

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
December 8, 2011
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., December 8, 2011, in the Board Room, Kentucky Department for Libraries and Archives (KDLA), 300 Coffee Tree Road, Frankfort, Kentucky.

Members present: Wayne Onkst, Chair; Richard Belding, representing Citizens-at-Large; Terry Birdwhistell, representing the University of Kentucky; Louise Jones, representing the Kentucky Historical Society; Sheila Stuckey, representing regional colleges and universities; Richard Belding, representing Citizens-at-Large; William Jones, representing Citizens-at-Large; Linda Potter, representing Citizens-at-Large; Tim Goff, representing Citizens-at-Large; and Charlann Wombles, representing local governments.

Representatives present: Randy Justice, representing Joseph Meyer, Secretary, Education and Workforce Development Cabinet; Bryan Lykins, representing Crit Luallen, Auditor of Public Accounts; Brandon Haynes, representing John D. Minton, Jr., Chief Justice, Supreme Court; Amye Bensenhaver, representing Jack Conway, Attorney General; Glenna Goins, representing Mary E. Lassiter, State Budget Director; and Janet Lile, representing Steve Rucker, Commissioner, Commonwealth Office of Technology.

Members not present or represented: Robert Sherman, Director, Legislative Research Commission; and David Schroeder, representing the Kentucky Library Association.

Public Records Division staff present: Barbara Teague, Director, Public Records Division; Jerry Carlton, Manager, Local Records Branch; Glen McAninch, Manager, Technology Analysis and Support Branch; Jim Cundy, Manager, State Records Branch; Mark Myers, Electronic Records Archivist; Beth Shields, Electronic Records Specialist; Pamela Compton, Records Analyst; and Jackie Arnold, Records Analyst.

Guests present: Larry Weese; Department of Community Based Services; Nicole Liberto, Department of Agriculture; and David Hillard, Department of Agriculture.

Onkst called for introductions by those present.

Haynes made a motion to accept the minutes of the previous Commission meeting, seconded by Wombles. The vote by members and representatives present was unanimous.

RECORDS RETENTION SCHEDULES

Department of Agriculture

Compton was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06192, Egg Retail License File; Series 06204, Grain Warehouse/Dealer File; and Series 06205, Specialty Crop Block Program File. **Deletions from the Schedule:** Series 01861, State Board of Agriculture Hearings; Series 01868, Insurance Bonds for Commissioner; Series 01892, Monthly Reports from Schools, Institutions, Camps and Agencies; Series 01894, Commodities Order; Series 01895, Transfer of Food Form; Series 01896, School and Institution Inventory; Series 01897, Past Allocation Records; Series 01908, Daily Stockyard Brucellosis Sales Test Record File; Series 01926, Federal and State Program Files; Series 01930, Livestock Report; Series 01931, Transcript of Hearings, 1961 – Present; Series 01932, Records of Fees from Dairy Processors; Series 01933, Print-Out List of Licenses Issued to Dairy Processors; Series 01934, Price Schedules; Series 01935, Daily Inspection Reports by Field Personnel; Series 01938, Receipt Books for License Fees Collected; Series 01939, Termite Monthly Reports by Pest Control Companies; Series 01940, Receipts Ledger of License Fees Collected; Series 01947, Work Papers for Compiling Summaries; Series 01948, Local Agricultural Shows and Fairs; Series 04276, Belt Scales Inspection File; Series 04278, Federal Egg Surveillance File; Series 04279, Farm Milk Tanks Inspection File; Series 04280, Liquid Propane Gas Meters Inspection File; Series 04281, Retail Pre-Pack Inspection File; Series 04283, Non-Commercial Scales Inspection File; Series 04284, Commercial Scales Inspection File; Series 04285, Industrial Scales Inspection File; Series 04286, Large Scales Inspection File; Series 04287, Hopper Scales Inspection File; Series 04288, Grain Moisture Meter Inspection File; Series 04289, Grain Scales Inspection File; Series 04290, Vehicle Tank Meter Inspection File; Series 04291, Gas Pumps Inspection File; Series 04292, Non-Commercial Gas Pumps Inspection File; Series 04295, Tobacco Re-Dryer Scales Inspection File; Series 04296, Tobacco Equipment Weighed for Tare File; Series 04297, Large Capacity Vehicle Scales Inspection File; and Series 04315, Tobacco Rebate Enforcement File. **Changes to the Schedule:** Series 01871, Egg Wholesalers and Distributors File, from "Retain in Agency and update when license file is updated," to "Retain in Agency three (3) years, then destroy;" Series 01873, Egg Dealers License File, from "Retain in Agency three (3) years, destroy," to "Retain in Agency one (1) year, then destroy;" Series 01884, Emergency and Disaster Food Distribution File, from "Retain in Agency one (1) year; transfer to State Archives for permanent retention," to "Retain in Agency four (4) years, then destroy;" Series 01886, United States Department of Agriculture Allocated Foods Tracking Log, from "Retain in Agency two (2) years, transfer to State Records Center to be retained for three (3) years, destroy. Total retention is five (5) years," to Retain in Agency four (4) years, then destroy;" Series 01888, Warehouse Reports of Stored Food, from "Retain in Agency two (2) years, transfer to State Records Center to be retained for three (3) years; destroy. Total retention is five (5) years," to "Retain in Agency four (4) years,

then destroy;" Series 01889, Accountability Ledgers of Food Received, Shipped and/or Transferred, from "Retain in Agency two (2) years, transfer to State Records Center to be retained three (3) years; destroy. Total retention is five (5) years," to "Retain in Agency four (4) years, then destroy;" Series 01893, Field Representative Reports, from "Retain in Agency two (2) years, transfer to State Records Center to be retained three (3) years; destroy. Total retention is five (5) years," to Retain in Agency four (4) years, then destroy;" and Series 01925, Agreements with United States Department of Agriculture, from "Retain in Agency permanently," to "Retain in Agency and destroy five (5) years after expiration date." *Description and Analysis forms were completed and/or updated for thirty-six records series without changing retention and disposition.*

The Department of Agriculture was created to promote the interests of agriculture and horticulture in the Commonwealth of Kentucky and is governed by Kentucky Revised Statutes 246 – 263. The first agricultural unit of government in Kentucky was established in 1817 in Fayette County and has evolved through the years. The Department of Agriculture was established in 1942 as part of Agriculture, Labor and Statistics. In 1962, the Department of Agriculture was created as its own entity and is under the direction of an elected Commissioner. The Department of Agriculture consists of the Office of the Commissioner; Office of the Chief Executive Officer; Office for Agricultural Marketing and Product Promotion; Office for Consumer and Environmental Protection; Office of State Veterinarian; Office for Strategic Planning and Administration; and State Board of Agriculture.

This is a complete revision of the Retention Schedule for the Department of Agriculture.

Schedule date: October 1, 1975

Proposed schedule date: December 8, 2011

Compton thanked Hillard, Liberto and other staff at the Department of Agriculture for their help in revising the schedule. Shields had completed system descriptions for the Department, and they are attached to the schedule.

In response to a question by Bensenhaver, about Series 01868, Insurance Bonds for Commissioner, Liberto said that the Commissioner of Agriculture is legally required to put up a bond at the beginning of each term. This series is being deleted from the schedule because the bond is kept in the Commissioner's agency-level personnel file, Series P0001 on the General Schedule for State Agencies. Series P0001 is maintained for five years after the individual leaves state government.

In response to a question by Bensenhaver regarding Series 04315, Tobacco Rebate Enforcement File, Liberto said that there has been no tobacco enforcement program at the Department of Agriculture since the mid-1990s. The series is not related to the tobacco master agreement in which the Attorney General is involved.

Belding made a motion to approve the revised schedule, seconded by Haynes. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Department for Community Based Services

Compton was the Records Analyst working on this revised schedule. **Deletions from the Schedule:** Series 1784, Level of Services Provided to Blind and Disabled Clients Report; Series 1924, Social Service Supervisors and District Specialist; Series 1966, Diagnostic and Evaluation Services Program Files; Series 1967, Early and Periodic Screening Program Files; Series 2119, Children's Work Details and Schedules; Series 06028, Kentucky Mobile Day Care Project Final Report File; Series 06029, Energy Files; Series 06030, Kentucky Children's Home Canteen Articles of Incorporation; Series 06031, Deed of Kentucky Children's Home Society to Kentucky Children's Home Corporation; Series 06032, Paid Bonds – 1913 to Present; Series 06033, Deeds to Lots at Resthaven Cemetery; and Series 06035, Old Insurance Appraisal Reports. **Changes to the Schedule:** *Closed Series:* Series 06189, Kentucky Children's Home Case Records (formerly series 2042). *A Description and Analysis form was completed and/or updated for one records series without changing retention and disposition.*

The Department for Community Based Services (DCBS) was formed in 1998 within the Cabinet for Families and Children by KRS 194.030 to give local offices more decision-making authority and the ability to collaborate more effectively with other community service providers. The Cabinet for Families and Children and the Cabinet for Health Services were consolidated in 2004. DCBS provides family support; child care; child and adult protection; eligibility determinations for Medicaid and food stamps; and administration of an energy cost assistance program. The Department administers the state foster care and adoption systems and recruits and trains parents to care for the state's children who are waiting for a permanent home. With offices in every county, DCBS provides services and programs to enhance the self sufficiency of families; improve safety and permanency for children and vulnerable adults; and, engage families and community partners in a collaborative decision-making process.

Compton thanked Weese and other staff at the Department for Community Based Services for their assistance.

Haynes made a motion to approve the revised schedule, seconded by Stuckey. The vote by members and representatives present was unanimous.

Education and Workforce Development Cabinet

Arnold was the Records Analyst working on this new schedule. **Additions to the Schedule:** Office of Budget and Administration – Division of Human Resources: Series 04228, Technical Education Personnel Files (Chapter 151B). Office of Legal and Legislative Services: Series 06202, Litigation Files; and Series 06203, Subpoena Files.

The Education and the Arts Cabinet, established by an executive order in 1973, was reorganized and renamed the Education and Humanities Cabinet in 1982, was renamed the Education, Arts, and Humanities Cabinet in 1994, was renamed the Education Cabinet during the Fletcher Administration and was renamed once again in 2008, to the Education and Workforce Development Cabinet. Through the work of its eight departmental agencies and offices, the Education and Workforce Development Cabinet is determined to provide life-long educational and workforce services through seamless, efficient and accessible learning opportunities for all Kentucky's citizens, from pre-school to senior citizens.

This is a new Schedule for the Education and Workforce Development Cabinet.

Arnold thanked Justice for his help in completing this schedule.

Bensenhaver asked why the Cabinet was scheduling a series for subpoenas separate from the litigation file. Cundy said these subpoenas do not result in litigation to which the Cabinet is a party, but are subpoenas requesting that the Cabinet produce records. The Advisory Committee had suggested that the disposition for Series 06203, Subpoena Files, should be changed from "Retain for three (3) years after all Cabinet litigation has ended and Cabinet case is closed, then destroy" to "Retain for three (3) years after Cabinet involvement has ended, then destroy."

Haynes made a motion to approve the schedule, seconded by Lile. The vote by members and representatives present was unanimous.

Kentucky Educational Television

Arnold was the Records Analyst working on this revised schedule. **Deletions from the Schedule:** Series 00986, Grants File; Series 01005, Scripts File; Series 01006, Release Authorization File; Series 01009, Copyright File; Series 01010, Photographic File; Series 01013, Individual Program Data File; and Series 01014, Production Schedule File. **Revision to the Schedule:** Series 00988, Education Utilization Survey File, from three (3) years to eight (8) years.

The Kentucky Educational Television (KET) Network was established by the 1962 General Assembly through KRS 168.010 -168.100. Nearly fifty percent of the service is in-school instructional programming. The Public Broadcasting Service represents fifty percent of the service, including national, regional, and local programs in adult education and cultural and public affairs. Virtually all Kentucky citizens can receive the KET signal at home and 98 percent of Kentucky schools actively use KET in their classrooms. KET is separated into three program areas. General Administration and Support ensures the operations and programs of KET meet the statutory mandates. Broadcasting and Education selects instructional and public programming for distribution by KET. Engineering operates and maintains the 15-transmitter broadcast network and a satellite delivery system. KET delivers approximately 10,000 hours of programming each year via open broadcast and satellite. KET operations are regulated by The Kentucky Authority for Educational Television, a nine-member board created to prescribe and enforce regulations governing the use of educational television (KRS 168.030). Gubernatorial appointees to the Authority are made from nominations submitted to the Governor by the Governor's Higher Education Nominating Committee.

This is a complete revision of the schedule for Kentucky Education Television.

Schedule date: September 14, 1995

Proposed schedule date: December 8, 2011

Arnold presented the revised schedule.

Birdwhistell made a motion to approve the revised schedule, seconded by Belding. The vote by members and representatives present was unanimous.

Board of Engineers and Land Surveyors

Arnold was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06167, Denied Application File; Series 06168, State Survey Exam; Series 06169, Business Entity Permits File; Series 06170, Continuing Education Audit File; Series 06171, Surveying Continuing Education Course Pre-Approval File; and Series 06172, Individual Attorney Working File. **Deletions from the Schedule:** Series 01991, Registration Application; Series 01992, Roster, Engineers and Land Surveyors; Series 01994, Grade Card In Training Examination; Series 01995, Engineer In Training Examinations; and Series 01996, Unacceptable Examinations/Professional Engineer and Land Surveyor. **Changes to the Schedule:** Series 01990, Master Files – Engineer and Surveyors, from Permanent to “Destroy fifty years after non-renewal;” Series 01993, In Training Applications File, from Permanent to “Transfer to Master Files when and where applicable. Retain passing, but not licensed applications, for fifty (50) years, then destroy. Retain failed applications for five (5) years, then destroy;” Series 01997,

Disciplinary & Enforcement Actions File, from Permanent to "twenty (20) years after board approved actions."

The Kentucky State Board of Licensure for Professional Engineers and Land Surveyors was established by an Act of the Kentucky General Assembly in 1938 to protect the public health, safety and welfare. This is accomplished through the licensing and monitoring of individuals and firms deemed qualified to practice (KRS 322.00). The Board is self-supporting and receives no general fund tax dollars.

This is a complete revision of the schedule for the Board of Engineers and Land Surveyors.

Schedule date: June 1, 1978

Proposed schedule date: December 8, 2011

Arnold said that Shields had completed a system description for the Board and it is included with the schedule.

In response to a question by Bensenhaver about Series 01997, Disciplinary and Enforcement Actions File, Arnold said that Board decisions to take no action on a complaint are reflected in this series, in the Board's meeting minutes and in the licensee's master file.

Belding pointed out the deletion of Series 01992, Roster - Professional Engineers and Land Surveyors, and asked whether there would be any record that would provide a historical list of individuals who had been licensed as engineer or land surveyors. Arnold said that a record of licensees over time would appear in the Board's minutes, which is a permanent record. Arnold said that the regulatory Boards and Commissions he had worked with did not maintain master files permanently. Rather, they maintained them long-term, based on the date of non-renewal or the birth date of the licensee. The appearance of the names of licensees in the minutes varies from agency to agency. Arnold said he would be willing to revisit the deletion of the series. Belding said he was satisfied that the names of licensees appear in the Board minutes. In response to a question by Teague, Arnold said that the Board does not maintain a master list of licensees. Rather it can produce a list of licensees on demand, using the licensee master files. The Board does produce an annual report that lists licensees.

Haynes made a motion to approve the revised schedule, seconded by Lile. The vote by members and representatives present was unanimous.

Education and Workforce Development Cabinet – Governor's Scholar's Program

Arnold was the Records Analyst working on this revised schedule. **Deletion from the Schedule:** Series 03381, Summary Report of Students. **Revisions to the Schedule:** *Description and analysis forms were completed for four records series with no changes to retention and disposition.*

The Governor's Scholars Program is a summer residential program for outstanding high school students in Kentucky who are rising seniors. The Program originated in 1983 as a result of Kentucky leaders' concern that the state's "best and brightest" were leaving the Commonwealth to pursue educational and career opportunities elsewhere without fully understanding the potential of their talents at home. Students who are selected attend the Program without charge. In the spirit of partnership, the Office of the Governor, the Kentucky State Legislature, and private enterprise come together to provide the financial support for the Program. The Program's mission is to enhance Kentucky's next generation of civic and economic leaders and create models of educational excellence. The first class numbered 230 and was housed on one college campus. Since then, the Program has enjoyed excellent support and grown to over 1,000 students on three campuses. In 1994 the Governor's Scholars Program was transferred from the Governor's Office to the Office of the Secretary of the Education, Arts, and Humanities Cabinet. The program is headed by an executive director appointed by the Secretary with approval of the Governor. The program is responsible for implementing an enrichment program for academically gifted students (KRS 158.796).

This is a complete revision of the schedule for the Governor's Scholars Program.

Schedule date: March 1, 1984

Proposed schedule date: December 8, 2011

Arnold presented the revised schedule.

Lile made a motion to approve the revised schedule, seconded by Belding. The vote by members and representatives present was unanimous.

Higher Education Assistance Authority

Arnold was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06173, State Grant Programs File; Series 06174, Repayable Scholarships File; Series 06175, Kentucky Educational Excellence Scholarship File; Series 06176, Ky Affordable Prepaid Tuition File; and Series 06177, Outreach Services File. **Deletions from Schedule:** Series 03971, Kentucky Education Savings Plan Trust System; Series 03973, Student Loan Information Management System; and Series 03974, Financial Management Information System. **Revisions to the Schedule:**

Series 03968, KY Education Savings Plan Trust File, from three (3) years after account is withdrawn to "Retain management agreements and program records prior to 1999 permanently. Retain all other records for three (3) years after the account is withdrawn and audit, then destroy;" Series 03972, Student Aid Programs File, from five (5) years after loan is paid or service period completed to "Retain award, disbursement, refunds, applications and year-end reports permanently. Retain all other records for five (5) years after loan is paid in full or scholarship service period has been completed and audit, then destroy." *Description and analysis forms were completed for two (2) records series without changes to retention and disposition.*

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 (KRS 164.740). KHEAA's Board of Directors is composed of 10 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's board members also serve on the sister agency's (Kentucky Higher Education Student Loan Corporation) Board of Directors. KHEAA administers several financial aid programs and disseminates information about higher education opportunities. Pursuant to KRS 164.740 to 164.769, KHEAA provides statewide programs of financial assistance and related services to enable students to pursue postsecondary education programs.

This is a complete revision of the schedule for the Kentucky Higher Education Assistance Authority.

Schedule date: December 12, 1991

Proposed schedule date: December 8, 2011

Arnold presented this revised schedule.

Haynes made a motion to approve the revised schedule, seconded by Lile. The vote by members and representatives present was unanimous.

General Schedule for State Agencies

Cundy was the Records Analyst working on this revised schedule. **Deletion from the Schedule:** Series M0020, Newspaper Clipping File. **Revision to the Schedule:** Series M0052, Surveillance Video/Audio Recordings from "Destroy or re-use after thirty (30) days. If any investigation, litigation, or open records request involving these recordings is taking place or is pending, the recordings should be maintained until all investigative or legal activity is completed," to "Destroy or re-use after seven (7) days. If any

investigation, litigation, or open records request involving these recordings is taking place or is pending, the recordings should be maintained until all investigative or legal activity is completed.”

A General Schedule is a class of records retention schedule that governs the retention and disposition of specified records common to all or most public agencies. The General Schedule for State Agencies covers records for State Agencies.

This is a complete revision of the Miscellaneous Records Section of the General Schedule for State Agencies. Complete revisions of the Personnel and Payroll Records Section (December 10, 2009) and the Fiscal Records Section (December 9, 2010) have already been approved by the Commission.

A new schedule date of December 8, 2011 for the entire General Schedule for State Agencies is requested.

Cundy thanked the members of the Advisory Committee on the General Schedule for State Agencies for their work. The Committee would be revisiting Series M0021, Itinerary File, which is currently being retained for two (2) months. Committee members felt that series should be retained for a longer period, and that retention should perhaps be based on the tenure of the office holder. Committee members would also be revisiting Series M0002, Routine Correspondence, to recommend that the current retention of “Retain no longer than two (2) years” be a fixed retention. This will provide PRD staff another opportunity for training to apprise users of the change and help them address it. Staff is still researching the issue and a recommendation will be made at a later Commission meeting.

In response to a question by Onkst, Cundy said that the proposed seven (7) day retention for Series M0052, Surveillance Video/Audio Recordings, reflects the fact that there are numerous surveillance systems and seven is a reasonable period of time to expect the various systems to maintain the information. The disposition includes instructions that if any investigation, litigation, or open records request involving these recordings is taking place or is pending, the recordings should be maintained until all investigative or legal activity is completed. This does assume that investigation on any matter will begin within seven days of the occurrence.

Belding made a motion to approve the revised schedule, seconded by Lile. The vote by members and representatives present was unanimous.

Department of Veterans Affairs

Arnold was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06179, Construction Projects File; Series 06180, Kentucky Indigent

Veterans Burial Program File; Series 06181, Kentucky Medal for Freedom Program File; Series 06182, Veteran Pre-Application File; Series 06183, Interred Veteran or Dependent Master File; Series 06184, Case Files; and Series 06193, Power of Attorney File. **Deletions from Schedule:** Series 04611, USDA Commodity Food Record; and Series 01721, States Regional Office Bulletins. **Revisions to the Schedule:** *Retention Changes:* Series 04603, Medical Record File, from six (6) years after death or discharge to five (5) years after death or discharge; Series 01719, Limited Tuition Claim Case Files, from two (2) years after claim is approved to Retain for two (2) years after the applicant's twenty-sixth (26th) birthday, then destroy;" Series 01720, Unlimited Tuition Claim Case Files, from two (2) years after claim is approved, to "Retain certificate for one-hundred (100) years after applicant's date of birth. Supporting documentation may be destroyed after two (2) years." *Closed series:* Series 04612, Day Care Facility File.

The Bureau of Veterans' Affairs was created in 1972. In 1974, the Bureau became the Advisory Board for Veterans' Affairs and the Department for Human resources assumed some duties. In 1980, the Center for Veterans' Affairs was created in the Department for Military Affairs, it assumed the duties that had been assigned to the Department for Human Resources. In 1996, with enactment of HB 90, the Center was merged into the newly created Department of Veterans' Affairs. The Department provides assistance and support to citizens of the Commonwealth who are veterans of the military services, their families, dependents, and/or survivors, in the presentation, proof, and establishment of all claims, privileges, rights and other benefits they may have under state, federal or local law (KRS 40.310). It collects data and information regarding facilities and services available to veterans, their families and dependents. The Office of Kentucky Veterans' Centers was created by Executive Order 98-1594, issued December 3, 1998 and confirmed by 2000 HB 94. The Office is responsible for operating the state veterans' nursing homes, a responsibility transferred to it from the Finance and Administration Cabinet.

This is a complete revision of the Schedule for the Department of Veterans Affairs.

Schedule date: December 13, 2001

Proposed date: December 8, 2011

Arnold presented this revised schedule.

Haynes made a motion to approve the revised schedule, seconded by Belding. The vote by members and representatives present was unanimous.

Cabinet for Health and Family Services – Office of Administration and Technology Services

Compton was the Records Analyst working on these schedule deletions. **Deletions from Schedule:** Series 168, Unusual Occurrences Report; Series 173.1, Kentucky Infant and Preschool Project (KIPP) Data; Series 216, Client Oriented Data Acquisition Project (CODAP) Contract; Series 220, Children and Youth Project Data – Raw Statistics; Series 221, Kentucky Human Services Directory; Series 338, Covered Employment, Total Wages, Taxable Wages and Contributions; Series 359, Product – Activity Report (Form BLS-3023); Series 360, Claimstaking Telex (Form ES-210); Series 364.1, Microfilm of Individual Firm Data Tabulation; Series 365, Participant Characteristics – Quarterly Summary (Form MA-5-136); and Series 366, Enrollment and Termination – Quarterly Summary (MA-5-134).

The Cabinet for Health and Family Services is the primary state agency for operating the public health, Medicaid, certificate of need and licensure, and mental health/mental retardation programs in the Commonwealth. The function of the Cabinet is to improve the health of all Kentuckians and to improve the functional capabilities and opportunities of Kentuckians with disabilities, including the delivery of population, preventive, reparative and containment health services in a safe and effective fashion. The Cabinet accomplishes its function through direct and contract services for planning through the state health plan and departmental plans, for program operations, for program monitoring and standard setting and for program evaluation and resource management. The Cabinet was established in 1878 as the State Board of Health and Superintendent of Vital Statistics by Acts of 1878, Chapter 499. The Cabinet for Health and Family Services has reorganized many times since its creation and is governed by Kentucky Revised Statutes Chapter 194A.

Compton summarized the schedule deletions.

Lile made a motion to approve the schedule deletions, seconded by Haynes. The vote by members and representatives present was unanimous.

Justice and Public Safety Cabinet – Department of Juvenile Justice

Compton was the Records Analyst working on these schedule additions. **Additions to the Schedule:** Series 06190, Orders for Expungement of Juvenile Records; and Series 06191, Miscellaneous Logs.

The Kentucky Department of Juvenile Justice (KY DJJ) was established in 1996 with the passage of HB 117 by Kentucky's General Assembly. The Kentucky Department of Juvenile Justice is in the Justice and Public Safety Cabinet and is responsible for prevention programs for at-risk youth, court intake, pre-trial detention, residential placement/treatment services, probation, community aftercare/reintegration programs and youth awaiting adult placement or court. KY DJJ operates and contracts for the services of a variety of programs to both meet the treatment needs of delinquent youth

and to protect the public, including community supervision programs, day treatment programs, group homes, residential treatment programs and private child care programs. The Department seeks to serve youth in the least restrictive, appropriate placement possible.

Compton presented the schedule additions.

Belding made a motion to approve the schedule additions, seconded by Birdwhistell. The vote by members and representatives present was unanimous.

Office of the Governor – Department for Local Government

Arnold was the Records Analyst working on this schedule addition. **Additions to the Schedule:** Series 06178, Neighborhood Stabilization Program File.

The Department for Local Government provides financial help in the way of grant and loan assistance, as well as advising local governments in matters of budget, personnel and other items relevant to those entities. These include procurement, financial management, property tax rates, community revitalization or economic development, training of officials and intergovernmental relations between the commonwealth and the federal government. Subunits of the office include the Office of Legal Services, the Office of Finance and Administration, the Office of Federal Grants, the Office of State Grants, the Kentucky Infrastructure Authority and the Office of Field Services.

Arnold presented the schedule addition.

Lile made a motion to approve the schedule addition, seconded by Haynes. The vote by members and representatives present was unanimous.

Justice and Public Safety Cabinet – Office of the Parole Board

Compton was the Records Analyst working on this schedule revision. **Revision to the Schedule:** Series 04481, Preliminary Hearings File, from "Retain in Agency five (5) years and destroy," to "Transfer to the Department of Corrections, Offender Records Section, for inclusion in the Offender Record, 02982, upon notification of final action. The retention of Series 02982 is seventy five (75) years after case is closed."

As part of the Criminal Justice System and under the jurisdiction of the Justice and Public Safety Cabinet, the Parole Board is committed to the safety and protection of all citizens of the Commonwealth by rendering fair and impartial release and revocation decisions which serve the best interest of the public, crime victims and those who are otherwise defenseless against the criminal element of our society. The Parole Board further promotes the successful reintegration of the criminal offender into the

community and supports their successful attempts to avoid recidivism. The Kentucky Parole Board is composed of seven (7) members including the Chairman, plus two part-time, or substitute, Board members who sit when a full time member is unable to do so. The members are appointed by the Governor to four (4) year staggered terms. Each Board member must have had at least five (5) years of actual experience in the fields of penology, corrections work, law enforcement, sociology, law, education, social work, medicine, or a combination thereof, or must have served five (5) years previously on the Parole Board. The Governor names one of the board members as Chairman. The board members are required to give full time to their duties. In addition to the board members, the Kentucky Parole Board is composed of an Executive Director who is responsible for the day-to-day administration of the Board and a Parole Board staff of eight (8) persons. The Chair and the Executive Director have an Executive Assistant.

Compton said that this change in disposition brought the schedule into line with actual practice at the Parole Board.

Lile made a motion to approve the schedule change, seconded by Belding. The vote by members and representatives present was unanimous.

Council on Postsecondary Education

Arnold was the Records Analyst working on this schedule revision. **Revision to the Schedule:** *Closed Series:* Series 04435, Eighth Grade Equivalency Certificate File.

The Council on Postsecondary Education, as provided in KRS 164.020, is charged with leading the reform efforts envisioned by state policy leaders in the *Kentucky Postsecondary Education Improvement Act of 1997*. The Council has multiple responsibilities to ensure a well-coordinated and efficient postsecondary and adult education system. Among its many responsibilities, the Council:

- Develops and implements a strategic agenda for the postsecondary and adult education system that includes measures of educational attainment, effectiveness, and efficiency;
- Produces and submits a biennial budget request for adequate public funding of postsecondary education;
- Monitors and approves tuition rates and admission criteria at public postsecondary institutions;
- Defines and approves all academic programs at public institutions;
- Ensures the coordination and connectivity of technology among public institutions; and
- Collects and distributes comprehensive data about postsecondary education performance.

The duties of the Council on Postsecondary Education are outlined in the Kentucky Postsecondary Education Improvement Act of 1997, Section 74 through 84. The Council on Higher Education was created in 1934, but it lacked broad coordinating authority until 1966, when it was empowered by KRS Chapter 164 to determine the overall needs of higher education, develop comprehensive plans, review the public institutions' funding requests, and approve professional schools. The 1992 General Assembly repealed KRS 164.010, which established the membership of the Council, and enacted a new law on appointment of members to the Council, as well as all university governing boards. In May, 1997, during the 1997 First Extraordinary Session, called by the Governor to reform higher education, the Council was abolished and the Council on Postsecondary Education was created (KRS 164.011).

Arnold reviewed the schedule revision.

Birdwhistell made a motion to approve the schedule revision, seconded by Lile. The vote by members and representatives present was unanimous.

Justice and Public Safety Cabinet – Department of Kentucky State Police

Compton was the Records Analyst working on this schedule addition and revision.
Addition to the Schedule: Series 06166, Driver/Vehicle Examination Report.
Revision to the Schedule: Series 05876, Motor Vehicle Inspection of Commercial Carriers – Violations, from “Retain in Agency three (3) years, then destroy,” to “Destroy hard copies after scanning and verification. Retain in Agency electronically three (3) years, then destroy.”

The Department of State Police was formed on July 1, 1948, when legislation was signed giving its officers full police powers, both traffic and criminal. All offices, facilities, equipment, duties, powers and funds of the State Highway Patrol were transferred to the Department. In 1956, the Department was abolished and it became the Division of Kentucky State Police in the Department of Public Safety. From 1973 to 2004, it was part of the Justice Cabinet. In 2004, the Department became part of the Justice and Public Safety Cabinet, by order of the Governor. Its duties and powers are contained in KRS Chapter 16. KRS 16.060 details the duties and powers of the Commissioner and officers of the Kentucky State Police. It is the duty of the Commissioner and each officer of the Department to detect and prevent crime; apprehend criminals; maintain law and order throughout the state; collect, classify and maintain information useful for the detection of crime and the identification, apprehension and conviction of criminals; and enforce the criminal as well as the motor vehicle and traffic laws of the Commonwealth. The KSP must also provide security at state facilities located in Frankfort, highway enforcement, and water safety enforcement, as provided in KRS Chapter 235.

Compton summarized the schedule addition and revision.

Lile made a motion to approve the schedule addition and revision, seconded by Haynes. The vote by members and representatives present was unanimous.

State University Model Schedule

Cundy was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series U0250, Electronic Funds Transfer Supporting Data File.

The State University Model Records Retention Schedule covers records that are common among Kentucky's public university campuses and its Community and Technical College System.

Cundy summarized the schedule addition.

Haynes made a motion to approve the schedule addition, seconded by Belding. The vote by members and representatives present was unanimous.

Onkst recognized Teague, who discussed the **State Records Center consolidation project**. The Division of Real Properties, Leased Properties Branch had opened the bidders' Best and Final proposals on October 28, 2011. PRD staff had reviewed the proposals and recommended one to receive the award. PRD staff had also been working with personnel from the Office of the State Budget Director, including Glenna Goins and John Hicks, to help ensure that the project is affordable and manageable. The Secretary of the Finance and Administration Cabinet must approve the project before it can move forward. A decision on moving the project forward is pending. Belding commended the work of Teague and other PRD staff and thanked other participants in the project, which has gone further than similar requests have in the past.

Onkst recognized Carlton to discuss **Local Records Grants**. Carlton said that in the current fiscal year, forty-seven grants totaling over \$900,000.00 had been distributed. Seventeen of those had gone toward microfilming, while fifteen had been given for backfile conversion of paper records to digital images. The next round of grants will be distributed in March 2012.

Onkst said that the Department had received notice of its two percent budget cut from the Education and Workforce Development Cabinet. General Fund operating monies will be reduced by \$114,500. The budgeted amounts for three unfilled positions will be used to meet this reduction. Direct aid to public libraries will be reduced by \$63,800, agency-generated funds by \$27,500, and Local Records grant funds by \$17,700. This is a total of \$223,500.

Birdwhistell commended the work of the Public Records Division, saying that appropriate records management, as promoted and supported by the Division, saved money and kept agencies and universities within the bounds of the law. Teague said that the Division's mission involved both the maintenance of permanent records and the disposal of non-permanent materials. Lile said that data storage costs had been reduced significantly. Teague said that the PRD's electronic records program, in place with the assistance of the Commonwealth Office of Technology, is among the best in the country.

There being no further business, Onkst adjourned the meeting at 11:00.