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| UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES | | |
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| CREATION, STORAGE, AND RETENTION OF MINORS' RECORDS | | |
| <p>RATIONALE: The purpose of this policy is to clarify and provide direction for the proper storage and retention of records of minors. It is the responsibility of the Division to ensure the confidentiality and integrity of a minor's record.</p> <p><i>Replaces:</i> 06-01 Creation, Storage, and Retention of Juvenile Records</p> <p><i>Related Policies, Applicable Standards, Statutes:</i> Utah Code §63G-2-101, et seq., 6. Records Storage and Disposal at the State Records Center; DHHS policy 01-02 Records Management and Access, 01-03 Records Amendment Requests</p> | | |
| Original Effective: November 01, 2004 | Revision: March 21, 2024 | Next Review Due: March 20, 2027 |

I. DESCRIPTION

Programs and facilities in the Division shall create and maintain a record for each minor under the care, custody, and control of the Division. Records of minors shall be stored securely, released pursuant to state or federal law, and retained and destroyed according to Utah Administrative Rule R17-6. Records Storage and Disposal at the State Records Center and the Division of Archives and Records Services.

II. DEFINITIONS

The following terms are defined for this policy as:

- A. **Minors' records:** A book, letter, document, paper, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics where a minor receiving services from the Division is the subject of the record of the Division.
- B. **Government Records Access and Management Act (GRAMA):** Governs the classification and release of records that are prepared, owned, received, or retained by government entities (UCA 63G-2).

III. POLICY

- A. Division programs and facilities shall create and maintain a record for each minor in a program. Records shall be created to meet the needs of minors and programs.
- B. Minors' records shall be protected against unauthorized use and shall be maintained in accordance with GRAMA.
- C. Information in minors' records that is classified as private, controlled, and protected and shall be released only in accordance with GRAMA restrictions.
- D. Minors' records shall be retained by case management, program, and/or facility Assistant Program Director (APD), or designee according to the Utah Division of Archives and Record Services retention schedules.

IV. PROCEDURE

- A. Creation and Maintenance of Minors' Records: Content of the minors' records shall be specified in the Program/Facility Operations Manual and Division policy. When possible, the minor's records shall be in electronic format.
- B. Storage of Minors' Records: Minors' records shall be stored securely in locked drawers of file cabinets or in password-protected electronic files when not in use.
- C. Release of Minors' Records
 - 1. Staff shall refer requests for minors' records to the Division GRAMA Coordinator.
 - 2. Staff shall not release records in response to a records request.
- D. Retention, Archives, and Destruction of Records
 - 1. APDs or their designee shall seek clarification on the proper retention schedule for minors' records in their program by contacting the Division Records Officer or by visiting the Utah Division of Archives and Records Service retention schedule website.
 - 2. APDs or their designee shall contact the Division Records Officer prior to archiving or destroying minors' records.
 - 3. APDs shall ensure that the destruction of duplicate minors' records is done in a secure and confidential way, using a shredding service or other approved method.

V. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



Brett M. Peterson, Director
Division of Juvenile Justice & Youth Services

03/21/2023

Signature Date