



Higher Education Assistance Authority

Records Retention Schedule

Prepared by the State Records Branch
Public Records Division

Approved by the State Archives and Records Commission



This records retention schedule governs retention and disposal of records created, used and maintained by the Kentucky Higher Education Assistance Authority (KHEAA). **Government records in Kentucky can only be disposed of with the approval of the State Archives and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by KHEAA personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for the KHEAA to destroy the records listed, after the appropriate retention periods have passed.

KHEAA personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for the KHEAA.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.

This retention schedule covers the content of records created by the KHEAA, including records created or stored using computers and computer systems. The *General Schedule for Electronic and Related Records* applies to records related to computers or a computer system. Examples of these include system documentation and use records, backup files, or website format and control records.

Audits and Legal Action

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings or open records matters. These records must be retained at least until all legal or

investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

While all records created, used and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

Copies of Records

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

Updating the Retention Schedule

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

Kentucky Higher Education Assistance Authority

The Kentucky Higher Education Assistance Authority (KHEAA) is a public corporation and governmental agency and instrumentality of the Commonwealth established in 1966 to improve students' access to higher education. To that end, KHEAA administers several financial aid programs and disseminates information about higher education opportunities.

The Board of Directors is composed of ten voting members appointed by the Governor. In addition, the President of the Association of Independent Kentucky Colleges and Universities, President of the Council on Postsecondary Education, Secretary of the Finance and Administration Cabinet, Kentucky State Treasurer, and the Commissioner of the Kentucky Department of Education serve as voting, ex officio members. KHEAA operates under KRS 164.740 through 164.7891.

RECORDS RETENTION SCHEDULE

Signature Page

Higher Education Assistance Authority
Agency

December 8, 2011
Schedule Date

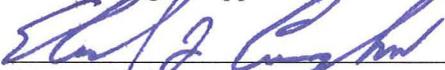
Unit

Change Date

December 8, 2011
Date Approved By Commission

APPROVALS

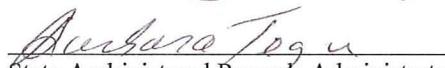
The undersigned approve of the following Records Retention Schedule or Change:


Agency Head

1-5-12
Date of Approval


Agency Records Officer

1/5/12
Date of Approval


State Archivist and Records Administrator
Director, Public Records Division

12/8/11
Date of Approval


Chairman, State Archives and Records Commission

12/8/11
Date of Approval

The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:


Records Analyst/Regional Administrator

12/8/11
Date of Approval

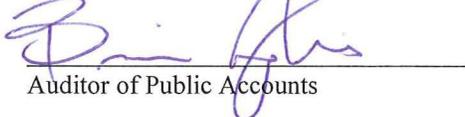

Appraisal Archivist

12/8/11
Date of Approval


State/Local Records Branch Manager

12/8/11
Date of Approval

The determination as set forth meets with my approval.


Auditor of Public Accounts

12/8/11
Date of Approval

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
 RETENTION SCHEDULE

Finance and Administration Cabinet
 Higher Education Assistance Authority
 Federal Loan Services

Record Group
 Number
 0760

Series	Records Title and Description	Function and Use
03967	Federal Loan Program File (V)	This series documents the application, receipt and repayment of an education loan guaranteed and/or originated and/or disbursed by the Kentucky Higher Education Assistance Authority (KHEAA). These loans are governed by federal statute as defined in 20 U.S.C. 1071 et seq. Each loan has its own limits and repayment requirements.
	Access Restrictions	KRS 61.878 (1)(a) Personal information - SSN.
	Contents	Series contains: Master Promissory Note, promissory note, PLUS/SLS note, consolidation note, disclosure form, PLUS/SLS disclosure, consolidation disclosure, application, PLUS/SLS application, consolidation application, credit report, references, miscellaneous documentation, Default Aversion Assistance Request (DAAR), DAAR cancellation form, Common Claim form, death certificate, disability form, claim review worksheet.
	Retention and Disposition	Retain for five (5) years after the loan is paid and audit, then destroy.

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Finance and Administration Cabinet
Higher Education Assistance Authority
Legal Services

Record Group
Number
0760

Series	Records Title and Description	Function and Use
03969	Litigation File (V)	This series documents legal actions taken when a borrower's student loan is not repaid on a timely basis. Once collection efforts have failed and an insurance claim has been filed and paid, litigation ensures an effort to recoup all or part of the amount owed.
	Access Restrictions	KRS 61.878 (1)(a)(i) Personal information and attorney notes.
	Contents	Series contains: Complaint, Summons, Answer; Affidavit, Interrogatories, Request, Judgment, Default judgment, Agreed judgment, Summary judgment, Enforcement, Writ of execution, Motion, Bankruptcy file, Dismissed litigants and related documents and correspondence.
	Retention and Disposition	Retain for five (5) years after loan closed (no outstanding balance) and audit, then destroy.

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
 RETENTION SCHEDULE

Finance and Administration Cabinet
 Higher Education Assistance Authority
 Outreach

Record Group
 Number
 0760

Series	Records Title and Description	Function and Use
06177	Outreach Services File	This series documents the comprehensive outreach initiatives of the Kentucky Higher Education Assistance Authority. School counselors, adult education center directors, GEAR UP and TRIO staff and countless other community contacts utilize programs and services that include regional field staff, a mobile college planning classroom, a one-stop Web site for college planning and targeted financial aid and college planning publications for all types of students.
	Access Restrictions	None.
	Contents	Series contains: Annual Reports, Quarterly Reports; College Access Challenge Grant administrative documents (applications, annual reports, Grant Award Notifications, Maintenance of Effort approvals); College Application Week supporting documents (scoring criteria for schools, online resources); College Info Road Show (mobile classroom); correspondence/mailings; detailed operating budget requests; Kentucky College Coaches Program administrative documents (MOAs, University Agreement); performance expectations and measurements of program effectiveness; Presentations (to age-specific student and parent audiences, to school administrators, to legislative committees and for local, regional, state and national conferences and meetings); sponsorship agreements with various professional and community organizations; and survey instruments.
	Retention and Disposition	Retain permanently.

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
 RETENTION SCHEDULE

Finance and Administration Cabinet
 Higher Education Assistance Authority
 Student Financial Aid

Record Group
 Number
 0760

Series	Records Title and Description	Function and Use
03968	Kentucky Education Savings Plan Trust File (V)	This series documents participation in the Kentucky Educational Savings Plan Trust (KESPT), enacted into law by the 1988 General Assembly to provide a means of saving money for parents and other benefactors concerning the expected future costs of postsecondary education. A trust account offers competitive savings rates, and earnings are exempt from Kentucky income taxes.
	Access Restrictions	KRS 61.878(1)(a) Personal information - SSN.
	Contents	Series contains: Management Agreements, Program records prior to 1999, Participant Agreements, Applications, correspondence, Financial Reports
	Retention and Disposition	Retain management agreements and program records prior to 1999 permanently. Retain all other records for three (3) years following the date the account is withdrawn and audited, then destroy.
03972	Student Aid Programs File	This series documents student aid programs administered by KHEAA pursuant to KRS 164.744(2) through KRS 164.753. Specifically, the following programs are represented through this series: Mary Jo Young Scholarship; Drive the Dream Scholarship; Early Childhood Development Scholarship; Robert C. Byrd Honors Scholarship; KHEAA Work Study Program; and Kentucky National Guard Tuition Assistance. These student aid programs offer a variety of options to Kentucky residents in achieving their higher education goals.
	Access Restrictions	KRS 61.878(1)(a) Personal information - SSN.
	Contents	Series contains: Award Data, Disbursement and refund records, applications, enrollment verification documents, EFT Requests, written correspondence.
	Retention and Disposition	Retain award, disbursement, refunds, applications and year-end data permanently. Retain all other records for five (5) years after scholarship service period has been completed and audited, then destroy.
06173	State Grant Programs File	This series documents the grants programs administered by KHEAA pursuant to KRS 164.744(2) and KRS 164.753. Specifically, KHEAA currently offers three grant programs for Kentucky residents: College Access Program (CAP) Grant; Kentucky Tuition Grant (KTG); and Go Higher Grant. These grant funds are awarded on the basis of financial need for use at Kentucky colleges and universities.
	Access Restrictions	KRS 61.878(1)(a) Personal information - SSN.
	Contents	Series contains: Applications, award, enrollment, disbursement, and refund data, written correspondence, EFT requests.
	Retention and Disposition	Retain applications, award, enrollment, disbursement and refund data permanently. Retain all other records for five (5) years after full award utilization, then destroy.
06174	Repayable Scholarships File	This series documents the repayable scholarship/conversion loan programs administered by KHEAA. Specifically, the following programs are documented through this series: Osteopathic Medicine Scholarship; Teacher Scholarship; Minority Educator Recruitment and Retention (MERR) Scholarship; Coal County Scholarship for Pharmacy Students. Each of these programs entail a service commitment in the specified field. A recipient must execute a promissory note prior to receipt of an award. However, for each term service is provided by the recipient within the Commonwealth, one promissory note is forgiven. In the event the recipient either fails to complete the specified program of study or fails to render the prescribed service, the scholarship converts to a repayable loan obligation.
	Access Restrictions	KRS 61.878(1)(a) Personal information - SSN.
	Contents	Series contains: Award Data, disbursement and refund records, payment data, applications, promissory notes, service cancellations, account statements, correspondence.
	Retention and Disposition	Retain award, disbursement, refund and payment data permanently. Retain all other records for five (5) years after last account activity, then destroy.

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
 RETENTION SCHEDULE

Finance and Administration Cabinet
 Higher Education Assistance Authority
 Student Financial Aid

Record Group
 Number
 0760

Series	Records Title and Description	Function and Use
06175	Kentucky Educational Excellence Scholarship File	This series documents the Kentucky Educational Excellence Scholarship (KEES) program created by the 1998 Kentucky General Assembly to provide merit-based scholarship awards to high school students who earn a GPA of 2.5 or above. The awards must be used at a Kentucky post-secondary institution or an out-of-state institution that participates in the Academic Common Market.
	Access Restrictions	KRS 61.878(1)(a) Personal information - SSN.
	Contents	Series contains: Award, enrollment, disbursement, refund, and renewal data, academic common market documents, written correspondence.
	Retention and Disposition	Retain award, enrollment, disbursement, refund and renewal data permanently. Retain all other records for ten (10) years after full award utilization, then destroy.
06176	Kentucky Affordable Prepaid Tuition File	This series documents participation in the Kentucky Affordable Prepaid Tuition (KAPT) Plan administered by KHEAA. The KAPT program enables parents, grandparents, or others to purchase pre-paid tuition units for a designated beneficiary to cap the future cost of tuition by purchasing at current rates. The program has been closed for new enrollment since 2005 and is reassessed on an annual basis.
	Access Restrictions	None.
	Contents	Series contains: Actuarial and Financial Reports.
	Retention and Disposition	Retain permanently.

Electronic System With Included Records Series

Finance and Administration Cabinet

Kentucky Higher Education Assistance Authority

System Description: The Student Aid Scholarship System (SASS) contains records relating to "Conversion Loans". These Scholarships are awarded based on the field of study. If the Scholarship recipient works in their field of study for 5 years after attaining their degree, then these are treated as scholarships. If the borrower does not fulfill their service agreement, then the scholarships convert to loans that must be repaid.

System Contents: The system includes data relating to Conversion loan demographic data, award information, and payment information (either Service or Cash payments).

General Schedule Items:

System Title: Student Aid Scholarship System

Alternate Title: SASS

Series #: ***Series Title:***

Disposition Instructions:

06174 Repayable Scholarships File

Retain award, disbursement, refund and payment data permanently. Retain all other records for five (5) years after last account activity, then destroy.

Electronic System With Included Records Series

Finance and Administration Cabinet

Kentucky Higher Education Assistance Authority

System Description: The Kentucky Education Savings Plan Trust (KESPT), Kentucky's 529 college savings plan, can help families save, in a planned way, for a child's higher education. A Trust account can be opened for a beneficiary of any age; and the method, schedule, and amount of contributions are determined by the account owner. Earnings are exempt from Kentucky taxes and any withdrawal used for qualified college expenses will be free of federal income taxes. The KESPT system stores information related to investment in the Trust.

System Contents: Investor demographics and financial information: participant agreements, applications, correspondence, and financial reports.

General Schedule Items:

System Title: **Kentucky Education Savings Plan Trust**

Alternate Title: **KESPT**

Series #: ***Series Title:***

Disposition Instructions:

03968 Kentucky Education Savings Plan Trust File

Retain management agreements and program records prior to 1999 permanently. Retain all other records for three (3) years following the date the account is withdrawn and audited, then destroy.

Electronic System With Included Records Series

Finance and Administration Cabinet

Kentucky Higher Education Assistance Authority

System Description: Kentucky's Affordable Prepaid Tuition (KAPT) provides another approach for families who want to plan now for their children's future college expenses at a public, private, or out-of-state institution. KAPT is currently closed to new enrollments.

System Contents: System contains: Investor demographics and financial information.

General Schedule Items:

System Title: Kentucky's Affordable Prepaid Tuition

Alternate Title: KAPT

Series #: Series Title:

Disposition Instructions:

06176 Kentucky Affordable Prepaid Tuition File

Retain permanently.