

**REQUEST FOR RECORDS DISPOSITION AUTHORITY***(See instructions below)*TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)  
WASHINGTON, DC 20408

1 FROM (Agency or establishment)

Department of Education

2 MAJOR SUBDIVISION

Office of Management

3 MINOR SUBDIVISION

Regulatory Information Management Services

4 NAME OF PERSON WITH WHOM TO CONFER

Sherry D. Smith

5 TELEPHONE

202-401-0902

**LEAVE BLANK (NARA use only)**

JOB NUMBER

N1-441-08-15

DATE RECEIVED

7-9-2008

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10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

1-21-09

ARCHIVIST OF THE UNITED STATES

Adrienne Thomas

**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 2 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

6/25/08

SIGNATURE OF AGENCY REPRESENTATIVE

Sherry D. Smith

TITLE

Director, Records Management & Privacy  
Division/Departmental Records Officer

7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
1	ED 241 Administrative Adjudication Case Files for the Office of Hearings and Appeals (OHA)	N1-441-97-4/1 (ED/RDS Part 8, Item 3)	

**ED Records Schedule**  
**ACS Tracking Number: OM:6-106:D60**

**SCHEDULE LOCATOR NO.:** 241

**DRAFT DATE:** 12/31/2007

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

**PRINCIPAL OFFICE:** Office of Management

**NARA DISPOSITION AUTHORITY:**

**DESCRIPTION:**

Records consist of the official docket files and associated attorney working files for cases docketed for hearing and resolution by the Office of Hearings 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**

**ED Records Schedule**  
**ACS Tracking Number: OM:6-106:D60**

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

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.

*non record*

**IMPLEMENTATION GUIDANCE:**

Replace original decision with a photocopy before transfer to a certified records center.  
Related schedule: ED243 Decisions Made by Hearing Officials, Administrative Law Judges, and the Secretary of Education

**ARRANGEMENT/ANNUAL ACCUMULATION:**

**PREVIOUS NARA DISPOSITION AUTHORITY:**

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