ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL

Effective Date: December 13, 2007 **Number: E-0111**

Record Retention

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Purpose

To provide guidelines for the retention and expungement of Children and Family Services' (CFS) records.

Approved

This policy was approved by Mike Ryan, Director of CFS, on December 13, 2007. *Signature on file*.

Background

This policy and procedure (P&P) provides information regarding the retention of CFS records, as well as scheduled expungement of records. Orange County CFS maintains a wide array of records, including case and administrative records. In general, state guidelines mandate retention of case records for 3 years; however, this timeline can vary greatly, dependent on individual circumstances. Due to limited space, and the ever-increasing volume of paperwork generated by CFS cases and related services, expungement of records, as appropriate, is necessary to effectively utilize existing storage resources.

Legal Mandates

- Government Code Section 26201
- Penal Code Section 11170
- Probate Code Sections 1513 and 1516
- Welfare and Institutions Code Sections 826(a) and 10851
- California Department of Social Services (CDSS) All County Letter (ACL) 05-15
- CDSS Adoption Manual, Title 22, Division 2, Section 35045
- CDSS Manual of Policy and Procedures (MPP), Division 31, § 020.8 and 075.2
- CDSS MPP Division 10, §119.2
- CDSS MPP Division 23, § 353
- CDSS MPP Division 21, § 100
- CDSS MPP Division 25, § 815.38
- CDSS Title 22, Division 6, § 89179(b)
- CDSS Title 22, Division 6, Chapter 1, Art. 6, § 80070
- Department of Justice Information Bulletin 04-14-BCIA

Definitions

Expunge, as used in this P&P, means to eliminate records through erasure or obliteration by shredding or burning.

POLICY

Records Locations

The CFS Facility Operations Manager, or designee, will maintain a comprehensive, up-to-date record of the locations of all CFS records stored. Staff are to immediately report any change in record storage location to the Facility Operations Manager or designee.

Duplicate Records Regulations do not require the retention of duplicate records, including hard copy records that duplicate information stored electronically (e.g., in CWS/CMS).

Records Retention and Expungement CFS staff will retain and expunge records in compliance with the timeline described below for each type of record.

Record Title/Type	Description	Schedule
ADMINISTRATIVE RECORDS		
Administrative Records	Includes Social Security (SS) Title IV-E, foster care expenditure reports, statistical reports, logs, and journals.	Expunge at last claim, service or audit + 3 years
Quality Assurance (QA)-Audit Records	SS Title IV-E; Quality Assurance audits.	Expunge at last claim, service or audit + 5 years
QA-Child Fatality Reviews	Child's Special Incident Report (SIR), medical records, autopsy report, interview notes, logs, reports, and other relevant records.	Indefinite retention
QA-Civil Rights Complaints/Copies	Records, complaints, and investigation and findings by Civil Rights Coordinator/ Program Integrity. CFS-QA maintains copies of docs.	Expunge at last claim, service or audit + 5 years
QA-Complaints	Complaints and related correspondence.	Expunge at last claim, service or audit + 5 years; Potential Litigation – Indefinite retention
QA-Correspondence/ General Reference Files	Routine correspondence and other transitory documentation and reports.	Expunge when administrative value ends, + 2 years
QA-Grievance Review	Review, forms, position statements, documentation, evidence, and recordings. Grievance Review Agent (GRA) may retain records for one year, then file them in the case file.	Indefinite retention; GRA + 1 year
QA-Suspect Notification	Child Abuse Central Index (CACI) Notification letters/related referrals.	Substantiated: Indefinite retention Inconclusive: Expunge at referral closure + 10.5 years Unfounded: Expunge at referral closure + 1 year Evaluate Out: Expunge at referral closure + 3 years
CASE RECORDS		

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Adoption	Documents related to child, natural parents, adoptive parents, home study, medical records, and other reports. [Adoption Assistance Program (AAP) records included here.]	Indefinite retention
Case File Narrative	Narrative records no longer necessary to establish eligibility or provide services.	Expunge at case closure + 5 years
Dependency Case	Juvenile Court records document casework, eligibility, medical and psychological treatment, and placement activities for dependent children.	Expunge at last claim, service or audit + 5 years
Dependency Guardianship Cases	Juvenile Court records document casework, eligibility, medical and psychological treatment, and placement activities for dependent children.	Expunge when child reaches age 18 + 5 years
Eligibility Case	Foster Care, Kin GAP-TANF, Audit Records, and Emergency Assistance (EAS) (See Adoption for AAP).	Expunge at last claim, service or audit + 52 months
Psychotropic Medication Documentation	Application and Orders for (Re) Authorization to Administer Psychotropic Medications. Material used for reference to complete JV 220 every six months for status review hearings.	Expunge when child reaches age 18 years (duplicate to case file records)
Resource Referral	Independent Provider/Girls and Boy's Town resource and case referrals.	Expunge at last claim, service or audit + 3 years
Sensitive Case	Cases are high profile and/or could have other importance, including litigation.	Indefinite retention
Voluntary Service Case	Voluntary Family Services and Emergency Response Services cases open 30 days or longer with case plan.	Expunge at case closure + 5 years
Wraparound Services	Records document family-based services and support for children and their families.	Expunge at last claim, service or audit + 5 years
COURT RECORDS		
Indian Child Welfare Act	Tracking log, forms, notices, certified mail receipts, tribal responses, and related documentation.	Expunge at last claim, service or audit + 5 years

OSSA

Probate Court Hearing Notices	Notices to all attorneys filing a petition for appt. of guardian. Notices AVE after clearances are completed.	Expunge at 6 months
Probate/Guardianship Actions	Probate/Guardianship investigations, reports, and clearances--relative and non-relative.	Expunge at last claim, service or audit + 5 years
FOSTER CARE, INCLUDING GROUP HOMES		
ESH Parent Logs	Visitation records, clothing expenditure records, property inventory forms, and authorization for medical care.	Expunge at last claim, service or audit + 4 years
Foster Family Home	Documents necessary to license foster homes; including home assessments, complaints, certification forms, and correspondence.	Expunge at licensure closure/termination + 5 years Expunge at licensure closure/termination +15 years if: a. License is denied or revoked based upon substantiated maltreatment; b. Denial of criminal conviction waiver request for licensee c. Two or more complaints and Agency concerns about the quality of care provided (see CFS P&P K-0604) Potential litigation: Indefinite retention
Licensing Monitoring and Investigation	Includes reports/SIRs for Foster Family Homes, Foster Family Agency Certified Homes and Group Homes.	Expunge at licensure closure/termination + 5 years; Potential litigation: Indefinite retention
ORANGEWOOD CHILDREN'S HOME (OCH) RECORDS		
OCH-AWOL Reports	Reports related to children departing OCH without authorization.	Expunge at 2 years
OCH-CIS Reports	OCH Daily admission reports/unit rosters and monthly summaries.	Daily: Expunge at 2 years; Monthly: Expunge at 5 years
OCH-Donation Receipts	Donation records/ receipts: may include supporting documentation and correspondence.	Expunge at last claim, service or audit + 5 years
OCH-Employee Scheduling/ Timekeeping	Scheduling, timesheet, attendance, time-off, and overtime information--now online VTI system.	Expunge at fiscal year + 5 years OR at 2 years after audit
OCH-Miscellaneous Services to Youth	Medical appointments, CEGU, bilingual and other service information.	Expunge at last claim, service or audit + 3 years
OCH-Unit Logs	Unit custody, discharge, and event log/journal.	Expunge at 5 years
Orangewood Children's Home (OCH)-Visits/Releases	Visitation / temporary release authorization forms.	Expunge at 2 years

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OCH-Workers Compensation Log	May include forms and employer's report. CEO/Risk retains official records.	Expunge at 2 years
OCH-Youth Files	Youth file records are duplicative of case file records; and therefore may be purged after the administrative value ends. If not duplicative, retain until last claim, service or audit + 3 years.	Expunge when child reaches age 18 years
REFERRAL RECORDS		
CAST (DA) Audio Tapes	Alleged child sexual abuse victim audio (and some video) recordings.	Check with Facility Management for expungement schedule
Child Abuse Referral	Child Abuse Referral records and related information.	Substantiated: Indefinite retention Inconclusive: Expunge at referral closure + 10.5 years Unfounded: Expunge at referral closure + 1 year Evaluate Out: Expunge at referral closure + 3 years
Sensitive Referral/ Case	Cases are high profile and/or could have other importance, including litigation.	Indefinite retention

REFERENCES

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS Policy and Procedure (P&P) Placement Grievance Review (K-0206)
- CFS P&P Child Fatality Review-Quality Assurance (B-0117)
- CFS P&P Psychotropic Medication: Dependent Child (I-0306)
- CFS P&P Out-of-Home Placement (K-0208)
- CFS P&P Foster Care Licensing (K-0604)
- SSA Administration P&P Civil Rights and Nondiscrimination (D-19)

Other Sources

- CEO Schedule 16B (Item 3, page 2; Item 13, page 4; Item 23, page 6; Item 10, page 3)
- CEO Record Schedule 121C, 159 A

REQUIRED FORMS

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Online Forms

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
None.	

Hard Copy Forms

Required forms listed below must be completed in hard copy (including multi-copy NCR forms), and must be obtained in the CFS forms rooms. ***For reference purposes only,*** links are provided to view these hard copy forms, where available.

Form Name	Form Number
None.	

CWS/CMS Forms

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only,*** links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
None.	

Brochures

Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

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