be a continuing relationship between the recipient and the USDA awarding agency for at least a 12 month period and the total amount of advances to be received within that period from the awarding agency is \$120,000 or more per year.

(ii) The recipient has established or demonstrated to the USDA awarding agency the willingness and ability to establish procedures that will minimize the time elapsing between the transfer of funds from the Treasury and their disbursement by the recipient.

(iii) The recipient's financial management system meets the standards for fund control and accountability prescribed in 7 CFR 3015 subpart H.

After the proposed rule was issued, FNS in 1996 started using the Department of Treasury's ASAP payment system as a funding mechanism. This grantee-initiated payment system, which also uses the Letter of Credit as the payment vehicle, has allowed FNS to continue to pay by Letter of Credit well after the end of the fiscal year. It allowed FNS to streamline its payment process. In addition, the extension of the Letter of Credit system for prior years has allowed FNS to continue to use the SF-269 for prior year expenditures.

As a result of this payment system change, in February 1997 FNS issued revised procedures for post-close-out payments and adjustments in Agency Financial Management System procedure number 678 (AFMS-678). Under those procedures, starting in FY 1998, rather than use the SF-270, State agencies were to revise their "final" or close-out SF-269's to report the outlay of funds for prior FYs 1997 and 1996. State agencies may request funds for newly identified prior year expenses on a revised SF-269 for that year not more than quarterly. This change in the Letter of Credit system is gradually being phased in year by year. However, for FY 1995 and prior years, the SF-270 continues to be used until the funding fiscal year has been canceled because the Letter of Credit is no longer open for those years.

The change in reporting forms coupled with the use of the new system, ASAP, for prior years is significantly more efficient. The SF-270 process is a manual process that is not tied into State electronic reporting. Thus, it would have required more State resources to complete the paper SF-270 compared to the electronic SF-269. The continued use of the SF-269 after close-out will allow States to continue to use the stored electronic SF-269 form (and its data) to revise their SF-269 reports for prior years through FNS' State Cooperative Data Exchange (SCDEX) with minimal rekeying. Only data that has changed would need to be rekeyed for a revised report. Because the SF-269 data can be transmitted electronically to FNS, the use of the electronic form by States will reduce the processing time to make the funds available to the State agency. Finally, it means State agencies do not need to switch reporting forms after the end of the fiscal year but may continue to use the SF-269.

The Department notes that under 7 CFR 3015.1(b), Part 3015 supersedes

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