



Office of Vocational Rehabilitation

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.

Office of Vocational Rehabilitation

The Office of Vocational Rehabilitation (KRS 151B.185) is headed by an Executive Director and is the sole state agency charged with the purpose of developing and approving state plans required by state or federal laws and regulations as prerequisites to receiving federal funds for vocational rehabilitation. KRS 151B.185 organizes the Office into the following Divisions: Program Services and the Carl D. Perkins Vocational Training Center. The Office of Vocational Rehabilitation assists eligible individuals with disabilities achieve their employment goals.

In Fiscal Year 2005, 4995 Kentuckians became successfully employed or maintained employment with the help of qualified rehabilitation professionals. The Office of Vocational Rehabilitation employees approximately 140 rehabilitation counselors in over 50 offices serving all 120 counties in Kentucky.

RECORDS RETENTION SCHEDULE

Signature Page

Office of Vocational Rehabilitation	June 11, 2009
_____	_____
Agency	Schedule Date
_____	December 8, 2022
Unit	Change Date
_____	December 8, 2022
	Date Approved By Commission

APPROVALS

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

DocuSigned by: <i>Cora McNabb</i>	12/7/2022
_____	_____
E2F52103208745E... Agency Head	Date of Approval
DocuSigned by: <i>Chris Sheeting</i>	12/7/2022
_____	_____
29AB7A1A2E8B403... Agency Records Officer	Date of Approval
DocuSigned by: <i>Beth Millum</i>	12/13/2022
_____	_____
15FB049431A74FF... State Archivist and Chairman, State Libraries, Archives, and Records Commission	Date of Approval

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

DocuSigned by: <i>Joseph Isaac</i>	12/7/2022
_____	_____
05AD74EB11A0474... Records Analyst/Regional Administrator	Date of Approval
DocuSigned by: <i>[Signature]</i>	12/7/2022
_____	_____
767A3F5C540E417... Appraisal Archivist	Date of Approval
DocuSigned by: <i>[Signature]</i>	12/7/2022
_____	_____
F25FB2B0E0434BA... State/Local Records Branch Manager	Date of Approval

The determination as set forth meets with my approval.

DocuSigned by: <i>Graham Gray</i>	12/9/2022
_____	_____
B0957BB509E3413... Auditor of Public Accounts	on behalf of the Auditor of Public Accounts Date of Approval

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Education and Workforce Development Cabinet
Workforce Investment, Department of
Vocational Rehabilitation, Office of

**Record Group
Number
3081**

Series	Records Title and Description	Function and Use
02829	Case Record File (V)	This series documents the activities for clients from the time of application and determination of eligibility through the rehabilitation process and, if required, through post-employment services. It documents all medical and psychological records of clients, the complete plan of service between the counselor and client for employment purposes and if the plan is unsuccessful, or if the client is determined to be unemployable. It documents all expenditures which are subject to federal guidelines. The status of the record is based on the success, or failure to make their clients employable. Note: As possible, case files are scanned to PDF and linked to the Case Management System.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	This series may contain: Agency forms, progress notes, medical documentation, school records, fiscal records, related correspondence and related documents.
	Retention and Disposition	Retain case files for six (6) years after case closure and or audit, whichever is longer, then destroy.
06458	Voter Registration File	This series documents efforts by personnel at local Vocational Rehabilitation offices to assist in implementing clients' voter registration rights and acceptance or declination of those rights to vote. In compliance with the National Voter Registration Act of 1993 (also known as the Motor Voter Bill) Office personnel offer the client the opportunity to register to vote, which the client may accept or decline. A form is completed that documents that decision. A duplicate copy is maintained at a centralized location and the original is placed in the client's file. If the client decides to register, a separate form may be completed at the Office or a mail-in form may be provided. A client's decision and any information provided at the office to which the application was submitted remains confidential and is used only for voter registration purposes. Once a client is registered, a confirmation notice with his/her precinct and voting location will be mailed to client by the local county clerk's office.
	Access Restrictions	KS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Voter registration rights and declination document; with applicant's name, social security number (SSN), Registering to Vote selection [Yes, No, or No I am already registered], signature, date, and statement of voter registration rights; Voter registration document; Mail-in voter registration form with questions on applicant's citizenship status, age before the election, new registration, change to registration, applicant's name, DOB, SSN, address, gender, contact information; and party affiliation; as well as mail-in voter registration instructions.
	Retention and Disposition	Retain duplicate copies in the central office until two (2) years after most recent applicable election, then destroy. An original copy for each client is placed in that client's Case Record File (02829).
06999	Social Security Reimbursement Program Log	This series documents the payment status of cases submitted to the Social Security Reimbursement Program. These submitted claims are considered potential claims until they are paid or closed. Under the authority of the 1981 Amendments to the Social Security Act, the Social Security Administration is authorized to reimburse the Office of Vocational Rehabilitation (OVR) for cost of services provided on a case-by-case basis. OVR may be reimbursed for both administrative and direct costs associated with assisting beneficiaries return to work. OVR oversees the mandated requirements from the Social Security Administration for all potential claims until they are paid or closed. Original cases files are found in record series 02829, Case Record File.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Duplicates of case files seeking reimbursement.
	Retention and Disposition	Retain potential claims ten (10) years after case is closed, then destroy. Retain paid claims six (6) years after payment, then destroy

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**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Education and Workforce Development Cabinet
Workforce Investment, Department of
Vocational Rehabilitation, Office of
Blind Services, Division of

**Record Group
Number
0410**

Series	Records Title and Description	Function and Use
01114	Federal Grant File - (May include agency in-service training, innovation, expansion)	This series documents the funds given by the federal government to the Department in the form of grants. The grants are used to generate funding for agency programs, to train employees, and to help outline plans for special funding. The three types of grants are Agency In-Service Training, Innovation, and Expansion.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Grants - Budget, Assessment, Evaluation, Section, Amount; Staff Development Plan
	Retention and Disposition	Retain for three (3) years. Destroy after audit.
01115	Staff Development Training File	This series documents employee training activities. It serves as an individual employee tracking record of attendance at Governmental Services Center training workshops, college classes taken, degrees earned, credit hours gained for training, and attendance at agency in-service training. Series 01117, Staff Development Training File, deals with the program itself, not individual employees as this series does.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Employee name; social security number; training attended; dates; contact hours; credit hours; vendor; degree program; degree earned
	Retention and Disposition	Destroy fifteen (15) years after termination of employment.
01117	Staff Development Training File - (Program file)	This series documents the activities of the various training programs attended by Department employees. It documents information on the training program, rather than individual employees that attended (see series 01115, Staff Development Training Records). Information from the series also is used to compile reports related to the type of training paid for with federal grant money.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Agendas; evaluations; list of participants; contact person
	Retention and Disposition	Retain for three (3) years. Destroy after audit.
01129	Vendor Personnel File - (Licensed Vendors)	This series documents the employment history of all Business Enterprises Program licensed vendors. The program administers the vending facility program for the blind, in accordance with the Randolph-Sheppard Act Amendment of 1974. Upon successful completion of required training, blind persons are provided with employment through the operation of vending facilities on federal and other property. The vendors are not state employees and must be trained and placed by program staff, according to federal guidelines.
	Access Restrictions	KRS 61.878 (1) (a) - medical information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Application; medical information; training documents; correspondence; placement information; agreements for operations of program facilities; resalable stock inventories of facility operated by vendor; earnings record (personal income statements); facility reviews
	Retention and Disposition	Retain for fifty (50) years.

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Vocational Rehabilitation, Office of
Blind Services, Division of

**Record Group
Number
0410**

Series	Records Title and Description	Function and Use
01135	Client Case Record File - (District Offices)	This series documents the counseling activities of visually impaired persons at the Department's district offices. Any person who is visually impaired can receive counseling at the offices to determine the kind of treatment needed. From the district offices, clients are referred to the Charles H. McDowell Rehabilitation Center, in Louisville, for treatment, if necessary.
	Access Restrictions	34 CFR 361.49; 720 KAR 1:050. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Application; receipt of items; notification of agency change; notification of severely handicapped status; comparable services schedule; release of personal information; release of personal information in possession of the Department; program amendment or closure; statement of financial need; contract for services; medical report of visual disability; health questionnaire and medical examination; employment progress report; notification of eligibility status; certification of eligibility; certification of ineligibility; certification of eligibility for extended evaluation; survey information; case progress record; individualized written rehabilitation program
	Retention and Disposition	Destroy five (5) years after case closure, and audit.
01173	Client Case Record File - (Central Office)	This series documents the activities and training consumers at the McDowell Rehabilitation Center, located in Louisville. The consumer must first receive counseling at one of the district offices located within the state and if qualified, are referred to the Center. The Center does not accept anyone who does not meet the required criteria. The consumers may stay at the Center or may commute.
	Access Restrictions	720 KAR 1:050; 34 CFR 361.49. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Release of information; evaluation release; case progress record; audio equipment; request for services; recreation report; typing report; counseling report; Braille report; orientation and mobility report; arithmetic computation report; basic communications reports; intake profile; client related equipment and software specifications and purchases; evaluation and needs assessment; comprehensive evaluation and training report; assisted technology invoice; client expenditures by status; discharge authorization and summary; vocational evaluation report; vocational evaluation intake questionnaire; vocational assessment techniques; individualized vocational evaluation plan; local intake letter; intake letter; activities of daily living
	Retention and Disposition	Destroy five (5) years after case closure, and audit.
01174	Service Utilization Report File - (Document services provided by the Rehabilitation Center)	This series consists of nine different forms which document statistical information regarding services provided by the Charles H. McDowell Rehabilitation Center. It includes monthly and yearly counts of the number of new consumers served in the Federal fiscal year and the number of hours of service provided.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Services utilization report - Consumer name, referral source, absences, dormitory days, days of service, entry date, discharge date; current case enrollment - intake date, referral number, consumer name, residential status, program status, date posted; cases accepted for evaluation - date posted, referral number, client name, projected intake date; explanatory notes; master referral guide - referral date, referral number, client name, program of services, counselor/location, posted date; cases deferred by admissions - date posted, referral number, consumer name, explanatory notes; terminated cases - date terminated, referral number, consumer name, reason for termination, posted date; cases accepted for training - date posted, referral number, consumer name, projected intake date; explanatory notes
	Retention and Disposition	Retain for ten (10) years.

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0410**

Series	Records Title and Description	Function and Use
01180	Class Schedule - (Weekly)	This series documents the classes each consumer is enrolled in during each week at the Rehabilitation Center. It provides the class name, the name of the instructor, and the time of each class.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Notes; subject - audio/math, typing, Braille, computer, counseling, vocational; name of instructor; class time; date
	Retention and Disposition	Retain for one (1) year.
01182	Instructional Manual	This series was created to provide a teaching guide in each skill area for instructors at the Rehabilitation Center to use. It is in book form and is used to justify each skill area.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Lists of skills taught in each area; lesson plans
	Retention and Disposition	Destroy when obsolete.
01183	Federal Quota Account Record File - (With American Printing House for the Blind)	This series documents orders for equipment, books, etc., filled by the American Printing House for the Blind, using federal funds allotted to the Rehabilitation Center. The order form, which was created by the American Printing House, is completed by staff and sent to it for processing. A copy is then returned to the Center.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Address; phone number; customer number; order number; order date; authorized signature; order approval; ship to; bill to; instructions; quantity; catalog number; description; unit price; net amount
	Retention and Disposition	Retain for three (3) years. Destroy after audit.
03672	Vending Facility File	This series documents a history of all vending facilities operated by the Business Enterprises Program and maintained by the Department. The facilities are located in some state government buildings. The file contains all pertinent information on buildings, stock inventory, equipment, contracts with building management, and documents where the buildings are located. The vending stands are operated by clients of the Department and provide snacks, drinks, and other miscellaneous items.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Contracts; copy of documents showing purchase of equipment; stock inventories; individual appointed to manage the facility; agreements with owners - private, state, federal; bid process; and equipment inventories
	Retention and Disposition	Destroy three (3) years after facility is closed, and audit.

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0410**

Series	Records Title and Description	Function and Use
03673	Equipment Maintenance Record	This series documents the maintenance and repair, installation, and/or removal of vending equipment used by the Business Enterprises Program vending facilities. It is sent weekly to program staff and is used to verify each piece of equipment's repair, cost, and age. Information from the series is useful in determining when to replace equipment.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Location; machine type; serial and property number; description of problem; parts used for repair; date; name of facility and facility number; condition of machine; inspection information; comments
	Retention and Disposition	Destroy after equipment is sold or designated as surplus, and audit.
03674	Case Management System (CMS) - (Electronic)	This system was designed to track and report to the Department clients who have obtained vocational rehabilitation services, including evaluation, counseling, adjustment to blindness, training, physical restoration, technical services and job placement. The system also keeps track of total dollars spent on each client by category. It produces invoices which are used to obtain payment for service to vendors. The information is taken from district office files daily and downloaded to the Central Office and merged into the system. Since 1984, the information contained in the system has been generated in-house. Prior to 1984, information was obtained from the Department of Education.
	Access Restrictions	34 CFR 361.49; 720 KAR 1:050. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Client name, social security number and demographic data; name of counselor; status; referral source; reported disability; type of institution; school identification; earnings information; source of support; hours worked; vocational goal; insurance information; reason for termination, if applicable
	Retention and Disposition	Delete information after ten (10) years, and audit.
03675	Business Enterprise Program Operator's Monthly Reporting System - (Electronic)	This system was designed to track legally blind operator's income from vending facilities established by the Business Enterprises Program. It is used to evaluate the facilities and determine the operator's income potential. If the operators show a small profit margin, staff would work with them to determine possible solutions to increase sales. The information is also used to determine if stands should remain open.
	Access Restrictions	KRS 61.878 (1) (a) - Social Security Number. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Operator name; social security number; profits; losses
	Retention and Disposition	Retain for ten (10) years.
03676	Evaluation File	This series documents the evaluation of the staff and the Center by consumers, upon completion of the program. It is used to rate staff performance and to make necessary changes in programs.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Evaluation scale - 1/Poor, 2/Fair, 3/Average, 4/Good, 5/Very Good, (content, organization, instruction) for each area - activities of daily living, arithmetic computation, audio equipment, basic communication, Braille, orientation and mobility, recreation, typing, counseling, residential aides, food, accommodations; comments; suggestions
	Retention and Disposition	Retain for one (1) year.

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Education and Workforce Development Cabinet
 Workforce Investment, Department of
 Vocational Rehabilitation, Office of
 Blind Services, Division of

Record Group
Number
410

Series	Records Title and Description	Function and Use
03677	Consumer Case File	This series documents information on each consumer served by Independent Living Services, which provides rehabilitation to the functional blind, whether or not they have vocational interests, which enables them to live independently within the home and community. The file tracks the consumer from referral to closure, indicating the services the consumers have received, how the services have benefited them, the types of disabilities served, as well as demographic information about the consumers.
	Access Restrictions	KRS 61.878 (1) (a) - medical information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series contains: Referral form, name, address, medical release, tracking of visit, proof of visual impairment, closure, visual report, hearing and/or medical reports, and correspondence.
	Retention and Disposition	Retain for six (6) years after case closure, then destroy.