



# Office of Vocational Rehabilitation

## 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 Office Vocational Rehabilitation. **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 Office Vocational Rehabilitation personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for Office Vocational Rehabilitation to destroy the records listed, after the appropriate retention periods have passed.

Office Vocational Rehabilitation 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 Office Vocational Rehabilitation.

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 Office Vocational Rehabilitation, 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 represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

## **Office of Vocational Rehabilitation**

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

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

RECORDS RETENTION SCHEDULE

Signature Page

Office of Vocational Rehabilitation  
Agency

June 11, 2009  
Schedule Date

Unit

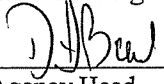
September 12, 2013  
Change Date

September 12, 2013  
Date Approved By Commission

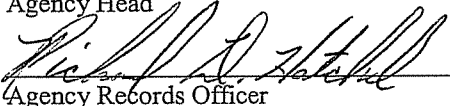
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APPROVALS

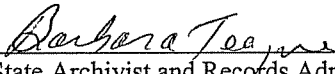
The undersigned approve of the following Records Retention Schedule or Change:

  
Agency Head

9/13/13  
Date of Approval

  
Agency Records Officer

9/13/13  
Date of Approval

  
State Archivist and Records Administrator  
Director, Public Records Division

9/12/13  
Date of Approval

  
Chairman, State Archives and Records Commission

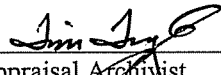
9/12/13  
Date of Approval

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

  
Records Analyst/Regional Administrator

9/12/13  
Date of Approval

  
Appraisal Archivist

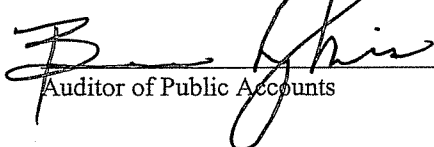
9/12/2013  
Date of Approval

  
State/Local Records Branch Manager

9/12/13  
Date of Approval

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The determination as set forth meets with my approval.

  
Auditor of Public Accounts

9/12/13  
Date of Approval

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

STATE AGENCY RECORDS  
RETENTION SCHEDULE

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

Record Group  
Number  
3081

Series	Records Title and Description	Function and Use
02829	<b>Case Record File (V)</b>	This series documents the activities for clients from the time of application and determination of eligibility through the rehabilitation process and, if required, through post-employment services. It documents all medical and psychological records of clients, the complete plan of service between the counselor and client for employment purposes and if the plan is unsuccessful, or if the client is determined to be unemployable. It documents all expenditures which are subject to federal guidelines. The status of the record is based on the success, or failure to make their clients employable. Note: As possible, case files are scanned to PDF and linked to the Case Management System.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) Personal Information
	<b>Contents</b>	This series may contain: Agency forms, progress notes, medical documentation, school records, fiscal records, related correspondence and related documents.
	<b>Retention and Disposition</b>	Transfer to the State Records Center three (3) years after case closure. Retain at Records Center for five (5) years, destroy eight (8) years after case closure and or audit whichever is longest.
06458	<b>Voter Registration File</b>	This series documents efforts by personnel at local Vocational Rehabilitation offices to assist in implementing clients' voter registration rights and acceptance or declination of those rights to vote. In compliance with the National Voter Registration Act of 1993 (also known as the Motor Voter Bill) Office personnel offer the client the opportunity to register to vote, which the client may accept or decline. A form is completed that documents that decision. If the client decides to register, a separate form may be completed at the Office or a mail-in form may be provided. A client's decision and any information provided at the office to which the application was submitted remains confidential and is used only for voter registration purposes. Once a client is registered, a confirmation notice with his/her precinct and voting location will be mailed to client by the local county clerk's office.
	<b>Access Restrictions</b>	KS 61.878(1)(a) Personal information
	<b>Contents</b>	This series may contain: Voter registration rights and declination document (applicant's name and SSN; Registering to Vote [Yes, No, or No I am already registered]; signature; date; statement of voter registration rights); Voter registration document. This series may contain: Mail-in voter registration form (questions on applicant's citizenship status, and age before the election; new registration or change to registration; applicant's name, DOB, SSN, address, gender, and contact information; party affiliation); mail-in voter registration instructions.
	<b>Retention and Disposition</b>	Retain until two (2) years after most recent applicable election, then destroy.

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# *Electronic System With Included Records Series*

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## **Education & Workforce Development Cabinet**

### *Department for Workforce Investment*

#### **Office of Vocational Rehabilitation**

***System Description:*** The Kentucky Office of Vocational Rehabilitation maintains a system to collect and analyze, on an annual basis, data on qualified personnel needs and personnel development. The office maintains databases of personnel information including: types of position, ratio of personnel to applicants and eligible individuals served, current staffing requirements and projected requirements for staffing needs. The system also includes records of employee career development plans reflecting completed training activities including college credits, Certified Rehabilitation Counselor (CRC) credits, Professional Rehabilitation Assistant credits and continuing education contact hours.

The Case Management System (CMS) is a web-based in-house program developed to manage data for statistical reporting purposes to the Rehabilitation Services Administration (RSA). The system is used by the Office of Vocational Rehabilitation (OVR) field staff to manage caseload information and ensure compliance with federal laws. Creation of monthly, quarterly and annual reports of consumer data stored within the system help ensure reliability. CMS is used to assist in the reimbursement process for all monies spent in claims filed to Social Security Administration (SSA).

***System Contents:*** The Case Management System (CMS) consists of several modules. The Case Management Home module is used to input consumer information, application, eligibility, employment plan, services (staff, comparable benefits & paid), closure, post employment and social security information. The Authorization module is used to pay for services to vendors. The Independent Living module is used to input consumer information receiving independent living services. The data included in the system includes consumer information, vendor information and the Current Procedural Terminology (CPT) & Healthcare Common Procedure Coding System (HCPCS) information.

The consumer records are of a personal nature, and include such information as demographic data, disability information, school, financial, employment, planned & provided services, social security benefits, public support received, medical records, and all other pertinent information needed to assist the consumer in obtaining/maintaining employment. The vendor records are imported directly from the eMARS system to assist the OVR in making payments for services to consumers. Authorization for payments to vendors is generated through CMS. The CPT & HCPCS records provide medical/prosthetic/orthotic coding & approved fees input & updated from Medicare.

Restrictions apply to the system, no public access is allowed due to confidentiality of consumer information.

The CMS is capable of creating reports through the use of Crystal Reports. A monthly extract is created of all consumer data to assist administration in generating specific reports.

Examples of the reports include: Consumer status printouts to show progression of case status; monthly caseload reports that are

used by counselors in case management; ledger reports that are used to manage caseload, district & agency budgets; allotment report to track expenditures; monthly statistical reports that are used to compare caseload & agency statistics to determine counselor and agency progress in meeting goals set by the agency & the Rehabilitation Services Administration (RSA); quarterly report for input into the RSA monitoring system, annual report to RSA.

**General Schedule Items:** M0022 - Annual or Summary Reports

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**System Title:** Case Management System

**Alternate Title:** CMS

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**Series #: Series Title:**

**Disposition Instructions:**

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02829 Case Record File

Transfer to the State Records Center three (3) years after case closure.  
Retain at Records Center for five (5) years, destroy eight (8) years after case closure and or audit whichever is longest.