



About Me

Katie Ray

- Records Management Analyst with Library of Virginia
- Designated analyst for health and human services agencies, including VDSS & local departments of social services
- Point of contact for questions about everyday records management, retention schedules, destruction, preservation, and more





What is records management?

Why should I practice records management?

What is a public record?

How long do I need to keep public records?

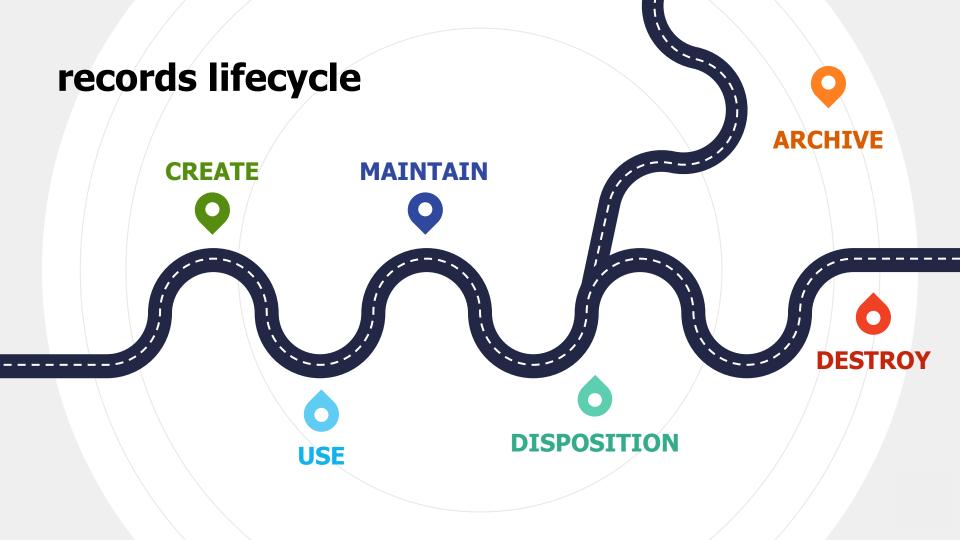
What are the recent changes to GS-15, Social Services?

How do I manage public records?

How do I destroy public records?

Q&A









All state and local agencies must:

- Designate a records officer
- Establish and maintain a records management program
- Destroy records and report to LVA



2

Records management facilitates access and efficiency.



3

Institutional knowledge is lost when that knowledge is not documented, organized, and accessible.



4

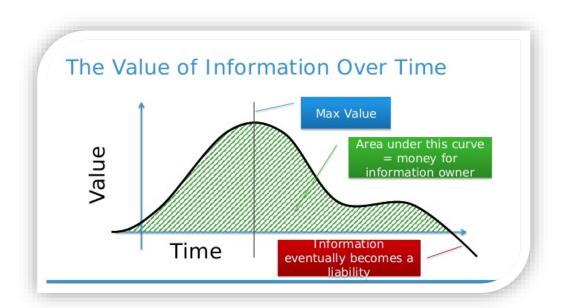
Storage and discovery are expensive!

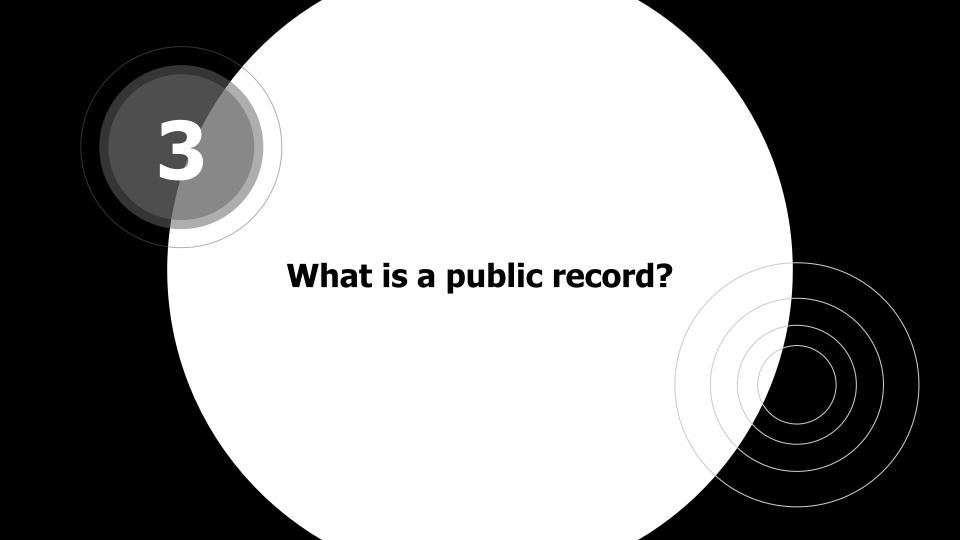
Physical storage
Electronic storage
Date migration
E-discovery
"Spoliation of evidence"
"Defensible disposition"





Records become a liability over time.





"Public record" means...



recorded information that documents a transaction or activity by or with any public officer, agency or employee of an agency.

public records # open records

- □ Public records can be **open** or **closed.**
- ☐ Examples of closed records:
 - attorney-client privileged records
 - attorney work product
 - minutes of closed meetings
 - vendor proprietary information software
 - records protected by HIPAA, FERPA



"Public record" means...



recorded information that documents a transaction or activity by or with any public officer, agency or employee of an agency.

Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business.

The medium upon which such information is recorded has no bearing on the determination of whether the recording is a public record.



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The medium upon which such information is recorded has no bearing on the determination of whether the recording is a public record.

For purposes of this chapter, "public record" shall not include nonrecord materials, meaning materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications.

Va. Code§ 42.1-77

personal information notices of social events



reference materials, trade journals, listserv messages, spam



non-auditable surplus

(blank stationery, blank forms)



duplicates

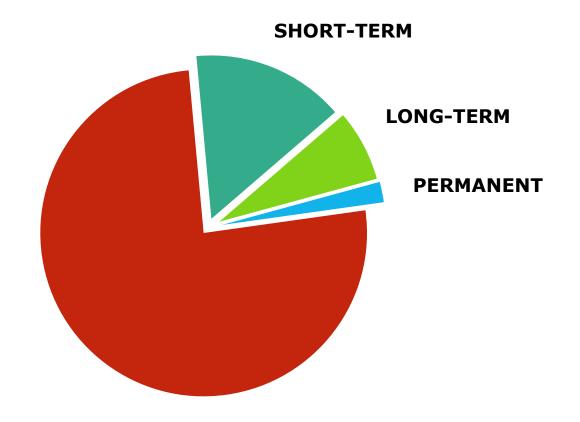
(extra copies kept for convenience; stocks of publications)





categories of records

NON-RECORDS



Where to find retention schedules



Search

Catalog [search options]

For Researchers

Search the LVA Catalog \rightarrow

Research Guides & Indexes →

Databases & eBooks →

Virginia Memory →

Electronic Discussion Groups →

Order Materials \rightarrow

Interlibrary Loan →

Register for a Library Account →

For Libraries & Educators

Library Development & Networking →

Students & Educators →

Find It Virginia →

Public Library Workshops →

For the Public

Contact Us →

About Us →

Visitors' Guide →

Support the Library →

Exhibitions →

Events & Exhibitions Calendar →

News & Press Center →

Forms →

The Virginia Shop →

For Localities & State Agencies

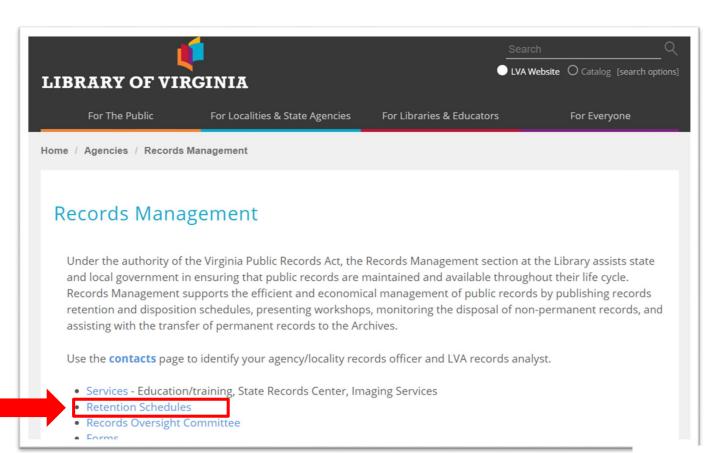
Records Management →

Circuit Court Records Preservation →

State Publications Depository Program →

Library Services & Resources →

Where to find retention schedules



General Schedule

Common records created and maintained by localities and state agencies

Specific Schedule

Records unique to an agency that reflect its responsibilities

Retention Schedules

Under *Code of Virginia* § 42.1-85, the Library of Virginia (LVA) has the authority to issue regulations governing the retention and disposition of state and local public records. In keeping with the Code's mandate, LVA has developed records retention and disposition schedules outlining the disposition of public records.

Under this policy, the LVA issues two types of schedules. **General schedules** apply to the records of common functions performed by or for all localities and state agencies. **Specific schedules** apply to records that are unique to an individual state agency.

Before a state agency or locality can destroy public records:

- A records officer for your organization must be designated in writing by completing and filing a Records Officer Designation and Responsibilities (RM-25 Form) with the Library of Virginia.
- Records to be destroyed must be covered by a Library of Virginia-approved general or specific records retention
 and disposition schedule and the retention period for the records must have expired.
- All investigations, litigation, required audits, and Virginia Freedom of Information Act requests must be completed or fulfilled.
- The organization's designated records officer and an approving official must authorize destruction completing a Certificate of Records Destruction (RM-3 Form) prior to the records being destroyed.

When a new schedule is approved, it supersedes all previously issued versions of the schedule.

General Schedules for Localities

General Schedules for State Agencies

Specific Schedules for State Agencies

general schedules (local agencies)

General Schedules for Localities

1

Searchable database for local General Schedules

2

General Administration

GS-19, Administrative Records (December 2021) *Changes to E-Rate Program Records*

GS-02, Fiscal Records (Feb 2015)

GS-16, General Services (March 2022) *Changes to Security: Visitor Access Control Records*

GS-33, Information Technology (Mar 2009)

GS-03, Personnel Records (December 2021)

Local Departments

GS-31, Airports (Sep 2003)

GS-05, Assessment Records (Dec 2018)

GS-14, County and Municipal Attorneys (May 2010)

GS-06, Land Use, Land Development and Public Works (Oct 2013)

GS-11, Parks and Recreation (April 2017)

GS-22, Public Library (April 2013)

GS-21, Public School (Jun 2022) *Additional series concerning Title IX*

GS-07, Public Utilities (Dec 2020)

GS-32, Redevelopment and Housing Authority (Jun 2022) *New Financial Transaction series*

GS-28, Treasurer (April 2013)

GS-01, Voter Registration and Elections (May 2010)

3

Human Services

GS-18, Community Services Boards (CSB) (Jun 2022) *Charges to Client Case Files*

GS-15, Social Services (Jun 2022) *Complete revision*



LIBRARY OF VIRGINIA

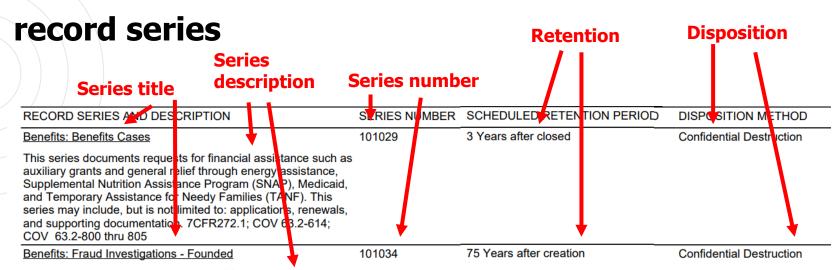
Government Records Services 800 E. Broad St., Richmond VA 23219 (804) 692-3600 RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. GS-15

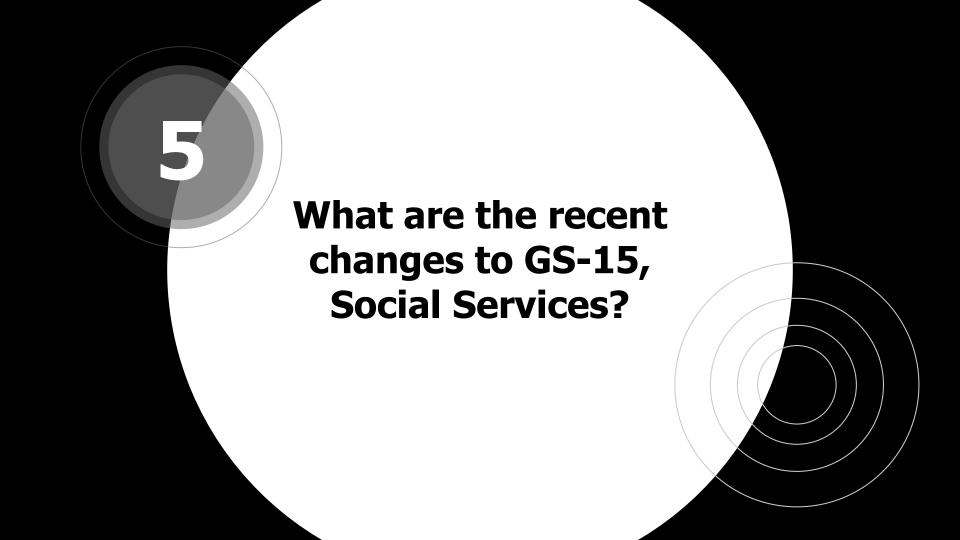
COUNTY AND MUNICIPAL GOVERNMENTS

Social Services

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
Benefits: Benefits Cases	101029	3 Years after closed	Confidential Destruction
This series documents requests for financial assistance such as auxiliary grants and general relief through energy assistance, Supplemental Nutrition Assistance Program (SNAP), Medicaid, and Temporary Assistance for Needy Families (TANF). This series may include, but is not limited to: applications, renewals, and supporting documentation. 7CFR272.1; COV 63.2-614; COV 63.2-800 thru 805			
Benefits: Fraud Investigations - Founded	101034	75 Years after creation	Confidential Destruction
This series documents investigations of fraud among providers or clients of benefits and services that are determined to be founded. This series may include, but is not limited to: investigative reports and correspondence.			
Benefits: Fraud Investigations - Unfounded	000176	3 Years after closed	Confidential Destruction
This series documents investigations of fraud among providers or clients of benefits and services that are determined to be unfounded. This series may include, but is not limited to: investigative reports and correspondence.			
Benefits: Overpayment Cases	007017	3 Years after closed	Confidential Destruction
This series documents the investigation of and collection attempts made on the overpayment of benefits by the locality to providers or clients. Benefits may include, but are not limited to: food stamps, Medicaid, and Temporary Assistance for Needy Families (TANF). This series may include, but is not limited to: evidence, administrative disqualification hearing findings, and investigation documentation.			



This series documents investigations of fraud among providers or clients of benefits and services that are determined to be founded. This series may include, but is not limited to: investigative reports and correspondence.



LIBRARY OF VIRGINIA ARCHIVAL AND RECORDS M (RM-2 Form August 2010)

notes. Code of Virginia § 63.2-1605

RECORDS RETENTION AND DISPOSITION SCHEDULE GENERAL SCHEDULE NO. 15 COLUMN MUNICIPAL GOVERNMENT RVICES RECORDS

EFFECTIVE SCHEDULE DAT ber 9, 2021 SUPERSED	ES SCHED. JATED: Ju	PAGE 2 OF 8 PAGES
RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
Adoption Records: Children Originating Outside Virginia This series documents courtesy reviews of children living in Virginia conducted by social services on behalf of an out-of- state social service. This series may include, but is not limited o: home care studies.	101010	Retain until child's 18th birthday or for length of time specified by originating agency, whichever comes first, then destroy in compliance with No. 8 on the schedule cover page.
Adoption Records: Children Originating in Virginia This series documents the adoption of children in the custody of Virginia Department of Social Services (VDSS) at the time the adoption process begins. This series may include, but is not limited to: home visits, parental screening, and financial records. Code of Virginia § 63.2-1221	101009	Retain until closure of file then transfer to VDSS for permanen retention. <i>Code of Virginia</i> § 63.2-1245 and 63.2-1246
Adoptive and Foster Home Provider Records This series documents placement of children, payment for services to various providers, and checks for compliance with state and local requirements. This series may include, but is not limited to: checklists, home studies, field notes, certificates of training, and reference letters. Code of Virginia § 63.2-900	101011	Retain 3 years after last action then destroy in compliance with No. 8 on the schedule cover page.
Adult Day Care Providers This series documents licensed adult day care providers. This series may include, but is not limited to: investigations of facilities and payment for services to providers.	101012	Retain 3 years after last action then destroy in compliance with No. 8 on the schedule cover page.
Adult Services/Adult Protective Services (APS): Case Records with Report This series documents cases that contain an APS report alleging abuse of an adult 60 years of age or older or incapacitated adults 18 years of age or older. This series may include, but is not limited to: complaints and investigation	000282	Retain 5 years after closed then destroy in compliance with No. 8 on the schedule cover page.



(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. GS-15

2

COUN 3 MUNICIPAL GOVE 4

EFFECTIVE SCHEDULE DATE: 6/9/2022			
RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
Benefits: Benefits Cases	101029	3 Years after closed	Confidential Destruction
This series documents requests for financial assistance such as auxiliary grants and general relief through energy assistance, Supplemental Nutrition Assistance Program (SNAP), Medicaid, and Temporary Assistance for Needy Families (TANF). This series may include, but is not limited to: applications, renewals, and supporting documentation. 7CFR272.1; COV 63.2-614; COV 63.2-800 thru 805			
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Changes to GS - 15:

Categories

Series re-ordered under 3 categories:

- Benefits
- Family Services
- Licensing Programs

*With the exception of Virginia Juvenile Community Crime Control Act (VJCCCA): Programs and Services

Changes to GS - 15:

Standardized retention language

Examples:

Family Services: Adult Services/Adult Protective Services (APS) - Cases with Report 5 years after case closure > 5 years after closed

Family Services: Assisted Living Facility Assessments and Preadmission Screenings

5 years after date of assessment > 5 years after event

Family Services: CPS Cases [Multiple Series]

3 years from the date of the complaint > 3 years after receipt

Benefits: Overpayment Cases

3 years after resolution, claim paid, administratively closed, or written off > 3 years after closed

Changes to GS - 15:

Standardized retention language

Family Services: Adoptions - Children Originating in Virginia

Retain until closure of file then transfer to VDSS for permanent retention.

> Permanent, In Agency

This series documents the adoption of children in the custody of Virginia Department of Social Services (VDSS) at the time the adoption process begins. This series may include, but is not limited to: home visits and parental screening records. <u>Upon closure, these records are transferred to VDSS for permanent retention.</u>

Standardized retention language

Family Services: Adoptions - Children Originating Outside Virginia

Retain until child's 18th birthday or for length of time specified by originating agency.

> Retain 0 years after event.

This series documents courtesy reviews of children living in Virginia conducted by social services on behalf of an out-of-state social service. This series may include, but is not limited to: home studies. These records are retained for 5 years after case closure or until the child's 18th birthday, whichever is sooner.

Standardized retention language

<u>Family Services: Child Protective Services (CPS) Cases - Founded with Multiple</u>
<u>Complaints</u>

Retain until the longest founded complaint case on the alleged abuser or victim is eligible for destruction

> Retain 0 years after expiration.

This series documents the investigations of multiple child abuse and neglect complaints, whether valid or invalid, that involve either the same alleged abuser or the same victim. This series may include, but is not limited to: CPS referrals; court orders; safety and risk assessments; medical, school, and/or psychological reports; and worker notes. Final disposition occurs when all complaint cases on the alleged abuser or victim are eligible for disposition.

Revised series retention

Family Services: Benefits Case Records

Retain 3 years after benefit issuance > Retain 3 years after closed

Revised series title

Comprehensive Services Records

Retain 3 years after last review



Children's Services Records

Retain 3 years after closed

New series

CPS Cases: Invalid

Retain 1 year after receipt

Code of Virginia § 63.2-1514B:

"Records of complaints and reports determined to be not valid shall be purged <u>one</u> <u>year after the date of the complaint or report</u> if there are no subsequent complaints or reports regarding the same child or the person who is the subject of the complaint or report in that one year."

Split series

<u>CPS Cases - Unfounded: No Request to Maintain File</u> Retain 3 years after last complaint



CPS Cases: Unfounded, No Request to Maintain File,
Before July 1, 2020
Retain 1 year after receipt



CPS Cases: Unfounded, No Request to Maintain File,
After June 30, 2020
Retain 3 years after receipt

Split series

CPS Cases - Unfounded: Request to Maintain File
Retain 5 years from the date of complaint



CPS Cases: Unfounded, Request to Maintain File,
Before July 1, 2020

Retain 3 years after receipt



CPS Cases: Unfounded, Request to Maintain File,

After June 30, 2020

Retain 5 years after receipt

Split series

CPS Cases: Founded, Level 1 - Sexual Abuse
Retain 25 years after date of complaint





CPS Cases: Founded, Level 1 - Sexual Abuse, Before July 1, 2010
Retain 18 years after receipt

<u>CPS Cases: Founded, Level 1 - Sexual Abuse,</u>
<u>After June 30, 2010</u>
Retain 25 years after receipt

Consolidated series

Fraud Cases: Founded - Temporary
Disqualification
Retain 5 years after period of benefits
disqualification ends

Fraud Cases: Founded - Permanent

Disqualification

Retain 75 years after fraud is proven



Fraud Investigations: Founded Retain 75 years after creation

VDSS Manual: "If the investigation results in a determination of fraud and subsequent IPV [Intentional Program Violation] disqualification, the applicable case file must be retained for the life of the individual or until the agency is notified that the record is no longer needed."

New series

Virginia Juvenile Community Crime Control Act (VJCCCA): Programs and Services
Retain 18 years after birth

This series documents juvenile cases that appear before an intake officer, are formally processed by the court, and all others that are funded by the Virginia Juvenile Community Crime Control Act (VJCCCA). This series may include, but is not limited to: assessments, correspondence, court orders and petitions, educational and social history, intake demographics, offense history, referrals, and reports.

Consolidated series

Adoptive and Foster Home Provider Records
Retain 3 years after end of state fiscal year

Adult Day Care Providers
Retain 3 years after last action

Approved Adult Services Providers Records
Retain 3 years after last action

Childcare Provider Records
Retain 5 years after last action

<u>Licensing Programs:</u> <u>Provider Files for Licensed Programs</u>

5 years after closed

This series documents the approval, monitoring, and investigation of licensed day and residential care facilities or programs for children and adults...

<u>Licensing Programs:</u> Provider Files for Unlicensed Programs

5 years after closed

This series documents the monitoring and investigation of unlicensed day and residential care facilities or programs for children and adults, including religious institutions that have obtained and maintained the requirements for an exemption from licensure; certified preschools during their period of certification; and providers alleged to be subject to licensure, but operating without a license...





Designate your agency's RM champion: The Records Officer

Provide or coordinate training
Provide consultation
Coordinate destruction
Create and enforce policies & procedures
Communicate with Library of Virginia





Make an agency file plan.

- Internal crosswalk or roadmap
- Translates the retention schedule for your agency
- Gives you control over your agency's records

- What? What are the files called internally? What is the format?
- Who? Who manages the files?
- **Where?** Where should the files be located?
- When? When were the files created? When can they be destroyed?

Agency Name		2) Dept Code	3) Bureau/Office/Division Records Liaison AGENCY FILE PLAN											
Bureau/Office/Division		AGENCY FILE PLAN												
) Records Coordinator:						<u> </u>	9	<u>.</u>			Retention		-1 ± 1	
8) Record Common Name	9) Description	10) Records Series Number	11) Records Series Title	12) Location	13) Format	14) Vital	15) copy or official record?	16) RTKL Exception # or legal Citation for non- disclosure	17) Date of Record	18) Series Cut-off	19) AGY yrs/mos	20) SRC yrs/mos) Dispositi nal or othe	22) Conta

File related records together within a shared system.

Organize your electronic records **like a grocery store**.

If you have a new person start tomorrow, they should be able to find records.





Use descriptive file and folder names.

Name files so that they are easily organized and sorted by **date** and/or **subject**.

AB_interview01_2010-01-12.txt

AB_interview02_2010-01-12.txt AB_interview03_2010-02-03.txt

AB_interview04_2011-01-24.txt

AB_interview05_2012-01-15.txt

AB_interview06_2012-01-24.txt

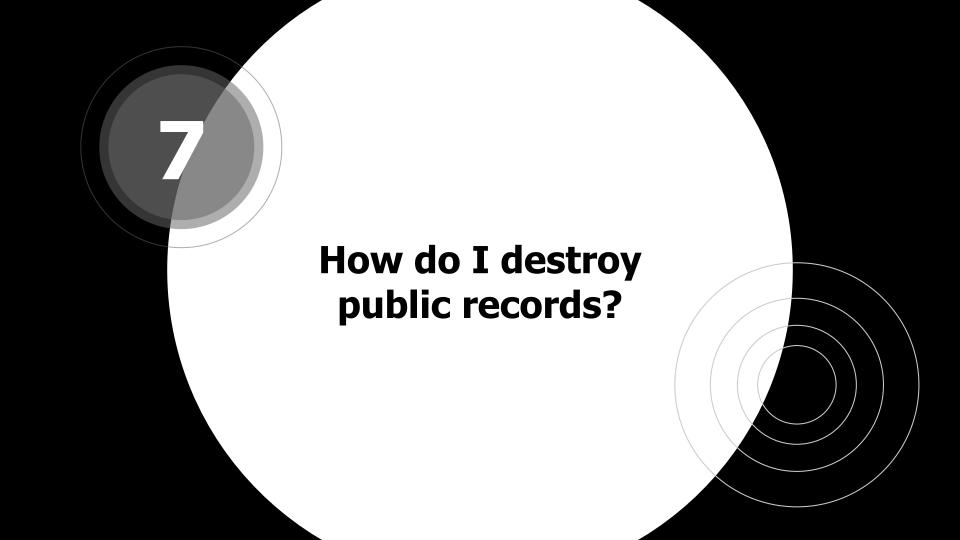
YZ_interview01_2010-01-12.txt

YZ_interview02_2010-01-15.txt

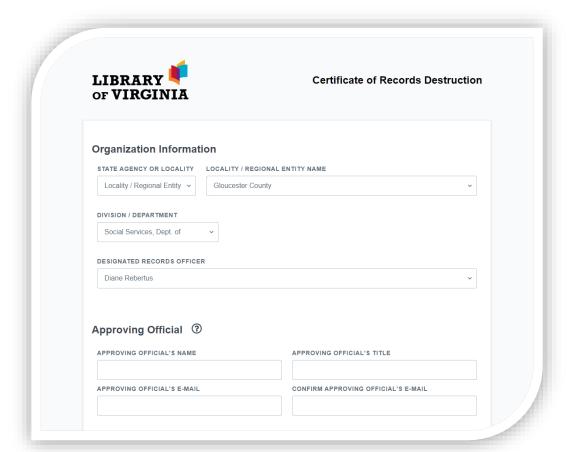
YZ_interview03_2011-02-12.txt



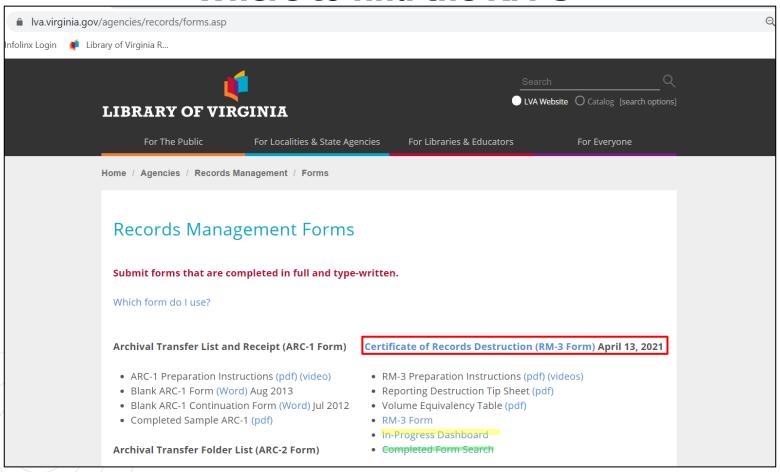




RM-3: now online!



Where to find the RM-3

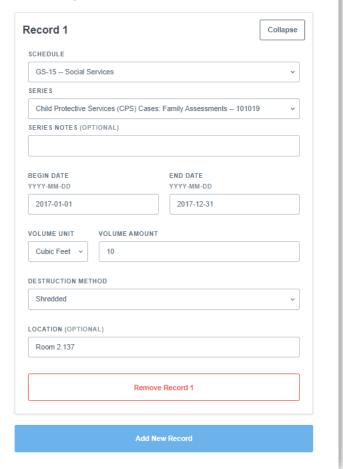




Certificate of Records Destruction

O								
Organization Information								
	ALITY / REGIONAL	ENTITY NAME						
Locality / Regional Entity Y	ccomack County		ŭ					
DIVISION / DEPARTMENT								
Social Services, Dept. of	¥							
DESIGNATED RECORDS OFFICER								
			v					
Approving Official ③								
APPROVING OFFICIAL'S NAME		APPROVING OFFI	CIAL'S TITLE					
APPROVING OFFICIAL'S E-MAIL		CONFIRM APPROV	VING OFFICIAL'S E-MAIL					
Organization Address								
CITY	STATE		ZP					
	VA.							
Records to be Destroyed								
	Add New Record							
			W					
Form Creator								
FORM CREATOR'S NAME	TELEPHONE NUM	OER	FORM CREATOR'S TITLE					
FORM CREATOR'S E-MAIL		CONFIRM FORM O	REATOR'S E-MAIL					

Records to be Destroyed



(Path 1) **Documenting destruction** Records with the RM-3 form Officer affirms final destruction Certificate may be Records Approving viewed via Form Officer Official OR Completed Creator Records receives receives completes **Form** are email, email, (Path 2) form on destroyed Search on reviews reviews LVA Form form, and LVA website form, and website Creator approves approves affirms final destruction

In-progress certificates may be reviewed via **In-Progress Dashboard** on LVA website

Secure destruction



CONFIDENTIAL DESTRUCTION

Shredding, pulping, burning

For electronic records: electronic shredding, overwriting the hard drive's free space, or magnetic-media degaussing





NON-CONFIDENTIAL DESTRUCTION

Landfill Recycling





Closing Thoughts

You create public records.



Almost no one destroys records too soon.



Who are we trying to help?





Katie Ray

Records Management Analyst Library of Virginia katie.ray@lva.virginia.gov 804-692-3608 All forms and schedules, as well as additional resources, available at:

www.lva.virginia.gov/agencies/records