

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See instructions below)

LEAVE BLANK (NARA use only)

JOB NUMBER

NI-441-97-4

DATE RECEIVED

6-5-97

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE

11-20-97

ARCHIVIST OF THE UNITED STATES

John W. Carl

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1. FROM (Agency or establishment)

U.S. Department of Education

2. MAJOR SUBDIVISION

Office of Management

3. MINOR SUBDIVISION

Office of Hearings and Appeals

4. NAME OF PERSON WITH WHOM TO CONFER

Janice Pope

5. TELEPHONE

(202) 619-9703

6. AGENCY CERTIFICATION

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached _____ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

is not required; is attached; or has been requested.

DATE

6/5/97

SIGNATURE OF AGENCY REPRESENTATIVE

Chiquitta Thomas *Chiquitta Thomas*

TITLE

Records Officer

7. ITEM

8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION

9. GRS OR SUPERSEDED

10. ACTION TAKEN (NARA)

See attached schedule for the Office of Hearings and Appeals records.

1. *Administrative adjudication case files.*

Consists of files on cases docketed for hearing and resolution by the Office of Hearings and Appeals. Includes but is not limited to cases under administrative appeal for violations, fines, misappropriations of Federal funds; program review determinations; paybacks; and determinations of college and university closings. These are the official dockets kept by the Office of Hearings and Appeals Administrative Law Judges. Each file contains all documents, exhibits, transcripts of hearings, decisions, orders and correspondence pertaining to each case from a charge, complaint or notice of appeal to final decision or order by the Administrative Law Judge.

Disposition: **TEMPORARY.** Cut off file at close of case. Retire to the Federal Records Center 1 year after cutoff. Destroy 6 years after cutoff.

2. *Attorney Working Files*

Consist of drafts, notes, background material and reference copies of documents, where the official record is placed in the docket (official case file).

Disposition: **TEMPORARY.** Cut off working files when case is closed. Destroy working files 60 days after cutoff.

3. *Case Tracking System*

Logs, registers, and other records used to control or document the status of the official case files (dockets).

Disposition: **TEMPORARY.** Destroy card catalog or delete electronic tracking and control record when no longer needed for reference. {GRS 23, item 8}

4. *Decisions*

Copies of decisions and interlocutory reviews of Administrative Law Judges, maintained in three-ring binders from 1972 to the present. (Annual accumulation: ca. 1/3 c.f.)

Disposition: **PERMANENT.** Cut off at end of each calendar year. Transfer the National Archives one year after cutoff.

5. *Cases pending before U.S. Court of Appeals*

Files of cases pending before the U.S. Court of Appeals, which contain copies of pleadings, orders, decisions, and related records.

Disposition: **TEMPORARY.** Cut off files upon final decision by U.S. Court of Appeals or final step of appeal process. Destroy when information is published or when no longer needed for reference, whichever is later.