



# Education Professional Standards Board

Records Retention Schedule

Prepared by the State Records Branch  
Archives and Records Management Division  
Approved by the State Archives and Records Commission



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

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

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

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

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

### **Audits and Legal Action**

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

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

### **Vital Records**

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

### **Confidential Records**

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

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

### **Copies of Records**

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

### **Updating the Retention Schedule**

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represent 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.

## **Education Professional Standards Board**

The Education Professional Standards Board (EPSB) is responsible for issuing and renewing certificates for all Kentucky teachers and administrators. Staff works closely with local school districts in the hiring process to ensure a properly credentialed educator in every professional position in Kentucky schools. Staff also works with Kentucky colleges and universities, out-of-state institutions, and national evaluation agencies. EPSB processes approximately 28,000 certification transactions annually.

The board is charged with establishing standards of performance both for preparation programs and practitioners; accrediting educator preparation programs at colleges, universities, local school districts, and private contractors; selecting assessments for teachers and administrators; overseeing internship programs for new teachers and new principals; operating the Continuing Education Option for Rank Change; administering Kentucky's incentive program for National Board for Professional Teaching Standards certification; and issuing, renewing, suspending and revoking Kentucky certificates for professional school personnel.

The Board is authorized by KRS 161.028, and was originally created in 1990. Executive Order 2000-851, signed June 30, 2000, established the Board as an independent agency wholly separate from the Department of Education. EPSB is run by an Executive Director and is comprised of the following divisions:

**Certification** - oversees the initial licensure and renewal processes for all certified staff in Kentucky public schools, P-12.

**Educator Preparation and Internship** - oversees the accreditation of teacher/administrator preparation programs, and to ensure a smooth transition from the preparation through the induction stages.

**Legal Services** - oversees the processes of character fitness review and certification suspension/revocation.

**Professional Learning and Assessment** - maintains the array of tests required for teacher and administrator certification; oversees an active research agenda; publishes reports and information related to quality in educator preparation and practice; provides research support for the board and cooperates with a variety of external researchers on behalf of the EPSB; oversees the Continuing Education Option, National Board Certification Incentive Trust Fund, and Kentucky Teacher and Principal Internship Programs.

# RECORDS RETENTION SCHEDULE

## Signature Page

Education Professional Standards Board  
Agency

March 10, 2011  
Schedule Date

\_\_\_\_\_  
Unit

September 14, 2017  
Change Date

September 14, 2017  
Date Approved By Commission

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## APPROVALS

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

[Signature]  
Agency Head

8/14/17  
Date of Approval

[Signature]  
Agency Records Officer

08/18/2018  
Date of Approval

[Signature]  
State Archivist and Records Administrator  
Director, Archives and Records Management Division

9/14/17  
Date of Approval

[Signature]  
Chairman, State Archives and Records Commission

9/14/17  
Date of Approval

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

[Signature]  
Records Analyst/Regional Administrator

August 24, 2017  
Date of Approval

[Signature]  
Appraisal Archivist

9/15/17  
Date of Approval

[Signature]  
State/Local Records Branch Manager

08/13/2017  
Date of Approval

\*\*\*\*\*

The determination as set forth meets with my approval.

[Signature]  
Auditor of Public Accounts

9-14-17  
Date of Approval

STATE 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  
Education Professional Standards Board

Record Group  
Number  
0747

| Series | Records Title and Description                                                  | Function and Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02500  | <b>Educator Certification Files (V)</b>                                        | This series documents information submitted to Education Professional Standards Board (EPSB) when issuing, reissuing, and renewing certification and rank change requests submitted by educators and other school personnel (KRS161.020). No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor, director of pupil personnel, or other public school position for which certificates may be issued, or receive salary for services rendered in the position, unless he or she holds a certificate of legal qualification for the position, issued by the EPSB. (KRS 161.020(1)(a)). The EPSB is responsible for issuing and renewing certificates for all Kentucky teachers, administrators, and other school personnel. The EPSB maintains a record of certificates and ranks for all active and inactive certified educators and other school personnel in Kentucky.                                                               |
|        | <b>Access Restrictions</b>                                                     | KRS 61.878(1)(a) - Personal information. KRS 161.030(4) – Individual assessment scores. Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|        | <b>Contents</b>                                                                | Series may contain: applications, transcripts, certificates, confirmation of employment, statements of eligibility, waiver requests, final actions, and general correspondence; data may include personal contact information, assessment scores, fees paid, completion of Kentucky Teacher Internship Program, and educator preparation programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|        | <b>Retention and Disposition</b>                                               | For files that contain complete applications that result in certification, retain until death of certificate holder or until seventy (70) years after date of issuance of first certification, whichever occurs first, then destroy. For files that contain incomplete applications that do not result in the issuance of a certificate, retain two (2) years after the date the request for application was initially made or, if the applicant does not submit a request, retain two (2) years after the applicant created an application profile. For files that contain complete applications that do not result in certification, those files will be included in Records Series 05000, Education Disciplinary Records.                                                                                                                                                                                                                                                      |
| 02501  | <b>College and University Educator Preparation and Accreditation Files (V)</b> | This series documents educator preparation programs of public and independent Kentucky colleges and universities which have been approved by the Education Professional Standards Board (EPSB) as meeting state guidelines for accreditation and program approval. KRS 161.028 and 16 KAR 5:010 require all Kentucky higher education institutions preparing certified educators to be accredited by the state (EPSB). Accreditation is the process for assessing the educational quality through voluntary peer review and helps to assure the public that an institution has a professional education unit that has met state, professional, and institutional standards of educational quality. Each institution has an accreditation cycle which may include national accreditation visits as well as state visits. This series documents state and national standards, the initial accreditation process, continued program review and accreditation renewal.                |
|        | <b>Access Restrictions</b>                                                     | Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|        | <b>Contents</b>                                                                | Series contains: Institutional Report (institutional philosophy/goals and provides evidence that unit is meeting state, national and institutional standards), Board of Examiners (BOE) Report (on-site accreditation review recommends any areas for improvement in relation to the standards, also identifies whether the BOE team recommends standards are being met or not), BOE Report Rejoinder (required institution response following receipt of BOE report. May take the form of an acknowledgment letter or a document that substantively responds to the report or the conduct of the team visit), Annual Reports (submitted yearly and reviewed biennially reporting on institutional data, substantive change and progress addressing areas for improvement), Program Review Documents (information regarding curriculum and certification requirements for programs that result in EPSB-issued certification (Elementary, Secondary Math, School Principal, etc.). |
|        | <b>Retention and Disposition</b>                                               | Transfer Board of Examiners Final Reports, Institutional Reports, Rejoinder Reports and Institutions Annual Reports to the State Archives Center when agency administrative need has ceased for permanent retention. Destroy remainder of files after fifteen (15) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**STATE 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  
 Education Professional Standards Board

**Record Group**  
**Number**  
**0747**

| <b>Series</b> | <b>Records Title and Description</b>                     | <b>Function and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>03264</b>  | <b>Trades and Industry Certification Policies (V)</b>    | CLOSED: This series documented the policies and requirements that allowed teachers to teach with Trades and Industry certification. These policies and statements were used to certify teachers between the years of 1936-1967. There may be some individuals who are teaching under the Trades and Industry Certification Policies. These policy statements are the only proof that those teachers met certification requirements for that time period and allows them to remain eligible to teach until they quit, retire or die. Unfortunately, this certificate is not recognized by the Teacher's Retirement System. At present, a decision has not been made as to whether to include these teachers into the Teacher's Retirement System should they desire that, as opposed to the Kentucky Retirement System.                                                                                                                                                                                                                           |
|               | <b>Access Restrictions</b>                               | Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|               | <b>Contents</b>                                          | Series contains; Policies, letters and documents that specify certification requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|               | <b>Retention and Disposition</b>                         | Retain for fifty (50) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>03265</b>  | <b>Beginning Educator Internship Program Records (V)</b> | This series documents educator testing and internship programs for candidates completing an approved teacher or principal preparation program (KRS 161.030 and KRS 161.027). Educators must pass state educator assessment requirements and successfully complete the one-year Kentucky Teacher Internship Program (KTIP) or the Kentucky Principal Internship Program (KPIP) to qualify for certification. Applicants for initial certification are required to achieve a passing score on all state educator tests using the cut score as established by regulation and must successfully complete the one-year internship. The Kentucky Internship Program's primary goals are to provide support and evaluation for new teachers and new principals during their first year. Teachers and principals trained in another state, who apply for Kentucky certification, must also complete the internship if they have less than the minimum years of full-time experience.                                                                     |
|               | <b>Access Restrictions</b>                               | KRS 61.878(1)(a) - Personal information; KRS 161.030(4) - Test scores. Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|               | <b>Contents</b>                                          | Series contains: Statement of Eligibility (SOE); Confirmation of Employment (COE) for the Internship; letter to intern (stating pass/fail of internship); final report of intern; summative instruments; Teacher performance documents for unsuccessful interns/legal appeals; resource teacher payment roster; principal mentor payment roster; KTIP/KPIP appeals decision; Final order; Praxis assessments; NTE assessments; Kentucky Principal's Test (KYPT) results and letter to candidate; School Leadership Licensure Assessment (SLLA).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|               | <b>Retention and Disposition</b>                         | Retain for five (5) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>04998</b>  | <b>Teacher Portfolio File (Continuing Education) (V)</b> | This series documents the Continuing Education Option (CEO) for rank change and certificate renewal. Built around the Kentucky Teacher Standards adopted by the Education Professional Standards Board (EPSB), the CEO requires candidates to submit an independent professional growth plan (portfolio) based on the needs of the teacher, the students, and the school. The professional growth plan is a unique independent study that includes graduate level classes, professional development experiences, research, reading, and shadowing other professionals. KRS 161.095 requires EPSB to promulgate administrative regulations to establish procedures for a teacher to maintain a certificate by successfully completing meaningful continuing education. The CEO allows teachers to utilize continuing education related to maintaining a certificate, including university courses, an advanced degree, or a combination of university courses, field-based experience, individual research and approved professional development. |
|               | <b>Access Restrictions</b>                               | KRS 61.878 (1)(a) - Personal information. KRS 161.030(4) - Test scores Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|               | <b>Contents</b>                                          | Series contains: Scoring documentation, letter of completion, scorer payment documentation and related documentation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|               | <b>Retention and Disposition</b>                         | Retain for five (5) years. Portfolios may be destroyed after successful completion of the CEO process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**STATE 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  
 Education Professional Standards Board

**Record Group**  
**Number**  
**0747**

| <b>Series</b> | <b>Records Title and Description</b>     | <b>Function and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>05000</b>  | <b>Educator Disciplinary Records (V)</b> | This series documents misconduct cases brought before the Education Professional Standards Board (EPSB) against certified/licensed educators. Pursuant to KRS 161.120, EPSB may revoke, suspend, or refuse to issue or renew, impose probationary or supervisory conditions, issue written reprimands or admonishments, or any combination of these actions regarding any certificate issued under KRS 161.010 to 161.100, or any certificate or license issued under any previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors, directors of pupil personnel, or other administrative, supervisory, or instructional employees                                                                                                                                                                                                                                                                                                                                                              |
|               | <b>Access Restrictions</b>               | KRS 61.878(1)(a)(h)(j) - Personal information, Investigation information, Preliminary recommendations Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|               | <b>Contents</b>                          | Series may contain: Initiating report, acknowledgement letter, rebuttal notice, rebuttal (if filed), probable cause order, supporting documentation (such as criminal court records), transcripts of tribunal hearings, and all official correspondence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|               | <b>Retention and Disposition</b>         | Destroy one (1) year after notification of death.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>06108</b>  | <b>National Board Files</b>              | This series documents reimbursements to eligible National Board (NB) Candidates, their districts and the Education and Workforce Development Cabinet through the Teachers' National Certification Incentive Trust Fund. KRS 161.133 and 161.134 require the Education Professional Standards Board (EPSB), through appropriations made by the General Assembly, to reimburse eligible candidates for up to 75% of out-of pocket certification fees and to provide a stipend of two hundred dollars per day for candidates for up to 2 days beyond the school contract year to prepare for the certification assessments. Stipends are also available to national board certified teachers who serve as mentors to other teachers within the school district, or the Kentucky Tech system. Candidates may also receive federal subsidies in addition to the funds provided by the incentive trust fund. Successful completion of the National Board for Professional Teaching Standards can result in a teacher receiving a rank change. |
|               | <b>Access Restrictions</b>               | KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|               | <b>Contents</b>                          | Series contains: Correspondence with NB educator and supporting documentation for incentive trust fund payments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|               | <b>Retention and Disposition</b>         | Retain for eight (8) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>06113</b>  | <b>Attorney Work Files (V)</b>           | This series represents individual attorney working files regarding misconduct cases brought before the Education Professional Standards Board (EPSB) against certified/licensed educators. Pursuant to KRS 161.120, EPSB may revoke, suspend, or refuse to issue or renew, impose probationary or supervisory conditions, issue written reprimands or admonishments, or any combination of these actions regarding any certificate issued under KRS 161.010 to 161.100, or any certificate or license issued under any previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors, directors of pupil personnel, or other administrative, supervisory, or instructional employees                                                                                                                                                                                                                                                                                                                 |
|               | <b>Access Restrictions</b>               | KRS 61.878(1)(a)(h)(i)(j)(l) - Personal information; administrative investigations; preliminary drafts/recommendations; KRE 503, attorney-client privilege, work product Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|               | <b>Contents</b>                          | Series may contain: Interview notes, negotiated offer, initiating report, acknowledgement letter, rebuttal notice, rebuttal (if filed), supporting documentation (such as criminal court records), transcripts of tribunal hearings, any administrative proceedings and all official correspondence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|               | <b>Retention and Disposition</b>         | Destroy five (5) years after all litigation has ended and case is closed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



**STATE ARCHIVES AND RECORDS COMMISSION**  
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Education and Workforce Development Cabinet  
 Education Professional Standards Board

**Record Group**  
**Number**  
**0747**

| <b>Series</b> | <b>Records Title and Description</b>                    | <b>Function and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>06465</b>  | <b>Local Educator Assignment Data (LEAD) Report</b>     | This series documents that educators assigned to positions in Kentucky's local school districts have appropriate certification. The LEAD report is a semiannual report submitted each fall and spring by local school districts to EPSB to help ensure there is a properly certified educator in every position. The Report provides information on all courses, and compares staff and course information for all teachers to the EPSB's teacher certification database. School districts submit data and receive a Preliminary Audit Report back. That report is used to make corrections.                                                                                            |
|               | <b>Access Restrictions</b>                              | Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|               | <b>Contents</b>                                         | Series may contains: name of district, name of school, the teacher's name, teacher's EPSB ID number, teacher's certification, and teacher's course assignments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|               | <b>Retention and Disposition</b>                        | Retain for five (5) years after date of report, then destroy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>06820</b>  | <b>Complaints and Reports, Certified Individual</b>     | This series documents activity of the EPSB's Division of Legal Services relating to complaints and reports of possible educator misconduct. The file is created by the receipt of a complaint or report relating some form of possible misconduct and/or statutory violation of KRS 161.120. Upon examination of the complaint/report, the EPSB staff will gather information and evidence and present it to the Executive Director or other designated authority. The Executive Director in conjunction with EPSB staff will determine from the evidence available whether a violation(s) has been committed and whether the complaint/report should be pursued further.               |
|               | <b>Access Restrictions</b>                              | KRS 61.878(1)(a)(h)(i)(j)(l) - Personal information; administrative investigations; preliminary drafts/recommendations; KRE 503, attorney-client privilege, work product; 20 USC Section 1232g et seqAgencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                              |
|               | <b>Contents</b>                                         | Series may contain: Notes, initiating complaint or report, supporting documentation (such as criminal court records), school district investigations, and corresponding correspondence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|               | <b>Retention and Disposition</b>                        | If there is a determination of a violation, forward to Series 05000, Educator Disciplinary Records, for final action. Retain until five (5) years after determination has been made that there is insufficient evidence that a violation has occurred, then destroy.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>06821</b>  | <b>Complaints and Reports, Non-Certified Individual</b> | This series documents activity of the EPSB's Division of Legal Services relating to complaints and reports of possible misconduct of non-certified staff. The file is created by the receipt of a complaint or report relating some form of possible misconduct and/or statutory violation of KRS 161.120. Upon examination of the complaint/report, the EPSB staff will gather information and evidence and present it to the Executive Director or other designated authority. The Executive Director in conjunction with EPSB staff will determine from the evidence available whether a violation(s) has been committed and whether the complaint/report should be pursued further. |
|               | <b>Access Restrictions</b>                              | KRS 61.878(1)(a)(h)(i)(j)(l) - Personal information; administrative investigations; preliminary drafts/recommendations; KRE 503, attorney-client privilege, work product; 20 USC Section 1232g et seqAgencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                              |
|               | <b>Contents</b>                                         | Series may contain: Notes, initiating complaint or report, acknowledgement letter, rebuttal notice, rebuttal (if filed), supporting documentation (such as criminal court records), transcripts of tribunal hearings, any administrative proceedings and all official correspondence.                                                                                                                                                                                                                                                                                                                                                                                                   |
|               | <b>Retention and Disposition</b>                        | Destroy one (1) year after notification of death.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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Education and Workforce Development Cabinet  
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**0747**

| <b>Series</b> | <b>Records Title and Description</b>    | <b>Function and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>06822</b>  | <b>Administrative Hearing Files (V)</b> | This series documents final action relating to misconduct cases brought before the Education Professional Standards Board (EPSB) against certified/licensed educators. Pursuant to KRS 161.120, EPSB may revoke, suspend, or refuse to issue or renew, impose probationary or supervisory conditions, issue written reprimands or admonishments, or any combination of these actions regarding any certificate issued under KRS 161.010 to 161.100, or any certificate or license issued under any previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors, directors of pupil personnel, or other administrative, supervisory, or instructional employees. KRS 13B.130 requires that the responsible agency maintain an official record of the proceedings. |
|               | <b>Access Restrictions</b>              | KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|               | <b>Contents</b>                         | Series may contain: All notices, pleadings, motions, and intermediate rulings; any prehearing orders; evidence received and considered; statement of matters officially noticed; proffers of proof and objections and rulings thereon; proposed findings, requested orders, and exemptions; A copy of the recommended order, exceptions filed to the recommended order, and a copy of the final order; all requests by the hearing officer for an extension of time, and the response of the agency head; ex parte communications placed upon the record by the hearing officer; and a recording or transcript of the proceedings.                                                                                                                                                                    |
|               | <b>Retention and Disposition</b>        | Destroy one (1) year after notification of death.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>06842</b>  | <b>Special Education Waiver</b>         | This series documents the key information elements that substantiate a school district's request for a special education waiver for any special education teacher to work temporarily with another special education population not covered by the educator's current certification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|               | <b>Access Restrictions</b>              | KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|               | <b>Contents</b>                         | Series may contain: correspondence, waiver application, any documentation submitted in support of waiver application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|               | <b>Retention and Disposition</b>        | Retain until two (2) years after the date waiver is granted, then destroy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**STATE 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  
 Education Professional Standards Board  
 Legal Services, Division of

**Record Group**  
**Number**  
**0747**

| <b>Series</b> | <b>Records Title and Description</b> | <b>Function and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06851         | <b>Expungement Files</b>             | This series documents all records in the possession of the EPSB that include any reference to a criminal conviction that has been since expunged pursuant to state law (For Kentucky, see KRS 431.073, KRS 431.076, KRS 431.078, and KRS 431.079). Under Kentucky law, applicants for educator professional certification are required to disclose all criminal convictions when applying. If a court subsequently orders that the criminal record shall be expunged, Kentucky law requires the EPSB to restrict access to any records in its possession that reference the conviction, but requires the EPSB to retain the record in accordance with its retention schedule. |
|               | <b>Access Restrictions</b>           | KRS 61.878(1)(l) - Public records or information the disclosure of which is prohibited or restricted or otherwise made confidential by enactment of the General Assembly. KRS 431.073(6) - Once records have been expunged, "agencies shall reply to any inquiry that no record exists on the matter." Agencies should consult legal counsel regarding open records matters.                                                                                                                                                                                                                                                                                                  |
|               | <b>Contents</b>                      | Series may contain: police reports, court orders, character and fitness applications, waiver requests, agreed orders and final orders for disciplinary action relating to the expunged action, and general correspondence.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|               | <b>Retention and Disposition</b>     | Retain records in the Office of the General Counsel until death of certificate holder or until seventy (70) years after date of issuance of first educator certification, whichever occurs first, then destroy.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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# *Electronic System With Included Records Series*

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## **Education & Workforce Development Cabinet**

### *Education Professional Standards Board*

#### **Certification**

***System Description:*** The Education Professional Standards Board is responsible for issuing and renewing certificates for all Kentucky teachers and administrators. The Teacher Certification System maintains applicant data for initial and renewal educator certification/licensure. The system allows for entry and maintenance of Kentucky educator records.

Portions of this data are available to the public through the KY Educator Certification Inquiry (KECI) interface which is open to the general public on the EPSB website.

School district superintendents can access portions of the secure site to review current educator information within their district and to extract certification data for currently employed educators within their district.

Authorized school district administrators may access limited elements of the system to review district information and applicants for certified school personnel positions.

***System Contents:*** The system contains applicant demographic information, educational background, area credentialing, assessment data, and supporting documentation. It also contains legal, admissions and exit data.

Data is entered by staff, but individuals can update personnel demographic data through a private account.

#### ***General Schedule Items:***

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|                                                          |                                                                                           |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <b><i>System Title:</i></b> Teacher Certification System | <b><i>Alternate Title:</i></b> WEBE03                                                     |
| <b><i>Series #:</i></b> 02500                            | <b><i>Disposition Instructions:</i></b> Destroy one (1) year after notification of death. |
| <b><i>Series Title:</i></b> Educator Certification Files |                                                                                           |

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# *Electronic System With Included Records Series*

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## **Education & Workforce Development Cabinet**

### *Education Professional Standards Board*

#### **Legal Services**

***System Description:*** The Education Professional Standards Board (EPSB) is responsible for investigating and prosecuting all cases of educator misconduct. Kentucky statute KRS 161.028 stipulates that the EPSB has the authority to suspend or revoke the certificates of educators that engage in misconduct, or impose other conditions that protect the safety of students, and the integrity of the profession. The entity within EPSB which has the primary responsibility to manage and prosecute these disciplinary matters is the Division of Legal Services.

The Legal Case Tracking System (LCTS) is a web enabled application developed to assist the Division in documenting, managing and reporting on the disciplinary process. LCTS documents the final action regarding misconduct cases brought before the EPSB against certified/licensed educators. Pursuant to KRS 161.120, EPSB may revoke, suspend, or refuse to issue or renew, impose probationary or supervisory conditions, issue written reprimands or admonishments, or any combination of these actions regarding any certificate issued under KRS 161.010 to 161.100, or any certificate or license issued under any previous law to superintendents, principals, teachers, substitute teachers, interns, supervisors, directors of pupil personnel, or other administrative, supervisory, or instructional employees.

***System Contents:*** Complaints about educators, Agreed Orders, final orders, Character & Fitness, Board Outcomes, Case Assignments, Case documentation (Investigator reports, supporting documentation), Case Notes

#### ***General Schedule Items:***

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|                             |                                   |                                |             |
|-----------------------------|-----------------------------------|--------------------------------|-------------|
| <b><i>System Title:</i></b> | <b>Legal Case Tracking System</b> | <b><i>Alternate Title:</i></b> | <b>LCTS</b> |
|-----------------------------|-----------------------------------|--------------------------------|-------------|

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| <b><i>Series #:</i></b> | <b><i>Series Title:</i></b>             | <b><i>Disposition Instructions:</i></b>                                   |
|-------------------------|-----------------------------------------|---------------------------------------------------------------------------|
| 02500                   | Educator Certification Files            | Destroy one (1) year after notification of death.                         |
| 05000                   | Educator Disciplinary Records           | Destroy one (1) year after notification of death.                         |
| 06113                   | Individual Attorney Investigation Files | Destroy five (5) years after all litigation has ended and case is closed. |

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# *Electronic System With Included Records Series*

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## **Education & Workforce Development Cabinet**

### *Education Professional Standards Board*

#### **Professional Learning Assessment**

***System Description:*** The Intern Management System is designed to electronically gather and track information relating to a new teacher's beginning internship period in the Kentucky Teacher Internship Program (KTIP). IMS stores the electronic version of the Confirmation of Employment, Resource Teacher Timesheets and Record of the Teacher Internship Year (RTIY.)

***System Contents:*** Confirmations of Employment (COE) entered by district KTIP coordinator  
  
Record of the Teacher Internship Year (RTIY) entered by principal  
  
Resource Teacher Timesheets (RTT) entered by resource teacher  
  
Other data/info entered into the system (by agency) include budget, slot allocation, RTT approve payments, RTT pay rate calculator, and multi-pay forms.

#### ***General Schedule Items:***

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***System Title:*** Intern Management System

***Alternate Title:*** IMS

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

***Disposition Instructions:***

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02500 Educator Certification Files

Destroy one (1) year after notification of death.

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03265 Beginning Educator Internship Program Records

Retain for five (5) years.

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# *Electronic System With Included Records Series*

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## **Education & Workforce Development Cabinet**

### *Education Professional Standards Board*

#### **Educator Preparation**

***System Description:*** The Education Professional Standards Board ensures that preparation programs for Kentucky educators meet established standards of quality. It facilitates the accreditation process, reviews programs and continuous assessment materials, and provides technical assistance for program improvement.

The Educator Preparation Program Manager Module stores data regarding approved preparation programs to provide systematic monitoring of available programs.

***System Contents:*** Program Manager Module contains information about educator preparation programs that are approved to operate in Kentucky: dates during which particular programs are/were approved to operate; the provider; degree level if appropriate.

This information is available to the general public via the EPSB website and is reported in other public records, e.g., board meeting minutes.

#### ***General Schedule Items:***

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***System Title:*** Educator Preparation Program Manager Module      ***Alternate Title:***

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

***Disposition Instructions:***

02501      College and University Educator Preparation and Accreditation Files

Transfer Board of Examiners Final Reports, Institutional Reports, Rejoinder Reports and Institutions Annual Reports to the State Archives Center when agency administrative need has ceased for permanent retention. Destroy remainder of files after fifteen (15) years.