

**RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 15
COUNTY AND MUNICIPAL GOVERNMENTS
SOCIAL SERVICES RECORDS**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

APPROVED: Sandra A. Trudway

EFFECTIVE SCHEDULE DATE: February 28, 2012

SUPERSEDES SCHEDULE DATED: March 29, 2011

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POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
9. Under the *Virginia Public Records Act*, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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<p><u>Adoption Records: Children Originating Outside Virginia</u> 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 care studies.</p>	101010	Retain until child's 18 th 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.
<p><u>Adoption Records: Children Originating in Virginia</u> 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. <i>Code of Virginia</i> § 63.2-1221</p>	101009	Retain until closure of file then transfer to VDSS for permanent retention. <i>Code of Virginia</i> § 63.2-1245 and 63.2-1246
<p><u>Adoptive and Foster Home Provider Records</u> This series documents placement of children and payment for services to various providers. This series may include, but is not limited to: checks for compliance with state and local requirements and field notes. <i>Code of Virginia</i> § 63.2-900</p>	101011	Retain 3 fiscal years after end of last placement then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Adult Day Care Providers</u> This series documents licensed adult day care providers. This series may include, but is not limited to: investigations of facility and payment for services to providers.</p>	101012	Retain 3 years after last action then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Adult Services/Adult Protective Services (APS): Case Records with Report</u> 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 investigations notes. <i>Code of Virginia</i> § 63.2-1605</p>	000282	Retain 5 years after case closure then destroy in compliance with No. 8 on the schedule cover page.



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<p><u>Approved Adult Services Providers Records</u> This series documents records of adult services providers and may include, but is not limited to: adult foster providers, adult day providers, and home based services providers.</p>	000406	Retain 3 years after last action then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Assisted Living Facility Assessments and Preadmission Screening Case Records</u> This series documents the assessment of residents of and applicants to assisted living facilities (ALF) or preadmission screenings. This series may include, but is not limited to: uniform assessment instruments (UAI). 22VAC40-745-20</p>	000169	Retain 5 years after date of assessment then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Benefits Case Records</u> 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). <i>Code of Virginia</i> § 63.2-614 and 63.2-800 through 805</p>	101029	Retain 3 years after benefit issuance then destroy in compliance with No. 8 on the schedule cover page. 7CFR272.1
<p><u>Child Protective Service (CPS) Case Records</u> This series documents services provided to children and families as a result of a CPS complaint that was opened as a services case. This does not include the family assessment or investigation.</p>	000171	Retain 5 years after case closes then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Child Protective Service Cases: Founded, Level 1 – Sexual Abuse</u> This series consists of child sexual abuse complaints determined to be Founded, Level 1. <i>Code of Virginia</i> § 63.2-1514A and 22VAC40-700-20</p>	000508	Retain 25 years after date of complaint then destroy in compliance with No. 8 on the schedule cover page. <i>Code of Virginia</i> § 63.2-1514A



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<p><u>Child Protective Service Cases: Founded, Level 1</u> This series consists of child abuse and neglect complaints, not involving sexual abuse, determined to be Founded, Level 1. <i>Code of Virginia</i> § 63.2-1514A and 22VAC40-700-20</p>	101020	Retain 18 years after date of complaint then destroy in compliance with No. 8 on the schedule cover page. 22VAC40-700-30
<p><u>Child Protective Service Cases: Founded, Level 2</u> This series consists of child abuse and neglect complaints determined to be Founded, Level 2. <i>Code of Virginia</i> § 63.2-1514A and 22VAC40-700-20</p>	101021	Retain 7 years after date of complaint then destroy in compliance with No. 8 on the schedule cover page. 22VAC40-700-30
<p><u>Child Protective Service Cases: Founded, Level 3</u> This series consists of child abuse and neglect complaints determined to be Founded, Level 3. <i>Code of Virginia</i> § 63.2-1514A and 22VAC40-700-20</p>	101022	Retain 3 years after date of complaint then destroy in compliance with No. 8 on the schedule cover page. 22VAC40-700-30
<p><u>Child Protective Service Cases: Founded, Pre-1992</u> This series documents child abuse and neglect complaints from 1992 or earlier. This may include but is not limited to: Child Protective Services (CPS) referral information; court orders; family assessment or investigation report; safety and risk assessments; medical, school, and/or psychological reports; and worker notes.</p>	000172	Retain 10 years after child's 18 th birthday then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Child Protective Service Cases: Founded with Multiple Complaints</u> This series consists of multiple child abuse and neglect complaints, whether valid or invalid, that involves either the same alleged abuser or same victim.</p>	101023	Retain until the longest founded-complaint case on the alleged abuser or victim is eligible for destruction then destroy in compliance with No. 8 on the schedule cover page.



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<p><u>Child Protective Service Cases: Unfounded - No Request to Maintain File</u> This series consists of invalid child abuse and neglect complaints, and valid child abuse and neglect complaints where the complaint is determined to be unfounded and no other complaints concerning the alleged abuser or alleged victim are received for one year. <i>Code of Virginia</i> § 63.2-1505</p>	101016	Retain 1 year after last complaint then destroy in compliance with No. 8 on the schedule cover page. <i>Code of Virginia</i> § 63.2-1514B
<p><u>Child Protective Service Cases: Unfounded - Request to Maintain File</u> This series consists of valid child abuse and neglect complaints where the complaint is determined to be unfounded and the alleged abuser requests the file be maintained. <i>Code of Virginia</i> § 63.2-1505</p>	101017	Retain 2 years from the date of complaint then destroy in compliance with No. 8 on the schedule cover page <i>Code of Virginia</i> § 63.2-1514B
<p><u>Child Protective Services: Family Assessments</u> This series documents the receipt of child abuse and neglect complaints that receive a Family Assessment. <i>Code of Virginia</i> § 63.2-1514B</p>	101019	Retain 3 years from the date of the complaint then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Childcare Provider Records</u> This series documents certification of childcare providers and payment for services to various unregulated childcare providers.</p>	000173	Retain 5 fiscal years after last action then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Comprehensive Services Records</u> This series documents services to high-risk youth as part of the Comprehensive Services Act (CSA). This series may include, but is not limited to: counseling records, court-ordered program placement, and payment for foster care. <i>Code of Virginia</i> § 2.2-5206 and 2.2- 5208</p>	000174	Retain 3 years after last review then destroy in compliance with No. 8 on the schedule cover page.



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<p><u>Foster Care Cases: Not Reunited with Families</u> This series documents supervision and interaction with foster care clients that were never reunited with their families. This series may include, but is not limited to: home inspections, visitation notes, case management, family assessment planning, and Independent Living placements. <i>Code of Virginia</i> § 63.2-904 and 63.2-908</p>	101032	Retain permanently in locality. 22VAC40-130-540D
<p><u>Foster Care Cases: Reunited with Families</u> This series documents supervision and interaction with foster care clients that were reunited with their families. This series may include, but is not limited to: home inspections and visitation notes. <i>Code of Virginia</i> § 63.2-904</p>	101033	Retain 1 year after child's 21 st birthday then destroy in compliance with No. 8 on the schedule cover page. 22VAC40-130-540C
<p><u>Fraud Cases: Founded – Permanent Disqualification</u> This series consists of investigations where fraud of services, benefits, or eligibility related programs is proven against providers or clients and the person is permanently disqualified from receiving benefits. Programs may include, but are not limited to: auxiliary grants, child and foster care, emergency assistance, food stamps, Medicaid, and TANF. <i>Code of Virginia</i> § 63.2-526</p>	101034	Retain 75 years after fraud is proven then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Fraud Cases: Founded – Temporary Disqualification</u> This series consists of investigations where fraud of services, benefits, or eligibility related programs is proven against providers or clients and the person is temporarily disqualified from receiving benefits. Programs may include, but are not limited to: auxiliary grants, child and foster care, emergency assistance, food stamps, Medicaid, and TANF. <i>Code of Virginia</i> § 63.2-526</p>	000175	Retain 5 years after period of benefits disqualification ends then destroy in compliance with No. 8 on the schedule cover page.



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<p><u>Fraud Cases: Unfounded</u> This series consists of investigations where fraud of services, benefits, or eligibility related programs is not proven against providers or clients. Programs may include, but are not limited to: auxiliary grants, child and foster care, emergency assistance, food stamps, Medicaid, and TANF. <i>Code of Virginia § 63.2-526</i></p>	000176	Retain 3 years after administratively closed then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Overpayment Cases</u> 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 TANF. <i>Code of Virginia § 63.2-526D</i></p>	007017	Retain 3 years after resolution, claim paid, administratively closed, or written off then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Service Case Records</u> This series documents interaction with clients through service programs such as childcare; emergency assistance; family preservation; foster care prevention; Promoting Safe and Stable Families; Virginia Initiative for Employment not Welfare (VIEW); and adult services cases that do not contain an APS report, assisted living facility assessment, or nursing home preadmission screening.</p>	101038	Retain 3 years after last action then destroy in compliance with No. 8 on the schedule cover page.
<p><u>Title IV-E Records</u> This series documents funding for ongoing assistance to Title IV-E eligible children in foster care. This series may include, but is not limited to: supporting documentation for application and determination, review invoices, authorization/approval documents for payment, purchase orders, warrant registers, checks issued for payment, and any credits or adjustments made as corrections. 45 CFR 1356.71</p>	200075	Retain 3 years after final payment then destroy in compliance with No. 8 on the schedule cover page.