

# 19 April 2006

## From OHRAB

Ohio Historical Records Advisory Board Meeting Minutes, Minutes, April 19, 2006

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Board members present: Charles Arp; Barbara Floyd; Laurie Gemmill; Raimund Goerler; William K. Laidlaw, Jr.; James Oda

Board members not present: Joanne Budler; John Fleming; Marjorie McLellan; Julie McMaster; Kermit Pike; Julia Michael Scott, Carol Tomer

OHS Staff present: James Strider; Todd Kleismit; Pari Swift; Betsy Butler

OHS Staff present: Rachel Tooker

OTHERS: Max Evans, National Historical Publications and Records Commission (NHPRC)

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### 1. Welcome

After calling the meeting to order at 10:04 a.m., Mr. Laidlaw welcomed Max Evans, executive director of the National Historical Publications and Records Commission (NHPRC), to the meeting.

### 2. Approval of minutes of January 2006 meeting

Prior to today's meeting, Ms. Gemmill e-mailed a modification to the last sentence in the second paragraph of section 8, regarding the SOA sustainability workshop. She also suggested removing the names of individuals who had expressed interest in serving on OHRAB from the discussion of nominations and renewals of board members.

During today's meeting, Mr. Arp suggested that the first sentence of the second paragraph relating to discussions about the State Archivist search should be revised to indicate that Mr. Arp, Ms. McMaster, Ms. McLellan, and Ms. Gemmill were also disappointed that the Ohio Historical Society has not acted quickly in filling this position. He also suggested adding a sentence at the end of section 4 that from that point forward, there was not a quorum for the meeting.

Questions of not having a quorum again for this meeting prompted Messrs. Oda and Strider to suggest that the above changes be made to the draft minutes and shared with the board by e-mail in the near future for review, so that the board could vote on the revised draft minutes at the July meeting.

Mr. Laidlaw then provided an update on the State Archivist search after Ms. Swift left the room. Mr. Strider reported that the Society had engaged a search consultant to assist in identifying other potential candidates. In addition to one internal staff member, some external individuals have also been identified. Interviews will be scheduled in early May; OHRAB members, together with Jane Wildermuth (Society of Ohio Archivists) and Gillian Hill (Ohio County Archivists and Records Managers Association), will be invited to participate.

### 3 (a). Review of Strategic Plan Activities: Public Records Subcommittee

(i) House Bill 9

Mr. Arp reported that House Bill 9 is now in the Senate and has been assigned a committee. Changes to the bill include a section that would exempt court records from public access until the court developed its own public access scheme, together with other additions that did not affect the public records aspects of the bill.

Mr. Kleismit said that after a conversation with Senator David Goodman's office this morning, he learned that the bill is likely to have a couple of hearings in the Senate's Civil Justice Committee in May. The bill could be voted on as early as June, but possibly in September or after the November election. He expects that the bill will be voted out of the Senate and enacted by the end of the year. Mr. Kleismit recommended that OHRAB monitor the bill's progress and read the names of the members of the Civil Justice Committee.

Mr. Goerler shared that in a recent meeting, Rep. Oelslager was very supportive of the funding issue; however, he wanted it segregated from the bill and promised that he would advocate to create a revenue stream for management of local public records if the bill passed, most likely as a budget line item. Discussion ensued about the challenges of obtaining support for putting a funding mechanism into the bill and the necessity of using it as a way to communicate with the public about the necessity of additional funding.

After learning that OHRAB had looked at other states' funding examples, Mr. Evans imparted that most of the recording fees that are collected go to local governments, while a fraction of those fees goes to the state. Discussion ensued about the need for organizations to support and take a leadership role regarding public records in Ohio, the Ohio Supreme Court's ruling in *Dann v. Taft* and legal precedents. Mr. Goerler reminded the group that this issue is another opportunity for OHRAB to build an alliance with the Ohio Newspaper Association and other Ohio government groups.

Recognizing that the archival profession can be a vocal advocate for a change in the law, Ms. Floyd inquired whether it would be possible to draft a resolution condemning this decision and advocating that law be written that opens governors' records, and forward it to the Society of Ohio Archivists for discussion during its meeting on April 20 and 21.

Mr. Goerler suggested identifying a couple of board members to work on a draft resolution, share it via e-mail with the board, and then identify like-minded organizations to support it. Mr. Laidlaw asked Ms. Floyd to work on the resolution with Messrs. Arp and Goerler during today's lunch break so that it could be shared with other board members this afternoon.

Mr. Laidlaw inquired what questions the Society should ask the Governor's Office about obtaining its records. Ms. Gemmill and Mr. Arp suggested securing an inventory of the records and appraising them while they are still in the office's jurisdiction, particularly the series that the State Archives has legal responsibility to take. Assessing the inventory before the records arrive at State Archives also provides an opportunity to ask staff questions about the records.

Then, Mr. Laidlaw introduced discussion about the group's House Bill 9 editorial that was reviewed at the January meeting. Mr. Strider reported that three newspapers ran the editorial. Mr. Kleismit suggested that if board members see a future article on the topic, they should use Mr. Laidlaw's editorial as backup information. Mr. Goerler observed that since the number of people reading newspapers has declined, perhaps the board should find alternate forms of communication, such as Internet blog postings.

(ii) Statehood Day

Mr. Kleismit reported that Ms. Swift and Messrs. Goerler and Strider were among the 109 participants who attended the Society's Statehood Day on March 1 at the Ohio Statehouse. He mentioned that the Society plans to continue its Statehood Day event annually, and is optimistic that participation can double next year.

Ms. Floyd inquired whether the Society has reached out to likely gubernatorial candidates. Mr. Kleismit responded that preliminary work is under way, which will increase after the primary is over.

The board discussed how to raise the importance of attending Statehood Day next year, such as encouraging records management and genealogical organizations to attend. Ms. Floyd suggested discussing the importance of Statehood Day at the Society of Ohio Archivists' business meeting this week.

### 3 (b). 3b. Review of Strategic Plan Activities: OHRAB Bylaws

Mr. Strider reported that he and Mr. Oda met several times to review a series of bylaws from other state historical records advisory boards, together with the draft bylaws that were prepared recently under Mr. Goerler's leadership. The board then reviewed the draft that combines Mr. Goerler's draft and the South Carolina SHRAB's bylaws.

Mr. Oda led discussion of the proposed associate chair position, which would be held by a non-Society OHRAB member in setting agendas and activities, rotating through the board on a yearly basis. This position would increase the board's input while still staying within general guidelines that have been established for SHRABs. Mr. Goerler observed that having an associate chair would help to alleviate awkward circumstances when meeting with agencies. Mr. Oda mentioned the importance of expanding the size and diversity of the board, while maintaining the equality of all members.

In addition to sharing several recommended changes with Messrs. Oda and Strider, the board discussed ex officio members and their voting privileges, proxy, meeting by teleconference, expectations about regular meeting attendance, and the board's role as an advisor to the State Archives and the Society. Revisions to the bylaws, including further discussion of quorums, will be presented for voting at OHRAB's July meeting.

### 3 (c). Review of Strategic Plan Activities: Nominations and Renewals of Board Members

Mr. Strider reported that Ms. Tomer and Mr. Fleming have stated that they do not wish to be reappointed to OHRAB terms. He also reminded the group that the board vacancy left by Roland Baumann needs to be filled. The board discussed potential board members, the importance of members attending all meetings, the need for diversity on the board, and representation of geography and state constituencies, and the need for diversity. Representatives from the League of Women Voters, the Ohio Newspaper Association, and genealogical organizations were also identified as strong candidates for the board. Mr. Arp concluded discussion of this topic by reminding the group about the importance of mentorship, which includes contacting new members on a regular basis, discussing salient issues with them, and holding an orientation for them before their first meeting.

### 3 (d). Resolution

Pursuant to Mr. Laidlaw's request, Ms. Floyd presented a draft resolution regarding House Bill 9 after lunch. The following draft incorporates suggestions made by the board during discussion of this topic:

WHEREAS, democracy requires an informed electorate; and

WHEREAS, the Ohio Supreme Court's recent ruling in *Dann v. Taft* grants sweeping exemptions to public access to the records of Ohio's governor; and

WHEREAS, such a ruling limits Ohioans' right to know about the actions of their government; and WHEREAS, the ruling will result in an incomplete historical record of the actions of Ohio's government; THEREFORE, BE IT RESOLVED that the Ohio Historical Records Advisory Board expresses profound dismay about this ruling and hopes that the issue will be addressed quickly through legislative action.

### 3 (e). Review of Strategic Plan Activities: Ohio Electronic Records Committee

Ms. Floyd commented that discussion of a statewide depository of minutes of government bodies was one of the most interesting parts of the meeting. Ms. Gemmill reminded the group about the digital archive at OCLC and its interest in working together to create a prototype. Ms. Floyd concluded her report by stating that the Electronic Records Committee continues to express its concern about the lack of a State Archivist.

### 3 (f). NHPRC Advocacy

#### (i) Partnership for the American Historical Record (Max Evans)

Mr. Evans expressed thanks for the work that OHRAB and others did to advocate for NHPRC funding. He summarized the need to continue to support NHPRC at its full authorization level of \$10 million for grant awards, but reminded the group that an additional funding of \$2 million from the National Archives is required to administer the program.

To Mr. Evans, recent events like Hurricane Katrina illustrate the importance and fragility of records, and how easily they can be lost. Property and identity records - particularly employment, school and marriage records - are especially important today. A national program like the Partnership for the American Historical Record will help everyone enjoy access to their records.

Mr. Evans explained that this program would improve upon NHPRC's current re-grant program. Under this program, money granted to every state that applied and qualified would be based on a formula. Every state would receive an amount based on its population and area, up to several hundred thousand dollars a year. States would qualify by having an active SHRAB and a strategic plan to be used as the basis for an annual application. NHPRC would compare the SHRAB's application with its strategic plan.

Although states would have discretion about how to spend money received, they would probably not be allowed to spend it on ongoing State Archives work. However, money could be used to provide re-grants and to allow the State Archives to assist the work of other organizations within the state. The SHRAB would continue its current activities, but instead of reviewing grants for NHPRC, the SHRAB would make choices about what will receive funding in its own state.

Turning the discussion to NHPRC funding priorities, Ms. Floyd observed that one of the issues that people who have come to OHRAB wanting to obtain NHPRC grants is that their records are not deemed important enough to be funded by NHPRC. Comparing proposals, it becomes difficult for a small organization needing funding to compete with a larger organization. Those issues would be addressed through a program that would allow funding by state.

Ms. Gemmill asked what weight the state's recommendation has on NHPRC's grant-funding decisions. Mr. Evans responded that NHPRC looks at board reports and peer reviews. If there is agreement between the two, then NHPRC staff does not impose their values on the recommendation; if not, then the staff gets involved. While NHPRC takes SHRAB reports very seriously, lack of money prevents it from funding everything.

Mr. Evans stated that the Partnership for the American Historical Record program would provide an opportunity

for states to fund projects that focus on state and local interests, while NHPRC can focus on projects that are clearly of national importance. He shared with the group that instead of looking at microfilming, NHPRC is interested in processes to create online images that are presented in the same way as microfilm, and is seeking proposals to serve as pilot projects in this area.

Mr. Evans also mentioned that since NHPRC guidelines have expired, it now posts announcements at least four months before the application deadline.

Other topics discussed during this portion of the meeting included immigration and naturalization records, identity theft and credit ratings, preventative maintenance to protect collections, the importance of doing a better job of advocacy, developing strong, compelling cases about public records, discussion of NHPRC's assisting state archives with electronic records, and supporting archival education through a leadership institute.

After announcing that the update regarding the Persistent Archives Testbed Project would be tabled until the July meeting, Mr. Laidlaw adjourned the meeting at 2:05 p.m.

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