



Board of Hairdressers and Cosmetologists

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 Board of Hairdressers and Cosmetologists. **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 Board of Hairdressers and Cosmetologists personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for the Board of Hairdressers and Cosmetologists to destroy the records listed, after the appropriate retention periods have passed.

Board of Hairdressers and Cosmetologists 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 Board of Hairdressers and Cosmetologists.

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 Board of Hairdressers and Cosmetologists, 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.

Board of Hairdressers and Cosmetologists

The Kentucky State Board of Hairdressers & Cosmetologists was created in 1974 to protect the health and safety of the general public, to protect the public against misrepresentation, deceit, or fraud in the practice or teaching of beauty culture, to set standards for the operation of the schools and salons, and to protect the students under the provisions of KRS Chapters 317 A and B. All licensees must be a graduate of an accredited and licensed School of Cosmetology. Licensees include instructors at a School of Cosmetology and hairdressers, cosmetologists, nail technicians and estheticians.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Hairdressers and Cosmetologists
Agency

March 12, 2009
Schedule Date

Unit

March 12, 2009
Change Date

March 12, 2009
Date Approved By Commission

APPROVALS

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

Wilma May
Agency Head

3-13-09
Date of Approval

Dorothea Greene
Agency Records Officer

3-13-09
Date of Approval

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

3/12/09
Date of Approval

Wayne Oubit
Chairman, State Archives and Records Commission

3/12/09
Date of Approval

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

Pamela C. Compton
Records Analyst/Regional Administrator

3/12/09
Date of Approval

Jim [Signature]
Appraisal Archivist

3/12/09
Date of Approval

[Signature]
State/Local Records Branch Manager

3/12/09
Date of Approval

The determination as set forth meets with my approval.

[Signature]
Auditor of Public Accounts

3/12/09
Date of Approval

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

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
Hairdressers and Cosmetologists, Board of

Record Group
Number
1250

Series	Records Title and Description	Function and Use
01315	Master Folder (V)	This series documents that a person has met all the requirements to receive a license to practice as a hairdresser, cosmetologist, nail technician, and/or esthetician in the Commonwealth of Kentucky pursuant to KRS 317A and KRS 317B. This series will include documentation of graduation from an accredited beauty school, application for examinations, disciplinary actions, and license revocation information.
	Access Restrictions	KRS 61.878 (1) (A) - as pertaining to SS number and personal information
	Contents	This Series may contain name and address of applicant, date of birth, Social Security number, correspondence, photograph, examinations, grades, complaints, and if applicable, disciplinary action, administrative hearing documentation, license revocation.
	Retention and Disposition	Transfer to State Records Center five (5) years after becoming inactive and destroy twenty (20) years after license is inactive.
01318	Non-Licensed Examinee File (V)	This series documents students who have completed all the educational requirements pursuant to KRS Chapters 317A and B but did not take the required examinations to become licensed as hairdressers, cosmetologists, nail technicians and/or estheticians. KRS 317A allows the students to take the examination up to five (5) years after graduation from the course of study or the Board, at their discretion, may grant approval to an applicant to take the examination up to ten (10) years after graduation.
	Access Restrictions	KRS 61.878 (1) (A) - as pertaining to SS number and personal information
	Contents	This series may contain: Name, address and Social Security number of the applicant, name of school, date of graduation and course of study.
	Retention and Disposition	Retain in Agency and destroy ten (10) years from date of graduation from an accredited educational institution.
01320	Index of Salons (V)	This series represents a listing of all current licensed salons in the Commonwealth of Kentucky per the requirements stated in KRS Chapters 317A and 317B.
	Access Restrictions	None
	Contents	This series may contain a listing by name of each currently licensed salon, address, date of renewal of license, fees paid, and owner and/or manager.
	Retention and Disposition	Retain in Agency and destroy one (1) year after license has expired.
01321	List of Hairdressers and Cosmetologists Schools	This series represents a listing of all licensed schools in the Commonwealth of Kentucky for instructors, hairdressers, cosmetologists, nail technicians, and estheticians meeting the requirements as specified in KRS Chapters 317A and 317B.
	Access Restrictions	None
	Contents	This series may contain a listing of licensed schools in the Commonwealth of Kentucky, address, and course of study.
	Retention and Disposition	Retain in Agency and update as needed and destroy when obsolete.

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

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
 Hairdressers and Cosmetologists, Board of

Record Group
Number
1250

Series	Records Title and Description	Function and Use
01322	Drop-Out File - School Record of Incomplete Course Cases	This series represents a listing of students who have enrolled in a licensed beauty school for hairdressers, cosmetologists, nail technicians or estheticians and did not complete the course of study. The student may enroll at a later date to complete the course of study up to five (5) years after enrollment or after five (5) years and up to ten (10) years at discretion of the Board per KRS 317A.
	Access Restrictions	KRS 61.878 (1) (A) - as pertaining to SS number and personal information
	Contents	Series may contain: Name, Social Security Number, Date of Birth and address of student, name of school enrolled, course of study, termination date of incompleteness of study.
	Retention and Disposition	Retain in Agency and destroy ten (10) years from the student's termination date.
01327	Shop/Salon Inspections	This series documents inspections for each shop and salon operating as a place of business for hairdressers, cosmetologists, nail technicians and estheticians pursuant to requirements specified in 201 KAR 12:060. Each operating business is to be inspected a minimum of two (2) times per year. Each inspection shall document areas of compliance, violations, and corrective action plan to correct violation(s).
	Access Restrictions	None
	Contents	Series may contain: Name and address of salon or shop, shop/salon owner, date and time of inspection, inspector's name, areas of compliance and/or violation(s), and if applicable, the following documents shall also be included: corrective action plan, penalties, and Agreed Orders.
	Retention and Disposition	Retain in Agency two (2) years and destroy.
01328	Inspector's Daily Report	This series represents an inspector's daily report of any and all shops or salons operating as a business for hairdressers, cosmetologists, nail technicians, and estheticians, inspected in the course of conducting official business pursuant to KRS 317A and KRS 317B.
	Access Restrictions	None
	Contents	Series may contain: Name of inspector, date and time of inspection, name and address of shops and salons inspected, mileage, and time of arrival at place of business.
	Retention and Disposition	Retain in Agency two (2) years and destroy.
05858	Educational Requirements File (V)	This series documents fulfillment of the educational requirements for persons applying for licenses as hairdressers, cosmetologists, nail technicians and/or estheticians pursuant to KRS 317A.050. The applicant must be at least sixteen (16) years of age, have two (2) years of high school education or its equivalent, graduate from a licensed school of cosmetology and practice as a licensed apprentice for at least six (6) months under the immediate supervision of a licensed cosmetologist.
	Access Restrictions	KRS 61.878 (1) (a) regarding personal information
	Contents	This series may contain: Name, address, and Social Security number of the applicant, name and address of high school and cosmetology school(s) attended, dates of graduation, examination scores, apprenticeship application date and date of completion.
	Retention and Disposition	Retain in Agency ten (10) years from application date for a hairdresser, cosmetologist, nail technician or esthetician license; then destroy.

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

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
 Hairdressers and Cosmetologists, Board of

Record Group
Number
1250

Series	Records Title and Description	Function and Use
05860	Complaint Log	This series documents complaints received by the Board of Hairdressers and Cosmetologists concerning any person licensed under the provisions of KRS Chapters 317A and 317B relating to licensee's business or professional practices per the procedures of KRS 317A.145. The series further documents the ultimate and final disposition of the complaint and actions taken by the Board. KRS 317A.145 (1) states that the complaint log is available for public inspection. In the event the investigation of the complaint results in determination of a violation of the provisions of KRS 317A or 317B, the Board may take action pursuant to the provisions of KRS 317A.140 and these actions are documented in the Master File - Series 01315.
	Access Restrictions	None
	Contents	Series may contain: Licensee's name, name of complaining party, date of complaint, brief statement of complaint, ultimate disposition of complaint, and in the event the investigation documents a violation or violations as a result of the complaint, these are also noted on the log.
	Retention and Disposition	Retain in Agency two (2) years from the date of the final disposition of the complaint, then destroy.
05863	Appeals - Litigation and Hearings File	This series documents the appeals and litigation/hearings cases. Pursuant to KRS 317A.070, the Board of Hairdressers and Cosmetologists shall hold hearings upon request of an applicant directly affected by the Board's decision to refuse to renew a license or to deny, suspend or revoke a license. The rulings of the Board as a result of a hearing may be appealed to the Franklin Circuit Court.
	Access Restrictions	None
	Contents	This series may contain: Name and address of applicant whose license has been renewed, denied, suspended or revoked, legal documentation, Board rulings, and correspondence.
	Retention and Disposition	Retain in Agency ten (10) years from date final disposition of proceeding and all appeals have exhausted; destroy.
05864	License Renewal File (V)	This series documents license renewals for hairdressers, cosmetologists, nail technicians and/or estheticians pursuant to the requirements of KRS Chapters 317A.020 to KRS 317B.060 and the regulations promulgated thereto. Licenses must be renewed annually between July 1 and 31 of each year. Applications postmarked after July 31 are considered expired and a restoration fee may be applied up to five (5) years after date of expiration. After five (5) years, restoration fees shall be required in addition to an examination, additional course work, or both and the information needed after the five (5) years may be obtained from the Master File - Series 01315.
	Access Restrictions	KRS 61.878 (1)(a) as pertaining to Social Security number and personal information
	Contents	Series may contain: Name, Social Security Number, address of applicant; date of renewal, fees paid, and name change, if applicable
	Retention and Disposition	Retain in Agency. If license is renewed annually, purge record when updated and obsolete. If license has a lapse period and is not renewed the following year, purge five (5) years from date of last renewal

Electronic System With Included Records Series

General Government

Board of Hairdressers and Cosmetologists

System Description: The Hair, Nails and Skin Licensure System (HNS) is a web-based licensure renewal system for businesses and individuals. The main functions of HNS are application processing, change of contact information, exam applications, and online license renewal. The system provides a history of the entity's license, application, exam, education, continuing education, salon inspection, account maintenance, and payment. This system can generate mailing lists and various reports, including statistical and financial reports. The system is password-protected and accessible only to users with login credentials. Data is entered by office and field staff. Licensees have limited access to data entry. There is no state or federal mandate governing the system.

System Contents: HNS may contain: Applicant/Licensee demographic information, school information, salon information, Continuing Education Unit (CEU) sponsors, inspection information, and payment information.

General Schedule Items:

System Title:	Hair, Nails and Skin Licensure System	Alternate Title:	HNS
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Series #:	Series Title:	Disposition Instructions:
01315	Master Folder	Transfer to State Records Center five (5) years after becoming inactive and destroy twenty (20) years after license is inactive.
01318	Non-Licensed Examinee File	Retain in Agency and destroy ten (10) years from date of graduation from an accredited educational institution.
01320	Index of Salons	Retain in Agency and destroy one (1) year after license has expired.
01321	List of Hairdressers and Cosmetologists Schools	Retain in Agency and update as needed and destroy when obsolete.
01322	Drop-Out File - School Record of Incomplete Course Cases	Retain in Agency and destroy ten (10) years from the student's termination date.
01327	Shop/Salon Inspections	Retain in Agency two (2) years and destroy.
01328	Inspector's Daily Report	Retain in Agency two (2) years and destroy.

System Title: Hair, Nails and Skin Licensure System

Alternate Title: HNS

Series #: Series Title:

Disposition Instructions:

05860 Complaint Log

Retain in Agency two (2) years from the date of the final disposition of the complaint, then destroy.

05864 License Renewal File

Retain in Agency. If license is renewed annually, purge record when updated and obsolete. If license has a lapse period and is not renewed the following year, purge five (5) years from date of last renewal