

STATE ARCHIVES AND RECORDS COMMISSION
Minutes of the Quarterly Meeting
March 8, 2012
Department for Libraries and Archives

The State Archives and Records Commission met at 10:00 a.m., March 8, 2012, 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; David Schroeder, representing the Kentucky Library Association; Louise Jones, representing the Kentucky Historical Society; Sheila Stuckey, representing regional colleges and universities; 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 Adam H. Edelen, 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: Terry Birdwhistell, representing the University of Kentucky; and Robert Sherman, Director, Legislative Research Commission.

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 for Community Based Services; Will Robinson, Department for Community Based Services; and Brad Popp, Cabinet for Health and Family Services.

Onkst called for introductions by those present.

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

RECORDS RETENTION SCHEDULES

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

Compton was the Records Analyst working on this revised schedule. **Addition to the Schedule:** Series 06223, Adoption Records – Independent. **Revision to the Schedule:** Series 06151, Adoption Records – Public Agency, from permanent to “Retain in Agency three (3) years, then transfer to State Records Center, destroy after fifty (50) years from date of Final Adoption Court Order.”

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.

Teague said that Archives Advisory Committee members had questioned the proposed retention for Series 06223, Adoption Records – Independent, of twenty-five (25) years after court order; and the change in retention to Series 06151, Adoption Records – Public Agency. Committee members had concerns about materials that may be in these series that are not in the Circuit Court files and about what may be lost to adoptees once these files are destroyed. Committee members had suggested retaining the files over the lifetime of the individual.

Robinson said that DCBS personnel had tracked requests for these records after seven or eight years, once their immediate utility had elapsed. He said that the agency had received very few requests for records older than twenty-five years after the adoption is finalized and no requests for records that are older than fifty years after the adoption is finalized. Files for adoptions facilitated by DCBS may have more information than files for adoptions that are not through DCBS and may be useful to adoptees seeking more information on their background. Permanent storage costs are another issue, as these records are quite voluminous. The records are also subject to very tight access restrictions.

In response to a question by Lykins, Robinson said that DCBS personnel felt that the records would not be of much assistance to individuals whose hereditary conditions have not manifested themselves within fifty years. Information on the parents' medical history or histories contained in the files is very limited, particularly on the father. Many DCBS adoptions are by foster families, and those families often have the complete file.

Onkst asked what could not be replaced from another source once one of these files has been destroyed. Robinson said that only DCBS's investigation of the releasing and adoptive homes could not be replaced. In response to a question by Teague, Robinson said that those assessments are generally not in the independent adoption records, though assessments of the adoptive home are usually added when a child is relocated from another state to Kentucky. DCBS adds nothing to files on international adoptions.

In response to a question by Onkst, Weese said that DCBS is not the official custodian of a client's medical records. Those records are in the possession of the doctors or hospitals that create them. Robinson said that, even if the records are in the files, people are not requesting them after fifty years. Lykins said that to the extent that the Department gathers and maintains medical information, it is the official custodians of that material.

In response to a question by Belding, Weese said that DCBS maintains between 25,000 and 50,000 cubic feet of adoption records at the State Records Center, though it is impossible to gauge the amount of the different records series, as the files have not been separated by type of adoption. There is also a significant amount of duplicate material.

In response to a question by Goins, Robinson said that summary information would be maintained as part of DCBS's adoption file, while more detailed information would be in the Court Case File. The adoptive family would have a copy of DCBS's file.

Teague said that access to these files is legally restricted to the parties to the proceedings, their attorneys, and representatives of the Cabinet for Health and Family Services, except under Court Order expressly permitting inspection.

Potter suggested that the records could be maintained according to typical life expectancy so that adoptees would most likely be able access the files during their lifetimes. Robinson said that the fifty-year retention had been proposed because DCBS had not received requests for records older than that. He suggested that seventy-two years from the finalization of the adoption, which is used by the federal government as the term for life expectancy when looking at restricted records with individually identifying information, would be acceptable.

In response to a question by Myers, Robinson said that it is unlikely that these files would ever be opened for general inspection, mainly because there is unsubstantiated information in most of these files that would be considered sensitive by the individuals involved.

Belding made a motion to approve a retention period of seventy-two (72) years for Series 06151, Adoption Records – Public Agency, seconded by Goins.

Bensenhaver asked whether there would have to be a difference in retention between Series 06223, Adoption Records – Independent and Series 06151, Adoption Records – Public Agency. She felt there is a public interest in maintaining the independent adoption records for a longer period of time. She wanted confirmation that there is no information available in the file that would not be available elsewhere. Robinson said that the shorter retention for independent adoptions was justified because DCBS does not add anything unique to those files and the family already has all the materials. There are many different types of adoption files, such as family adoptions, international adoptions, or out-of-state adoptions. Agency personnel have recommended these two series because it is the most straightforward way of classifying them. DCBS personnel would propose other series to the Commission if a different retention period for independent adoptions is not approved.

In response to a question by Bensenhaver, Compton discussed retention of similar files by other states such as Alabama, Virginia, Tennessee, North Carolina, Indiana and Arizona. None of these states makes the distinction between agency adoptions and private adoptions. The retention periods proposed by DCBS are also significantly shorter than those of these states. Weese said that personnel in other states are making efforts to changes these retention periods.

Belding amended his motion to approve the retention period of seventy-two (72) years from the time the adoption is finalized for both Series 06223, Adoption Records – Independent, and Series 06151, Adoption Records – Public Agency, seconded by Goins. The vote by members and representatives present was unanimous.

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

Compton was the Records Analyst working on these schedule deletions. **Deletions from the Schedule:** Series 205, Evaluation Instruments; Series 317, Work Incentive (Win Program) Source Document; Series 320, Juvenile Court Reporting Documents (DCW-120); Series 321, WIN Statistical Report; Series 330, Unemployment Insurance Claims Summary – Weekly and Monthly (Form UI-301.4); Series 331, Federal Employees and Ex-Service Unemployment Compensation (Form UI-301.5); Series 332, Federal Employees Extended Benefits and Supplemental Benefits Summary Form; Series

334, Unemployment Insurance Fact Sheet (Form UI-464); Series 335, Insured Unemployed Characteristic Tables (Form ES-203); Series 336, Weeks Compensated and Amount of Payments; Series 337, Unemployment Insurance Payments and Weeks Compensated; Series 340, Employment Report (Form BLS 1932/1963-M); Series 347, Labor Force Employment and Unemployment (Form US-1 & 2); Series 350, Hours and Earnings Annual Report (Form BLS-1830-HE); Series 351, Labor Turnover Rates (Form LT-10-M); Series 352, Substantial Unemployment Areas; Series 354, Wages and Contribution Tabulation Summaries (Quarterly Form ES-202); Series 357, Occupational Employment Survey Schedules (By Industry); Series 358, Federal Employment and Wages Report (Form UI-30); Series 361, Occupational Employment Survey Statistics Progress Report; Series 362, Activities Report of Extended Benefits/Federal Supplemental Benefits (Form U); Series 363, Quarterly Contribution Statistical Supplemental (Form UI-3C); Series 364, Claims Activities, Regular Programs and Supplemental Unemployment Assistance; Series 367, Enrollment and Termination – Monthly Summary (MA-5-144); Series 368, Indicators of Compliance Report (MA-5-148); Series 371, Applicant Information Record (MA-101); Series 372, WIN Participant History (S-5-97); Series 373, WIN Enrollee Status (S-5-S); Series 374, WIN Registration Record (WIN-136); Series 375, Individual Termination Record (MA-104); Series 376, WIN Team Transmittal Sheet (Form C2); Series 377, Follow Through Record (Form F1); Series 378, WIN Activity Worksheet (Form WIN-1); Series 379, WIN Program TWX Monthly Report (MA-5-147); Series 380, WIN Program Activity Monthly Summary (MA-250, MA-5-16, and MA-5-98); Series 381, WIN Participant Characteristics Monthly Summary (MA-251, MA-5-39, MA-5-99); Series 383, In-Season Farm Labor (ES-223); Series 386, Defense Manpower Police #4 (MA-7-38); Series 388, Complaint Records; Series 394, Project Documentation; Series 398, Consolidation Project; Series 399, Computer Services Board; Series 401, Advisory Committee – Information Procuring; Series 402, Magnetic Visual Control Boards; Series 403, Request for Proposals on Intelligent Terminals; Series 404, Staffing Patterns; Series 409, HEW Questionnaires; Series 410, Production Control Reports; Series 412, Equipment Meter Readings; Series 413, Production Progress Reports; Series 415, State Owned Buildings File; Series 434, Monthly Retirement Report; Series 456, Correctional Informational Memorandum; Series 457, Liable Actions – Filed in Franklin Circuit Court; Series 460, Notice of Identifying Number (Form OAR-S-14); Series 462, Plans and Agreements for Social Security Coverage; Series 463, Posting Ledgers for Political Subdivisions; Series 464, Quarterly Breakdown of Contributions Paid by State Units (Form OAR-S-2); Series 476, History Listings for Correction; Series 481, County Official Earnings Listing; Series 486, Leave Maintenance Corrections (DHR-157); Series 487, Applications for Membership and Signature Cards-Open Accounts; Series 489, Certificates and Licenses to Operate; Series 494, General Ledger (Duplicate) (Traffic Counts, Sufficiency Ratings, Turnpike Studies, Related Correspondence); Series 497, Report of Loan Officer; Series 508, Loans – Schedule of Delinquent; Series 509, Loan Applications – Approved; Series 514, Summaries; Series 520, Loan Transfer Summary; Series 522, Applications for Membership and Signature Cards – Closed Accounts; Series 55, Data Systems Planning

Documents; Series 577, Authorization for Refund; Series 578, Bad Check Accounts; Series 594, Collection Form for Receipts; Series 62, Scratched Tape – Computer Tape or Disk; Series 63, Test Tape; Series 633, Megowan Fund; Series 636, Minor Object Schedule; Series 660, Petty Cash Disbursements and Request for Reimbursement; Series 664, Petty Cash Ledger; Series 65, Raw Data Input Tapes (Magnetic Tapes containing data abstracted from source); Series 665, Petty Cash Encumbrance; Series 67, Working Tape; Series 672, Quarterly Forms Requisition; Series 674, Reconciliation of Frankfort Fees Withheld – Annual; Series 675, Record Flow of Documents; Series 68, Valid Transactions Computer Tapes; Series 688, Trust and Agency Limits Authority; Series 689, Utility Report (Duplicate); Series 698, Pencil Sheets for Petty Cash; Series 70, Housekeeping Systems Computer Tape; Series 704.4, Receipt Correction Entry Records-Screen 4 (DHR 65a, b, c, d, e); Series 704.5, Receipt Entry Records – Screen 2 (DHR 66, 1a, b, c, d, e); Series 706, Budget and Item Cards; Series 708, Cooperative Payrolls; Series 71, Social Statistics Master File – Computer Tapes; Series 710, Individual Earnings Card File; Series 713, Memorandum of Agreement; Series 72, Economic Statistics Master File – Computer Tapes; Series 73, Print Tapes – Computer Tapes; Series 744, Asset Numbering System; Series 75, Housekeeping Systems Computer Tapes; Series 752, Sample Forms Book; Series 758, Accident Reports; Series 76, ADP (Automatic Data Processing) Program Card Files; Series 77, Batch Route Sheet Register Series; Series 773.13, Retirement Records and Reports; Series 773.14, Tax Ledgers; Series 773.18, Summary Sheet – Internal Control Document; Series 778, Class Code Listing; Series 779, Listing of Paid Overtime since 1973; Series 78, Batch Tickets Series; Series 780, Listing of Dismissals and Suspensions since 1973; Series 781, Position Description Questionnaire; Series 782, Request for Certification (P-7); Series 814, Notice of Initial Unemployment Claim (UI-412A); Series 82, Non-auditable Housekeeping; Series 83, Update, Test and Work Tape; Series 84, Raw Data; Series 85, Valid Transaction; Series 86, Auditable Housekeeping; and Series 98, Inventory Cards.

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 presented the schedule deletions.

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

Cabinet for Health and Family Services – Department for Behavioral Health, Developmental and Intellectual Disabilities

Compton was the Records Analyst working on this revised schedule. **Additions to Schedule:** Series 06248, Discharge Summaries; and Series 06282, Training Manuals. **Revisions to Schedule:** Series 06253, Behavioral Health, Development and Intellectual Disabilities Cost Reports, from five (5) years to ten (10) years; Series 06285, Program Performance Reports, from permanent to fifteen (15) years; and Series 06246, Personnel Health Record, from "Retain in Agency and destroy after termination of employment," to "Retain in Agency and destroy two (2) years after termination of employment." **Deletions from the Schedule:** Series 04397, Activity Log for Security; Series 05482, Outcomes Data File; Series 05486, Contract Files; Series 05488, Medication Distribution Documentation; Series 1436, Medical Staff By-Laws; Series 1437, Hospital Policies and Procedures ; Series 1441, American Occupational Therapy Association Performance in Student Affiliation; Series 1442, American Occupational Therapy Association – Student Affiliation; Series 1447, Admission Face Sheet Card; Series 1450, Dental Card File (Rolodex) for All Patients; Series 1451, Clinical Pastoral Education of Student ; Series 1452, Religious Preference Statistics; Series 1454, Student Affiliation Agreements; Series 1455, Training Program Lecture Notes; Series 1456, General Orientation Materials; Series 1457, In-Service Evaluations; Series 1459, Construction Project; Series 1460, Comprehensive Care Center; Series 1462, Federal Grants; Series 1464, Drug Abuse Program Statistics and Reports to Federal Government; Series 1475, Cashier's Office Report; Series 1477, Medicare Forms; Series 1478, Medicare Log; Series 1479, Medicaid Log; Series 1481, Boiler Inspection Certificates; Series 1483, Guardian and Patients and Clearing Funds Cash Journal; Series 1485, Guardian and Patients Fund Cancelled Checks; Series 1486, Guardian and Patients Fund Bank Deposit Slips; Series 1487, Guardian and Patients Fund Bank Statements; Series 1491, Laboratory Reports (Duplicated record series); Series 1496, Cross Reference Card – Patient and Employees; Series 1504, Boiler Room Check List; Series 1505, Daily Boiler Room Operational Log; Series 1506, Firemen's Log; Series 1507, Instrument Readings Record; Series 1508, Water Softener and Compressor Log; Series 1513, Patient Profile Cards; Series 1515, Cards for Comprehensive Care Centers – Drug Budget Allotment; Series 1517, Cardex Cards – Perpetual Inventory; Series 1518, Request for Non-Formulary Drugs; Series 1522, Pseudo Number Register; Series 1523, Master Index Cards; Series 1525, Diagnostic Index; Series 1534, Diet Manual; Series 1535, Sanitation Inspection; Series 1537, Dietary Menus; Series 1538, Food Evaluation Questionnaire; Series 1549, Daily Hospital Reports; Series 1551, Inspection Reports; Series 1553, Patient Clothing Cards; Series 1554, Notice of Delivery of Condemning Linen; Series 1554.01, Plans, Budgets, Revisions and Contracts; Series

1554.02, Surveys – On Site; Series 1554.03, Grant Awards; Series 1554.04, Grant Applications and A-95 Review; Series 1554.05, Liaison Coordinator's Reports; Series 1554.06, Parole Board Referrals to Comprehensive Centers; Series 1554.07, Reports and Contracts – Title 1, Title X, Title XIX, and Title XX; Series 1554.08, Utilization Review Plan and Report; Series 1554.09, Board of Education Training Material; Series 1554.10, Funding Formula Explanation; Series 1554.11, Guideline and Survey Procedures; Series 1554.12, National Institute Drug Abuse Training Course; Series 1554.13, Payment Authorizations; Series 1554.14, Policy and Procedure Manual; Series 1974, Mental Health Program File; Series 343, Disease Log; Series 509, Narcotics Dispensed Inventory; Series 511, Prescriptions for Medicine; Series 677, Report and Recommendation for Mental Retardation; and Series 686, Tally Sheet (Form MH 1-3-7).

The mission of the Department for Behavioral Health, Development and Intellectual Disabilities is to provide leadership in partnership with others, to prevent disability, build resilience in individuals and their communities, and facilitate recovery for people whose lives have been affected by mental illness, intellectual disability or other developmental disability, or substance abuse.

The Department is authorized by KRS 194A.030 and is headed by a Commissioner. The Department contains three divisions: Administration and Financial Management, Behavioral Health, and Developmental and Intellectual Disabilities. The Department also operates several inpatient facilities that provide psychiatric, rehabilitative and nursing care services to its clients.

This is a complete revision of this agency's retention schedule.

Current date: June 8, 2006

Proposed date: March 8, 2012

Compton said that Shields had completed a System Description for the Department. It was attached to the schedule.

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

General Schedule for State Agencies – Miscellaneous Records Section

Cundy was the Records Analyst working on this schedule revision. **Revision to the Schedule:** Series M0021, Itinerary File, from "Retain for two (2) months, then destroy" to "Retain itineraries of agency heads until two (2) months after they leave office, then destroy. Retain itineraries of all other personnel two (2) months, then destroy."

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

Cundy said that the Advisory Committee on the General Schedule for State Agencies had approved this schedule change.

In response to a question by Justice, Cundy said that Series M0021 currently applies only to agency heads. The proposed description of the series defines an agency head, per KRS 13B.010 (4), as "the individual or collegial body in an agency that is responsible for entry of a final order." The retention of the records for the term of the agency head will satisfy the administrative need for the record within the agency, while the retention of the itinerary until two months after the officeholder steps down will help facilitate business for the new agency head.

Lykins said that the information contained in agency heads' itineraries has been beneficial to the Auditor's Office when conducting special audits.

In response to a question by Justice, Cundy said that the revised series would apply to all state personnel and would require those who are not agency heads to maintain their itineraries for two months.

In response to a question by Lile, Cundy said that this would not require agency heads to print itineraries. Retention would apply regardless of the format in which the itinerary is maintained.

In response to a question by Justice, Cundy said that this does not create an obligation on the part of agency heads to create itineraries.

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

Education and Workforce Development Cabinet – Department for Workforce Investment – Office of Career and Technical Education

Arnold was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06224, Student Master Folders; Series 06226, Personnel Files (Chapter 151B); Series 06227, Fire Safety Inspections File; Series 06228, Hazardous Materials Exposure File; Series 06229, Health and Facilities Inspections File – ; Series 06230, Facilities & Equipment Usage and Rental File ; Series 06231, Accident Report File ; Series 06232, Class Record ; Series 06233, Student Career & Technical/Training Agreement ; Series 06234, Area Technology Centers Master Schedule/Course Offerings; Series 06235, Fire Drill, Emergency & Disaster Preparedness File; Series 06238, Teacher

Internship Program File; Series 06239, Official Yearly Calendar; Series 06240, Plans, Drawings, Blueprints & Building Specifications; Series 06241, Student Sign-In / Sign-Out Log; Series 06242, Textbook Inventory; and Series 06243, Student Organization Financial File. **Deletions from the Schedule:** Series 02410, Application and Contract (Form AE-1) Between the Department of Education and Local Boards of Education to Operate Adult Education Programs in Local School; Series 02411, Summary Monthly Expenditures (Bills attached) From Local School Districts (AE-7); Series 02412, Time Sheet and Evidence of Payment for Services from Adult Basic Education Personnel (AE-9); Series 02413, Teacher's Monthly Report of Classes Held (AE-3); Series 02414, Teacher's Annual Report of Classes Held (AE-4); Series 02415, Superintendent's Annual Report of Classes Held (AE-5); Series 02416, State Payment Summary for Services and Materials (AE-10); Series 02417, Local Education Agency's Authorization for Applicant to Take Test; Series 02430, Computer Utilization; Series 02820, Assurance of Compliance with DHEW under Title VI of Civil Rights Act of 1964; Series 02821, Review of Compliance; Series 02822, Affirmative Action Plan for Equal Employment Opportunity; Series 02823, Program and Financial Plan for Vocational Rehabilitation Agencies (OHD-RSA-1; Series 02824, State Plan for Vocational Rehabilitation Services; Series 02825, BRS Annual Affirmative Action Statistical Report; Series 02828, Client Administrative Review Appeal Narrative; and Series 04121, Vocational Education Student Information System (VESIS).

One of four agencies in the Education and Workforce Development Cabinet's Department for Workforce Investment, the Office of Career and Technical Education (OCTE) is responsible for administration of the Kentucky Tech school district – the *first* technical education system in the nation to become SACS-CASI accredited. Kentucky Tech's 53 area technology centers (ATCs) are strategically located in small to medium sized communities throughout the state. ATCs were originally established in the 1960's to serve multiple school districts to provide program access. The 53 ATCs serve 129 local school districts. It is a goal of the OCTE to create a collaborative relationship with local school districts to enhance growth in Kentucky's educational community. As the only state operated technical education school district in the Commonwealth, Kentucky Tech provides statewide consistency and continuity of career and technical education programs. Students receive instruction in sound academic principles, theory, laboratory and clinical experiences to ensure they can compete successfully in today's changing workplace. The system is funded through two major sources, state general fund appropriations and federal funds under the Carl D. Perkins Career and Technical Education Act of 2006. Additionally, Support Education Excellence in Kentucky (SEEK) funds are received from the Kentucky Department of Education for secondary students served in Kentucky Tech ATCs.

This is a complete revision of this agency's records retention schedule.

Current schedule date: April 1, 1981

Proposed schedule date: March 8, 2012

Arnold presented the revised schedule.

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 – Department for Workforce Investment – Office of Employment and Training

Arnold was the Records Analyst working on this revised schedule. **Additions to the Schedule:** Series 06187, Constituent Inquiries File; Series 06194, Unemployment Individual Claim Files; Series 06195, Employer Tax Files; Series 06196, Trial Balance Files; Series 06197, Federal Unemployment Tax Act (FUTA) Annual Files; Series 06198, Annual Contribution Rate Files; Series 06199, Workforce Investment Act (WIA) Files; Series 06200, Migrant and Seasonal Farm Workers Files; and Series 06201, Trade Adjustment Assistance Files. **Revisions to the Schedule:** Series 06206, Commission Appeal Cases, from "Destroy when obsolete" to ten (10) years; and Series 06207, Docket Books, from ten (10) years to five (5) years. **Deletions from the Schedule:** Series 1629, Docket Cards; Series 1630, Commission Orders Docket Cards; Series 1634, Appeals Docket Cards for Other States; Series 1635, Referee Schedules; Series 1639, Referee Decisions; Series 1640, Initial Claim for Benefit; Series 1641, Appeal Docket Claims; Series 1642, Employer's Liable and Non-Liable; Series 1646, Interstate Claim Benefit History; Series 1646.1, Intrastate Claim Benefit History; Series 1647, Federal Claims Pending Causes/File on Current Inquiry; Series 1651, Quarterly Statement - Charges to Employers Accounts; Series 1654, Monthly Restitution; Series 1657, Notices of Potential Benefit Charges; Series 1658, Adjustments of Disputed Claims; Series 1659, Verification of Federal Agency Wage; Series 1660, Investigator's Daily Activity; Series 1661, Successor & Predecessor Employer Reserve Account Cards; Series 1664, Transfer to Trust Fund; Series 1666, Current Deposit Slips of Clearing Account; Series 1667, Benefit Charges Books; Series 1668, Proof of Credit Books (Annual); Series 1669, Batch Register Books for Employer's Contributions; Series 1670, Trial Balances Books; Series 1671, Yearly Benefit Charges Books (Annual); Series 1672, Three-Year Taxable Payroll Books; Series 1673, Yearly Reserve Books; Series 1674, Individual Employers Reserve Account Books; Series 1675, Contributions and Accounts Receivable Books; Series 1676, Auditors' Daily Activity Reports; Series 1677, Subsidiary Quarterly Trial Balance; Series 1678, Batch Summary Register for Employers' Contributions; Series 1679, Inventory of Field Auditors' Cases; Series 1680, Bankruptcy Schedules; Series 1682, Liable Employers List; Series 2202, Job Corps Programs and Modifications; Series 2203, Migrant and Seasonal Farm Workers; Series 2208, Departmental Affirmative Action Plans; Series 2209, EEO Monthly/Annual Federal Reports; Series 2211, Discrimination Charges Case Records; Series 2221, Status Report; Series 2226, Bonding Program; Series 2244, Contracts with Non-Profit Agencies; Series 2250, Job Corps Control Cards; Series 2252,

Job Corps Control Cards (not enrolled); Series 2253, Job Corp Resumes; Series 2254, Participant Grievances; Series 2268, Permission to Tape; Series 2269, Analysis of Individual in Counseling; Series 2270, Evaluation Checklist on Counseling; Series 2271, Appraisal Reports; Series 2272, Employment Security Automated Reporting System; Series 2276, Agency Plan of Service; Series 2277, Interstate Conference of Employment Security Agencies; Series 2278, Counseling Activities; Series 2279, Local Office Visit Reports; Series 2281, Background Information; Series 2282, Descriptive Rating Scale; Series 2283, General Aptitude Test Battery Answer Sheet; Series 2284, General Aptitude Test Battery; Series 2285, Quantitative Analysis; Series 2286, Data Collection for Specific Aptitude Test Battery; Series 2287, Specific Aptitude Test Battery; Series 2288, Test Development Card File; Series 2296, Agricultural Labor Reports; Series 2298, Job Bank Analysis; Series 2300, Returning Veterans Summary Record; Series 2301, Local Manager Reports; Series 2302, Regional Manager Reports; Series 2303, Project Related Documents on Federal Programs; Series 2304, Client Intake and Assessment Documents; Series 2305, Local Office Special Study Reports; Series 2306, Local Office Employer Relations Documents; Series 2308, Local Office Plans of Service; Series 2309, Federal Program Investigative and Compliance Records and Reports; Series 2310, ES Testing Records; Series 2313, Job Corps Records (not-accepted); Series 05390, Job Training and Partnership Act Eligibility; Series 05391, Summer Youth Program Eligibility; Series 05392, Jobs for Kentucky's Graduates Program Eligibility File; Series 05393, Rapid Response Database; Series 05394, Job Training and Partnership Act Eligibility; and Series 05395, Management Information System File.

Functions of the Office of Employment and Training fall into three broad areas: services to job seekers and employers; compiling and distributing labor market information for individuals, businesses and units of government; and providing Unemployment Insurance short term benefits. The mission of the office is to provide qualified people for jobs, quality jobs for people, temporary financial support for the unemployed, comprehensive labor market information, and preserve the integrity and viability of the Unemployment Insurance Trust Fund, thus promoting the economic well-being of the Commonwealth. The original schedule was created in 1976 when the agency was at the Department level within the Cabinet for Human Resources.

This is a complete revision of this agency's records retention schedule.

Current schedule date: December 1, 1976

Proposed schedule date: March 8, 2012

Justice said that he had represented the Division of Unemployment Insurance, which is a part of the Office of Unemployment and Training, since 1986. Justice said that the proposed five-year retention of many of these records would not cover the agency's administrative and legal need for them. The retention periods would have to be linked

to certain trigger events in the agency's work processes to make the schedule accurate and effective.

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

Horse Racing Commission

Arnold was the Records Analyst working on this revised schedule. **Addition to the Schedule:** Series 06236, Kentucky Horse Breeders' Incentive Fund Files. **Changes to the Schedule:** Series 05535, Backside Improvement Fund File, from five (5) years to fifteen (15) years; Series 05539, Kentucky Thoroughbred Breeders Incentive Fund File, from eight (8) years to permanent; and Series 05541, Kentucky Thoroughbred Development Fund File, from eight (8) years to permanent. **Deletions from the Schedule:** Series 00738, Master License File and Mailing List - Duplicate Information on Current Licensees; Series 00742, Eligible Horse List - County Fair Purse Fund; Series 00971, License Listing From National Association of State Racing Commission; Series 00978, Kentucky Thoroughbred Development Fund Registration Card; Series 00965, Application File; Series 00980, Color File; Series 00981, License Books (Receipt); Series 00983, Application Renewals - Ownership License; Series 00984, Chemist Report File (Negative); Series 05401, Breeder's Award File; and Series 05536, Track Assessment File.

The General Assembly established a State Racing Commission in 1906. The Kentucky State Racing Commission was created in 1960 to regulate thoroughbred racing and the conduct of pari-mutuel wagering on thoroughbred racing. In 1992, the General Assembly abolished the Kentucky State Racing Commission and the Kentucky Harness Racing Commission and created the Kentucky Racing Commission (KRS Chapter 230).

The Commission is responsible for licensing racing associations to conduct race meets, and for assigning dates and establishing conditions for the conduct of racing and wagering. It serves a quasi-judicial function by hearing appeals from the decisions of stewards and other racing officials. It must approve applications by licensed tracks for a simulcast facility, and may establish safety standards for jockeys. Several special equine programs and funds are under the jurisdiction of the Commission.

This is a complete revision of this agency's records retention schedule.

Current schedule date: December 14, 2006

Proposed schedule date: March 8, 2012

Arnold presented the schedule revision.

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

Tourism, Arts and Heritage Cabinet – Department of Fish and Wildlife Resources

Arnold was the Records Analyst working on this schedule addition. **Addition to the Schedule:** Series 06209, Summer Camps Registration Files.

The functions of the four-member Game and Fish Commission created in 1912 were placed in the Department of Conservation when it was created in 1936. The Department of Fish and Wildlife was created by the 1944 General Assembly, when the Division of Game and Fish was removed from the Department of Conservation. The Department of Fish and Wildlife received its current name in 1952. The Department, as established by KRS 150.021, is responsible for the protection and improvement of fish and wildlife resources throughout Kentucky. It is under the general supervision of the Fish and Wildlife Resources Commission. The Commission, established by KRS 150.022, is a bipartisan body of nine members, one from each of the nine districts, appointed by the Governor from a list of five provided by sportsmen in each district. The Commission is responsible for developing Department policy by approving administrative regulations. The Department of Fish and Wildlife is headed by a Commissioner appointed, pursuant KRS 150.061, by the Fish and Wildlife Commission. The Commissioner is responsible for staffing, expending funds and administering programs of the Department. Financial support of the Department is derived from its sale of hunting and fishing licenses, miscellaneous licenses, federal grants and fines and penalties assessed by the courts for violation of game and fish laws. The Department has seven divisions: Law Enforcement Division, Administrative Services Division, Engineering Division, Fisheries Division, Information and Education Division, Wildlife Division and Public Affairs and Policy Division.

Arnold presented the schedule addition.

Lile made a motion to approve the revised schedule, seconded by Lykins. 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 this schedule revision. **Revision to the Schedule:** Series 06190, Orders for Expungement of Juvenile Records, from "Retain in Agency two (2) months after youth has attained the age of eighteen (18), then destroy" to "Retain in Agency two (2) years after youth has attained the age of eighteen (18) years, destroy."

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 said that, while Commission members had approved the current retention for this series, it had been reviewed by DJJ's Counsel subsequently and he suggested the increased retention period.

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

Lexington/Fayette Urban-County Government

Carlton was the Records Analyst working on this schedule addition. **Addition to the schedule:** Series L6464, Child Safety Seat Inspection Records.

Lexington/Fayette Urban County Government (LFUCG) was formed by the merger of the City of Lexington and Fayette County. The merged government officially chartered January 1, 1974 after a referendum was approved by the citizens of both governments. A government - wide records retention schedule was approved by the Archives and Records Commission on September 9, 2004. There have been numerous additions and changes to the schedule since that time.

Carlton presented the schedule addition.

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

Public School District

Carlton was the Records Analyst working on these schedule additions and revisions. **Additions to the Schedule:** Professional Development: Series L6451, Classified Personnel In-Service Training File. Administration: Series L6452, Academic Deficient/Drop Out Report to Superintendent; Series L6453, Superintendent Report to

Dept. of Transportation; and Series L6455, Report of Missing Child. Personnel: Series L6454, Complaints Against Staff - Unsubstantiated. Transportation: Series L6456, School Bus Surveillance Video Recordings. Facilities – Security: Series L6463, Facilities Surveillance Video Recordings. Curriculum and Assessment: Series L6457, EXPLORE School and District Reports; Series L6458, PLAN School and District Reports; Series L6459, ACT School and District Reports; Series L6460, K-2 Assessment; Series L6461, K-Prep Assessment; and Series L6462, End of Course Assessments (EOC). **Revisions to the Schedule**: Series L1945, Register of Individuals Reviewing Student Records, from permanent to "Retain 4 years, then destroy." Series L2639, Complaints Against Staff – Substantiated. The retention did not change. Substantiated was added to differentiate from L6454, Complaints Against Staff - Unsubstantiated. Series L2372, Student Cumulative Health Record from "Release to graduates at time of graduation, or destroy one year after graduation; or retain until non-graduate student reaches the age of 22" to "Retain 6 years after the student leaves the school district, then destroy." Series L3160, Teenage Parent Program (TAPP) Medical Records, from "Destroy 5 years after the patient reaches 18 years of age or ten (10) years from last date of service whichever is greater" to "Retain six (6) years after the student leaves the school district, then destroy." Series L5302, Grants Administration File, from "Retain three (3) years. Destroy after submission of final report and audit" to "Retain 3 years. Destroy after all grant requirements completed and final audit." Series L5328, Authorizations for Release of Students Educational Records, from permanent to "Destroy 4 years after initial authorization and release or when the requested record is destroyed, whichever comes first."

The first attempt to assemble a school district – wide records retention schedule was made in 1988. The Archives and Records Commission approved this schedule that year. In 1999 a complete revision of the schedule was approved by the Commission. This schedule included K through 12 and the school district central office in one schedule. In March of 2003 the Commission once again approved a revision of the entire schedule. The 174 school districts in the Commonwealth produce an overwhelming amount of paper records. We continue to work with school districts providing records management training and direct service. This is another revision of that schedule. This revision includes the following thirteen new record series to be added and 6 changes to existing record series.

Carlton presented the schedule additions and revisions.

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

Transportation Cabinet – Office of Local Programs; Transportation Cabinet – Department of Vehicle Regulation

Arnold was the Records Analyst working on these schedule additions. **Additions to the Schedule:** Office of Local Programs: Series 06208, Local Programs Files; and Department of Vehicle Regulation: Series 06294, Historic Motor Vehicle Registration.

The statutory organization for the Cabinet is set forth in KRS Chapter 174. KRS 174.010 creates the Cabinet and KRS 174.020 – 174.100 outlines the various organizational components and administrative duties of the Cabinet. The Cabinet is responsible for maintaining and improving the delivery of transportation services in the state. The organizational structure of the Cabinet is as follows: the Office of the Secretary, the Office of Public Affairs, the Office of Inspector General, the Office of Budget and Fiscal Management, the Office of Legal Services, the Office for Civil Rights and Small Business Development, the Office of Information Technology, the Office of Support Services, the Office of Audits, the Office of Human Resource Management, the Office of Transportation Delivery, the Department of Aviation, the Department of Highways, the Department of Rural and Municipal Aid and the Department of Vehicle Regulation. Other bodies attached to the Cabinet for administrative purposes are the Kentucky Airport Zoning Commission, the Kentucky Motorcycle Advisory Commission for Highway Safety, the Kentucky Motorcycle Safety Education Advisory Commission, the Kentucky Bicycle and Bikeway Commission and the Kentucky Motor Vehicle Commission.

Arnold presented the schedule additions.

Haynes made a motion to approve the schedule additions, seconded by Lile. 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 U0482, Extra-Academic Program Application 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 said that members of the Advisory Committee on University Records had recommended that the proposed five-year retention apply only to accepted applications. Rejected applications would be retained for one year. Archives and Records Management Advisory Committee members had recommended a change to the title of the series from "Non-Academic Program Application File" to "Extra-Academic Program File."

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

The next item was **other business**. Onkst recognized Carlton, who said that he had contacted officials in counties that had been hit by tornadoes over the weekend, including Morgan and Magoffin Counties. Two Regional Administrators had gone to Morgan County and spoken to county, city and school officials. City records are wet; school records have been moved to a safe area; and the County Clerk has made arrangements to move into another building. In Magoffin County, all city and county government was acceptable, as the tornado did not hit downtown Salyersville. Officials would be calling for further assistance.

Onkst recognized Teague, who gave an update on the State Records Center construction project. Teague thanked Goins, who had reviewed and critiqued the proposed budget for the project to help ensure the department can afford it. The next steps will not be taken until after the end of the legislative session

Onkst said that, in his budget, the Governor had proposed cuts for the department of 4.2% of general operating funds.

Teague said that former NFL player Jerome Bettis, who will be featured on *Who Do You Think You Are?* on Friday, had been to the department as part of filming for this television series that features a celebrity researching his/her genealogy.

There being no further business, Onkst adjourned the meeting at 12:10. **[2:08:10]**