

Data Collection/Record Retention/Confidentiality Policy

Approved: June 14, 2019

Purpose: To provide guidance on the Workforce Innovation and Opportunity Act (WIOA) requirements for data collection, record retention, and confidentiality.

Policy:

Data Collection: All information required by Federal, State, and local reporting requirements must be collected for each participant, including: documentation of each eligibility piece; documentation of employment authorization; forms identifying participation/costs toward the participant's training, support services, or incentive payments; documents required by the Department of Labor's Data Element Validation (DEV); and, as required, documentation for the types of service the participant has received through exit and follow-up. Each item data point must be clearly defined in the Management Information System (MIS) Case Notes.

Record Retention: Records must be retained and stored in a manner which preserves their confidentiality, integrity and admissibility as evidence in any audit or other proceeding. The burden of production and authentication of the record shall be on the custodian of the record. The Service Provider shall keep copies of all records, accounts, and documents pertaining to the operation of this agreement for the period designated not less than six (6) years following the expiration of the contract. However, if any audit, claim, litigation, negotiation or other action involving this agreement has been started before the expiration of the six (6) year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular six (6) year period, whichever is later. The Service Provider shall request written approval from Nevadaworks prior to disposing of any records associated with the activities or expenditures funded by this agreement. If the Service Provider is unable to retain all records, accounts and documents pertaining to the operation of this agreement for the period designated, the Service Provider must release them to Nevadaworks for retention.

Confidentiality: All records of participants receiving services shall be stored in an area that is always physically safe from access by unauthorized persons. Service Provider staff shall be trained regarding the proper treatment, release, and security of the records. The Service Provider with access to MIS will adhere to the confidentiality of information for utilization, access, and exchange of information.

NOTE: Active participants must have a paper file. Inactive participants may have either a paper file or an electronic file.

References:

SCP 1.6 Eligibility for Adult and Dislocated Worker Career and Training Activities

SCP 1.8 WIOA Adult Programs Design, Career and Training Services

SCP 2.1 Participant Eligibility for Youth Services

SCP 5.4 Record Retention