**Section 401.270 Records Retention**

a) General and financial records required of the child welfare agency shall be maintained for at least 5 years.

b) Personnel records shall be retained for at least 5 years after termination of the person's employment.

c) Licensing Records

1) The child welfare agency shall maintain in its office the licensing records of the foster family or day care home license for 4 years after any one of the following occurrences:

A) The license has expired and has not been renewed;

B) The official denial or withdrawal of the application for the license or permit;

C) The date of closure or revocation of the license or permit.

2) After the 4 years, the agency shall transfer the licensing record to the Department, which shall keep it for 5 additional years.

d) If any litigation, claim, financial management review, or audit is started before the expiration of the 5-year period, the records shall be retained for at least 3 years after all litigation, claims or audit findings involving the records have been resolved and final action taken. (See 45 CFR 74.53.)

e) At the date of file closing, adoption case records and child welfare case records shall be retained permanently on paper or microfilm in a Department storage facility, and during the time period that the case is active, a hard copy of all electronic records shall be made on a ten year cycle.

f) When an agency license is revoked, the Department refuses to renew the license, or for any other reason the agency ceases operations, the child welfare agency shall provide the Department with the original or a complete copy of all child case records and licensing records for the children and families it has served and for the foster family and day care homes that had been under its supervision.

(Source: Amended at 36 Ill. Reg. 2157, effective January 30, 2012)