

## **ED Records Schedule**

**SCHEDULE LOCATOR NO.:** 241

**APPROVED DATE:** 1/21/2009

**TITLE:** Administrative Adjudication Case Files for the Office of Hearings and Appeals (OHA)

**PRINCIPAL OFFICE:** Office of Management

**NARA DISPOSITION AUTHORITY:** N1-441-08-15

### **DESCRIPTION:**

Records consist of the official docket files and associated attorney working files for cases docketed for hearing and resolution by the Office of Hearing and Appeals (OHA) and its component offices, the Office of Higher Education Appeals (OHEA) and the Office of Administrative Law Judges (OALJ). Records include, but are not limited to: cases under administrative appeal for violations, fines, misappropriations of Federal funds; final program review determinations; final audit determinations, grant paybacks; and terminations of institutions' participation in the federal student aid programs.

As these records may be maintained in different media formats, this schedule is written to authorize the disposition of the records in any media (media neutral). Records that are designated for permanent retention and are created and maintained electronically will be transferred to NARA in an approved electronic format.

### **DISPOSITION INSTRUCTIONS:**

#### a. Official Docket File

Official records kept by the Office of hearings and Appeals (OHA), the Office of Higher Education Appeals (OHEA) and the Office of Administrative Law Judges (OALJ). Each docket file contains all documents, motions, briefs, exhibits, transcripts of hearings, orders, decisions, and correspondence pertaining to each case.

#### **TEMPORARY**

Cut off annually upon close of case. Transfer to a certified records center or to a certified records storage facility 1 year after cut off. Destroy/delete 6 years after cutoff.

#### b. Attorney Working Files

Attorney working files containing background and case-related documentation not appropriate for inclusion in the final case file.

#### **TEMPORARY**

Cut off annually upon close of case. Destroy/delete when no longer needed for administrative or reference purposes.

## **ED Records Schedule**

- c. Duplicate copies maintained for reference purposes and that do not serve as the record copy

### **TEMPORARY**

Destroy/delete when no longer needed for reference.

### **IMPLEMENTATION GUIDANCE:**

Replace original decision with a photocopy before transfer to a certified records center.  
Related schedule: ED 243 Decisions Made by Hearing Officials, Administrative Law Judges, and the Secretary of Education

### **ARRANGEMENT/ANNUAL ACCUMULATION:**

### **PREVIOUS DISPOSITION AUTHORITY/CONTACT:**

N1-441-97-4/1 (ED/RDS Part 8, Item 3)

### **SPECIFIC LEGAL REQUIREMENTS:**

34 CFR Subtitle A, Part 81 – General Education Provisions Act - Enforcement

### **SPECIFIC RESTRICTIONS:**

**LINE OF BUSINESS:** Administration