



Board of Social Work

Records Retention Schedule

Prepared by the State Records Branch
Archives and Records Management Division

Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

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

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

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

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

Audits and Legal Action

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

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings, or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an

agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

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

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

Copies of Records

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

Updating the Retention Schedule

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

Board of Social Work

Created in 1974, the Board of Social Work examines and licenses all eligible candidates for entry into the profession of Social Work. It recommends appropriate changes in the law to assure fairness and equality. The Board conducts formal hearings when necessary and prosecutes by due process any violators of KRS 335.010 to 335.170.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Social Work
Agency

March 14, 2013
Schedule Date

Unit

Change Date

March 14, 2013
Date Approved By Commission

APPROVALS

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

Margaret Hultin
Agency Head

3-15-13
Date of Approval

Mina M. Onghe
Agency Records Officer

3-15-13
Date of Approval

Barbara Fry
State Archivist and Records Administrator
Director, Public Records Division

3/14/13
Date of Approval

Wayne Onkst
Chairman, State Archives and Records Commission

3/14/2013
Date of Approval

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

Pam Compton
Records Analyst/Regional Administrator

March 14, 2013
Date of Approval

Jim Ingh
Appraisal Archivist

3/14/2013
Date of Approval

State/Local Records Branch Manager

3/14/13
Date of Approval

The determination as set forth meets with my approval.

J. Lee
Auditor of Public Accounts

3/14/13
Date of Approval

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

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
Social Work, Board of

Record Group
Number
2620

Series	Records Title and Description	Function and Use
00504	Licensee File	This series documents the activities related to licensing and regulating social workers governed by the Board of Social Work. There are three classifications of social workers: (1) "Certified social worker" as defined per KRS 335.080; (2) "Licensed social worker" as defined per KRS 335.090 and (3) "Licensed Clinical Social Worker" defined per KRS 335.100. Licenses are renewed every three (3) years.
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Original application; educational history, including transcripts and/or diplomas; pass/fail test score; License fee; correspondence
	Retention and Disposition	Retain in Agency ten (10) years after expiration of license, then destroy.
00505	Licensee Log	This series represents a listing of licensed social workers in the Commonwealth of Kentucky.
	Access Restrictions	
	Contents	Series may contain: Name and business address; social worker classification; issuance date of license; expiration of license.
	Retention and Disposition	Retain in Agency permanently and update as needed.
00508	Denied Applicant File	This series documents applicants to become licensed social workers whom the Board has denied issuance of a license due to failure to meet requirements of KRS 335.010 to 335.160, including but not limited to: failure to submit documentation for proof of education requirements; failure to pay license fees; or failure to pass examination.
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Application stating name, address, date of birth and Social Security Number; and may include education history; license fee; examination failure; and correspondence.
	Retention and Disposition	Retain in Agency ten (10) years after date of denial of issuance of license or submission of application, then destroy.
06435	Disciplinary Action File (V)	This series documents disciplinary actions regarding licensed social workers taken by the Board or sanctions issued at an administrative hearing or criminal court for violation(s) of KRS 335.010 - 335.160 and the regulations promulgated thereto. In the event a license is suspended or revoked, the licensee file (Series 00504) is incorporated into this series and retained permanently per federal requirement.
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Name, address, Social Security Number, date of birth, place of employment of licensee; complaint and/or nature of disciplinary action, including date and offense documentation; disciplinary action taken and by whom; legal documents; correspondence; and if applicable, court proceeding documentation, including Court Orders.
	Retention and Disposition	Retain in Agency permanently.

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2620

Series	Records Title and Description	Function and Use
06436	Temporary Permit File	This series documents temporary permits granted to applicants who have completed the requirements for licensure except for examination and have been approved by the Board to sit for the national examination per KRS 335.070 (1) and 201 KAR 23:015. A temporary permit is valid until a license is issued or denied under the provisions of KRS 335.080 - .100; however, a temporary permit shall not extend for more than two hundred forty (240) days after the applicant has applied for licensure per 201 KAR 23:015 (7).
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Original application stating name, address, Social Security Number, date of birth of applicant; license fee; educational history, including transcripts and/or diplomas; and correspondence
	Retention and Disposition	Retain in Agency three (3) years after date of submission of application, then destroy.
06437	Dismissed Grievance/Complaint File	This series documents grievances and complaints filed against licensees for which the investigations indicate the allegations are unsubstantiated, resulting in the dismissal of the grievance and/or complaint by the Board.
	Access Restrictions	KRS 61.878 (1)(a)(h) re personal information/investigations
	Contents	Series may contain: Complaint forms, responses, investigative reports, Letter of Dismissal of Grievance/Complaint; and if applicable, correspondence.
	Retention and Disposition	Retain in Agency ten (10) years after date of dismissal, then destroy.
06438	Continuing Education Provider Application File	This series documents applications and pre-approval by the Board for providers of continuing education training pursuant to 201 KAR 23:075 (4). The approved classes/workshops are taken by licensees to fulfill continuing education requirements. Providers must submit applications annually.
	Access Restrictions	
	Contents	Series may contain: Application; agenda; curriculum vitae; course outline; attendees evaluation forms; certificates; application fees; and related documentation.
	Retention and Disposition	Retain in Agency three (3) years after date of Board approval, then destroy.
06439	Licensee Renewal File	This series documents license renewal applications and documentation of the continuing education requirements pursuant to requirements of KRS 335.010 -335.160 and 201 KAR 23:075.
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Renewal application; continuing education verification and related documentation.
	Retention and Disposition	Retain in Agency three (3) years after date of submission, then destroy.

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2620

Series	Records Title and Description	Function and Use
06440	Incomplete and Withdrawn Applications File	This series documents incomplete or withdrawn applications submitted by applicants for license and certification.
	Access Restrictions	KRS 61.878 (1)(a) re personal information
	Contents	Series may contain: Original application and related documentation.
	Retention and Disposition	Retain in Agency one (1) year after date of submission of application, then destroy.

Electronic System With Included Records Series

General Government

Social Work, Board of

System Description: The Board of Social Work examines and licenses all eligible candidates for entry into the profession of Social Work. The Database is used to maintain a list of current and expired licensees. The general public has limited access to the database online for verification purposes and to submit continuing education approval requests. Licensees may renew licenses online as well as enter continuing education approval requests.

System Contents: System contains licensee demographics: name, address, last 4 digits of social security number, date of birth, license level, license number, issue date, expiration date, disciplinary actions, supervision information, continuing education information, payment information.

Online license renewal module used to renew licenses and verify current licenses. Information is entered by board staff only.

Gen. Schedule Items:

System Title: **Board of Social Work Database**

Alternate Title: **Back Office System**

<i>Series #</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
00504	Licensee File	Retain in Agency ten (10) years after expiration of license, then destroy.
00505	Licensee Log	Retain in Agency permanently and update as needed.
00508	Denied Applicant File	Retain in Agency ten (10) years after date of denial of issuance of license or submission of application, then destroy.
06436	Temporary Permit File	Retain in Agency three (3) years after date of submission of application, then destroy.
06439	Licensee Renewal File	Retain in Agency three (3) years after date of submission, then destroy.
06440	Incomplete and Withdrawn Applications File	Retain in Agency one (1) year after date of submission of application, then destroy.