

Schedule 150-1-1-2

DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF CHILDREN AND FAMILY SERVICES CHILD WELFARE AND OFFICE OF JUVENILE SERVICES

October 6, 2009

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

SCHEDULE
150-1-1-2
AGENCY, BOARD OR COMMISSION DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION, BUREAU OR OTHER UNIT CHILD WELFARE AND OFFICE OF JUVENILE SERVICES
Supersedes Schedule 40-1-9 Edition of May 22, 1991; Schedule 40-1-3 Edition of February 28, 2009; and Schedule 150-1-1-3 Edition of June 19, 2007, item 150-1-1-3-6-1

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE

Joseph L. Reilly

TITLE

Director, Division of Children and Family Services

DATE

09/25/2009

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE

Hayden Kootney

DATE

10/01/2009

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE

Deann Hauffman

DATE

10/01/09

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE

James D. Lee

DATE

10/06/09

RMA 01005D

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

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SCHEDULE 150-1-1-2 – DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF CHILDREN AND FAMILY SERVICES – CHILD WELFARE & OFFICE OF JUVENILE SERVICES

150-1-1-2-1 ADMINISTRATIVE RECORDS

150-1-1-2-1-1 COMMISSION FOR THE PROTECTION OF CHILDREN

Documents pertaining to the Nebraska Commission for the Protection of Children.
Dispose of after no longer of reference value, subject to review by the State Archives before disposal.

**150-1-1-2-1-2 CONTRACTS AND PROVIDER AGREEMENTS
(FORMERLY RESIDENTIAL CONTRACT FILES)**

Copies of contracts or agreements with providers outside of agency for services provided.

NIS PAID: Located in Central Repository-Support Services. See DHHS Operations-Support Services Schedule 150-3-1-2, item 150-3-1-2-2-5.

N-FOCUS PAID: Dispose of 6 years after fulfillment of contract terms, provided audit has been completed. ¹

150-1-1-2-1-3 EXCEPTION REQUESTS (OBSOLETE 2000)

Requests exception to policy for services to families contracting with providers.
Immediately dispose of obsolete records.

150-1-1-2-1-4 GRANTS

Documents and information pertaining to the various grants applied for and received by the Division.

Dispose of after 6 years, or as outlined by particular grantors' guidelines, provided audit has been completed. ¹

150-1-1-2-1-5 MISCELLANEOUS RECORDS

Records used by the department which are categorized by the name of such personnel, who either originated the record, or use the record.

Dispose of after 1 year.

150-1-1-2-1-6 TRAINING MATERIAL

Training material including manuals, handouts, video tapes, etc.

Dispose of after 10 years, subject to review by the State Archives for possible accession.

150-1-1-2-2 ADOPTION

150-1-1-2-2-4 ADMISSIONS AND PLACEMENT RECORD (OBSOLETE 1976)

Two volumes (1883-1899 and 1899--) records the name, birthplace, home town and county, national or racial origins, admission date, discharge date and in some cases the names and home address of adopting parents.

Transfer to the State Archives; retain permanently.

150-1-1-2-2-5 ADOPTION RECORD BOOKS (OBSOLETE 1976)

Books include an Adoption Register 1882-1897 recording basic information about a child plus a Record of Adoption 1886-1895 listing approvals of adoption by directors of Home for the Friendless and duplicates of adoption agreements.

Transfer to the State Archives; retain permanently.

150-1-1-2-2-3 INTER-COUNTRY ADOPTION CASE FILES

File pertains to the adoption of a child from another country. May contain correspondence, adoption home study, social summary, and application for a child, medical reports for child, etc.

Retain permanently.

150-1-1-2-2-2 INTERSTATE COMPACT/ADOPTION

Files pertain to children going out of or coming into Nebraska for adoption. May contain Interstate Compact forms, approval, social history, medical history and reports, correspondence, adoption home study, copies of court orders, copies of relinquishments for adoption, copies of consent or non-consent forms, etc.

Retain permanently.

150-1-1-2-7 ADULT AND CHILD PROTECTIVE SERVICES

150-1-1-2-7-1 ADULT PROTECTIVE SERVICES CASE FILE (FORMERLY CASE RECORDS)

Documentation includes narrative of all findings and activities relating to the report, investigation, needs assessment, status of case, eligibility, DSS-60, etc.

SUBSTANTIATED CASES: Retain permanently.

UNSUBSTANTIATED CASES: Dispose of identifying case record material within 6 years from the completion of the investigation.

150-1-1-2-7-2 CHILD PROTECTIVE SERVICES/CHILD AND FAMILY SERVICES CASE FILE

File for cases that develop following an intake referral alleging abuse or neglect, or dependency. May include narrative, correspondence, law enforcement reports, court orders, medical reports, etc. This includes CFS (Children and Family Services) case files where the case status determination or finding is court substantiated, inconclusive or unfounded.

COURT SUBSTANTIATED OR INCONCLUSIVE: Retain permanently.

UNFOUNDED: Dispose of within 6 years from completion of the investigation.

150-1-1-2-7-3 EXPUNGEMENTS

Documents pertaining to client requests to be expunged from the Nebraska Central Register for Child Abuse and Neglect. May include correspondence, evidence, and police reports.

Retain permanently.

150-1-1-2-8 DISASTER RECOVERY BACK-UPS FOR ELECTRONIC RECORDS

Back-up tapes or other storage media are only to be used for system restoration in the event of a disaster. Disaster recovery back-ups are never to be used or considered for records access, archiving or management purposes. Tapes will be maintained and then overwritten or destroyed following these rotations:

ALL OTHER ELECTRONIC RECORDS:

Daily (M-F): Dispose of after 1 week.

Weekly (Sunday): Dispose of after 3 weeks.

Monthly: Dispose of after 1 year.

150-1-1-2-3 DOMESTIC ABUSE

150-1-1-2-3-1 DOMESTIC ABUSE/VIOLENCE PROGRAM FILES

Information pertaining to the program administration includes: budgets, narratives, activity reports, etc.

Dispose of after 3 years, provided audit has been completed. ¹

150-1-1-2-4 FOSTER CARE

150-1-1-2-4-1 FOSTER FAMILY/LICENSING FILES OR APPROVAL FILES (FORMERLY FAMILY/STATE WARD CASE FILES, FOSTER FAMILY FILES)

File contains information regarding foster homes, adoptive homes, and relative homes licensed or approved by the Department of Health and Human Services. Files may include foster or adoptive home inquiry, foster home licensing applications, background check reports, home study, medical reports, formal financial statement, correspondence, court orders, marriage certificates, administrative appeal decisions, etc. These files include the criminal history report from the FBI, based on fingerprints (AKA the “rap sheet”). Per instructions from the FBI, this report must be removed prior to sending the file to storage. Local Office will send the pulled criminal history reports to CFS Policy Section, Child Welfare Unit 1 year after closure of the home.

INQUIRY OR APPLICATION ONLY (NO LICENSE ISSUED AT ANY TIME): Dispose of 6 years from the date of inquiry or application.

LICENSING OR APPROVAL FILES: Dispose of 15 years after closure of the home.

PULLED CRIMINAL HISTORY REPORTS: CFS Policy Section, Child Welfare Unit will dispose of by shredding 15 years after closure of home.

**150-1-1-2-4-2 INTERSTATE COMPACT ON PLACEMENT OF CHILDREN
CASE FILES**

Files on children who are placed in interstate foster homes (includes children going out of or coming into Nebraska). May contain Interstate Compact Application Request, Report to Court - report is history of child and previous placements, medical history, recommendations, copy of consent to release information by a guardian of school records on the child, correspondence, psychological evaluations, copy of birth certificate, client service record, home study, copies of retention filed in court, etc.

Dispose of after 6 years.

150-1-1-2-6 OFFICE OF JUVENILE SERVICES (OJS)

**150-1-1-2-6-1 INTERSTATE COMPACT ON PLACEMENT OF
JUVENILES CASE FILES**

Files on juveniles who are going out of or coming into Nebraska. May contain, application for interstate compact services, court orders, Youth Rehabilitation and Treatment Center reports, OJS evaluation (social history, chemical dependency assessment, and history of delinquency, educational status and transcripts, immunization records and other documentation).

Dispose of after 6 years.

150-1-1-2-6-2 JUVENILE SERVICES EVALUATION FILES

Documents pertaining to all portions of an OJS evaluation that was completed pursuant to a court order shall be retained.

Dispose of after 6 years

150-1-1-2-5 STATE WARDS

**150-1-1-2-5-1 STATE WARD/JUVENILE SERVICES/ NONCOURT
INVOLVED/VOLUNTARY CASE FILES (FORMERLY
BEHAVIORAL INCIDENT REPORT FORMS, CASE FILES
– STATE WARDS (CLOSED), NCCY CASE FILES, NCCY
SCHOOL RECORDS, PERSONAL DENTAL FILES &
PERSONAL MEDICAL FILES**

Case file on each state ward containing placement history and general background, medical records, correspondence, court orders and relinquishment, social summary, public assistance applications, social service plans and authorizations, etc.

Retain permanently.

150-1-1-2-5-2 STATE WARD/SUBSIDIZED ADOPTIONS/SUBSIDIZED GUARDIANSHIP FINANCIAL FILES (FORMERLY INCOME MAINTENANCE FINANCIAL FILES)

Case files containing eligibility and payment information for a child on whose behalf the Department has made an out of home care or extended assistance (former ward) payment, including state wards, former wards, and non-wards for whom payments were made through an IVE contract. File may contain court order, income maintenance fact sheet, public assistance application, Child Placement and Financial Status, request for payment of an out of home placement, Application for Assistance, correspondence, etc. Case files containing eligibility and payment information for a child's subsidized adoption or subsidized guardianship. File may contain a determination of the child's eligibility for subsidy, documentation of special needs, application for subsidy, subsidy agreements, FCPay determination, correspondence, etc.

Dispose of 10 years after closure of case, provided audit has been completed. ¹

OBSOLETE RECORDS

- | | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40-1-3-5 | INDEX CARDS – CASE FILES (CLOSED)
Retain permanently or dispose of after entered and verified in computer. |
| 40-1-3-6 | LIBRARY REGISTER BOOK
Dispose of when no longer of reference value. |
| 40-1-3-7 | LIVING UNIT COMMUNICATION LOGS
Dispose of after 5 years. |
| 40-1-3-8 | NCCY BROCHURE
Dispose of when obsolete. |
| 40-1-9-1 | COMMUNITY SERVICE BLOCK GRANT AUDITS
Dispose of after 5 years. |
| 40-1-9-2 | DOMESTIC ABUSE CENTER DATA
Dispose of after 5 years. |
| 40-1-9-10 | LICENSE FILES (Day Care Homes, Foster Homes, Group Homes, etc.)
Dispose of 10 years after closing or withdrawal provided audit has been completed. |
| 40-1-9-11 | LICENSING REVISIONS
Dispose of as directed by the Licensing Administrator. |
| 40-1-9-13 | SOCIAL SERVICES PROVIDER AUTHORIZATION (FORM DSS-4A)
Dispose of after 3 years provided audit has been completed. |
| 40-1-9-14 | SPECIAL NEEDS REQUESTS
Dispose of after 18 months provided audit has been completed. |
| 40-1-9-15 | TALLY SHEETS (FORM RS-4)
Dispose of after 5 years. |
| 40-1-9-16 | INDEX CARDS – CASE FILES
Retain permanently or dispose of after entered and verified in computer. |
| 40-1-9-4 | EXCEPTION REQUESTS (FORM DSS-2A)
Dispose of after 7 years. |

CONSOLIDATED RECORDS (TO 150-1-1-2-5-1)

40-1-3-3	BEHAVIORAL INCIDENT REPORT FORMS
40-1-3-4	CASE FILES – STATE WARDS (CLOSED)
40-1-3-9	NCCY CASE FILES
40-1-3-10	NCCY SCHOOL RECORDS
40-1-3-11	PERSONAL DENTAL FILES
40-1-3-12	PERSONAL MEDICAL FILES

NOTE

1. These records may be disposed of after the required retention period provided the audit of the Comprehensive Annual Financial Report (CAFR) is complete and any required federal audit is complete, and all related audit comments have been resolved. Check with the organization that performed the audit, either the Auditor of Public Accounts or the federal cognizant agency, if there is a question whether resolution is complete.