

690 – Children, Youth and Families Department File Plan

This file plan was developed to be a guide for Children, Youth and Families Department employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Children, Youth and Families Department. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

690-001 FAMILY AUTOMATED CLIENT TRACKING SYSTEM [FACTS]:

Division/unit: Case management

Maintenance system: Numerical by primary key

Record series content: System maintains, monitors and tracks clients' cases for the family services division, protective services division and the juvenile justice division. Data may contain childcare data, family services data, juvenile probation and parole data, juvenile institution data, children's court data, etc.

Classification:

(A) Protective services division:

- (1) Client data:** 1.21.2.801 NMAC, Case Files - Child and Youth Services
- (2) Vendor data:** 1.21.2.347 NMAC, Vendor Management
- (3) Financial data:** 1.21.2.301 NMAC, Accounts Payable
- (4) Children's court data:** 1.21.2.614 NMAC, Case Files - Juvenile

(B) Family services division: Childcare data: 1.21.2.813 NMAC, Assistance - Financial

(C) Juvenile justice division:

- (1) Non-adjudicated client data:** 1.21.2.805 NMAC, Juvenile Records
- (2) Adjudicated client data:** 1.21.2.805 NMAC, Juvenile Records

File closure:

(A) Protective services division:

- (1) Client data:** When client reaches age 19
- (2) Vendor data:** Date services are terminated
- (3) Financial data:** Close of fiscal year in which created
- (4) Children's court data:** Date case closed or until any minor involved attains age

21, whichever is longer

(B) Family services division: Childcare data: Date case closed

(C) Juvenile justice division:

- (1) Non-adjudicated client data:** Date client reaches age 19
- (2) Adjudicated client data:** Date client reaches age 22

Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records), Section 32A-5-8 NMSA 1978 (i.e., adoption records), and Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, pre-parole reports and supervision histories).

[New - 03/31/2021]

690-002 FACTS FEDERAL REPORTS:

Division/unit: Federal compliance

Maintenance system: Chronological by federal fiscal year and month

Record series content: Output records from the FACT System detailing the monies used toward a specific federally funded program. Report may show account type, fund, organizational code, object code, revenue code, reporting category, debit amount, credit amount, warrant date, number of warrants by program, total warrants, amounts by program, total amounts, etc.

Classification: 1.21.2.413 NMAC, Federal Compliance and Reporting

File closure: Close of the federal fiscal year in which created

[New - 03/31/2021]

690-003 PROVIDER AUDIT REPORTS:

Division/unit: Provider audit

Maintenance system: Chronological by fiscal year, then alphabetical by program type and then by provider name

Record series content: Records of the examination and verification by the children, youth and family's department or an independent public accounting firm of a program provider's financial and accounting records and supporting documentation. Provider programs may include: childcare; domestic violence; children's behavioral health; family preservation; adoption; juvenile rehabilitation; teen parenting and adult services. Reports may show official roster of provider's staff, narrative from independent auditor, statements of financial position, statements of activities, statements of cash flows, statements of functional expenses, etc.

Classification: 1.21.2.414 NMAC, Financial - Audits

File closure: Close of the fiscal year in which the audit report is released

[New - 03/31/2021]

690-004 to 690-020

690-021 CHILD PLACEMENT AGENCY (FOSTER CARE) FILES:

Division/unit: Protect services, placement, and adoption bureau

Maintenance system: Alphabetically by service provider's name

Record series content: Records concerning licensing of private agencies that provide foster care services for the state of New Mexico. Files may contain licensing materials, budget and financial information, references, correspondence, assessment of on-site visits, recommendations on license, copy of license, copies of complaints, etc.

Classification: 1.21.2.653 NMAC, Business Licenses - Historical

File closure: Date facility closes

Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records), 5 USC, and Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, pre-parole reports and supervision histories).

[New - 03/31/2021, A - 03/07/2023]]

690-022 to 690-030

690-031 PRIVATE AGENCY LICENSING FILES:

Division/unit: Protect services, placement, and adoption bureau

Maintenance system: Alphabetical by program name

Record series content: Records concerning the licensing of private adoption agencies. Files may contain description of personnel, personnel policy and procedures, operating procedures, copy of license, medical reports on staff, etc.

Classification: 1.21.2.653 NMAC, Business Licenses - Historical

File closure: Date of expiration or revocation of license

[New - 03/31/2021, A - 03/07/2023]

690-032 [RESERVED]

[New - 03/31/2021, Repealed - 03/07/2023]

690-033 to 690-040

690-041 FAMILY SERVICES CASE FILES:

Division/unit: Protective services

Maintenance system: Alphabetical by client last name

Record series content:

(A) **In-home services cases:** Records concerning the investigation with respect to short-term voluntary preventive and remedial services to a family whose child is at high risk of abuse, neglect, or delinquency. Record may contain *CPS intake report, risk assessment narrative, child protective services investigation study, running narrative document*, correspondence, etc.

(B) **Child protective services investigation cases:** Records concerning the investigations into alleged abuse, neglect, or exploitation of children. The records may also concern the monitoring of the situation after the disposition of the case. Records may contain *CPS intake report, protective services investigation study, safety assessment summary*, photographs, drawings, copies of court filings, copy of *notice of results of investigation*, etc.

(C) **Foster home-parent cases:** Records concerning the evaluation of a foster home-parent for foster care of children in the custody of CYFD. The records also concern the monitoring of the foster home-parent for compliance of the child placement standards. Records may contain *foster home license application, foster application, foster home study, annual recertification, foster home study up-date report, authorization for release of information*, criminal records check, copy of *foster home license, foster parent physical examination*, checklist for foster homes, correspondence, etc.

(D) **Foster care cases:** Records concerning the investigation into abuse, neglect or exploitation of children that result in the department taking custody of a child. The record will also contain the follow-up of the child after the transfer. Record may contain *PSD intake report, police report, family registration, changing placement-payment authorization for substitute care-adoptive children and for authorizing merchant-education service payments*, treatment plan, *motion for appointment of guardian ad litem, neglect-abuse petition, ex parte custody order*, correspondence, etc.

(E) **Adoption cases:** Records concerning the application of families requesting to adopt a child. The record will also contain the follow-up of the child after the transfer. File may contain family history, physical description of home, physical medical exam, FBI record check, department of public safety fingerprint record check, subsidy information, etc.

Classification:

(A) **Family preservation services cases:** 1.21.2.801 NMAC, Case Files - Child and Youth Services

(B) **Child protective services investigation cases:** 1.21.2.801 NMAC, Case Files - Child and Youth Services

(C) **Foster home-parent cases:** 1.21.2.804 NMAC, Foster Homes

(D) **Foster care cases:** 1.21.2.802 NMAC, Case Files - Foster Care

(E) **Adoption cases:**

(1) **Approved:** 1.21.2.626 NMAC, Adoptions

(2) **Denied:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

(A) **Family preservation services cases:** Date case closed

(B) **Child protective services investigation cases:** Date case closed

(C) **Foster home-parent cases:** Date case closed

(D) **Foster care cases:** Date case closed

(E) **Adoption cases:**

- (1) **Approved:** Date of birth of child
- (2) **Denied:** Date case closed

Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978, (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records) and Section 32A-5-8 NMSA 1978 (i.e., adoption records).

[New - 03/31/2021, A - 03/07/2023]

690-042 CPS INTAKE REPORTS:

Division/unit: Protective services (central intake)

Maintenance system: Alphabetical by county name, then chronological by calendar year

Record series content: Records concerning referrals of alleged abuse, neglect or exploitation of children that do not meet the criteria to start an investigation. Report may show alleged victim's name, age, address, name of parent or guardian, gender, siblings; alleged action; complainant's name, address, telephone number; etc.

Classification:

- (A) **Accepted reports:** 1.21.2.801 NMAC, Case Files - Child and Youth Services
- (B) **Denied reports:** 1.21.2.107 NMAC, Denied, Rejected or Withdrawn Records

File closure:

- (A) **Accepted reports:** Date of last activity concerning client
- (B) **Denied reports:** Date of denial

Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records) and Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records).

[New - 03/31/2021, A - 03/07/2023]

690-043 to 690-050

690-051 to 690-053 [RESERVED]

[New - 03/31/2021, Repealed - 03/07/2023]

690-054 to 690-060

690-061 JUVENILE MASTER FILES:

Division/unit: Juvenile justice

Maintenance system: Alphabetical by client surname

Record series content: Juvenile master files have two categories, adjudicated and non-adjudicated. Adjudicated files concern juvenile cases processed through the court system with the judgment of the court entered as a formal record. Non-adjudicated files concern referrals of juveniles based on difficulties the child or family may be experiencing. Files may contain copy of an *offense or incident report*, *notice of preliminary inquiry*, *notice of privacy practices acknowledgement form*, copies of juvenile's identification, copies of the juvenile's report card, *petition*, *order of appointment*, *request for hearing pre-trial*, *consent decree*, *client tracking referral system master records form*, *client/family baseline assessment*, *psychological evaluation report*, *preliminary inquiry determination*, *probation agreement*, *judgment and disposition*, *community service order*, *petition to revoke probation*, *face sheet*, *commitment order*, *personal belongings form*, *plan of care*, *monthly progress reports*, *petition for extension of custody*, *discharge memo*, *parole or discharge certificate*, JPPO officer progress notes, correspondence, etc.

Classification:

- (A) **Non-adjudicated:** 1.21.2.805 NMAC, Juvenile Records
- (B) **Adjudicated:** 1.21.2.805 NMAC, Juvenile Records

File closure:

- (A) **Non-adjudicated:** Date client reaches age 19
- (B) **Adjudicated:** Date client reaches age 22

Confidentiality: Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).
[New - 03/31/2021]

690-062 to 690-070

690-071 CLIENTS' ACCOUNTS FILES:

Division/unit: Facility division

Maintenance system: Chronological by fiscal year

Record series content: Records concerning the tracking of money used by the juveniles out of their own funds or a general emergency fund. File may contain copy of *purchase voucher* (client's, petty cash, general and special activity funds), copy of *request for student trust fund expenditure*, copies of receipts, correspondence, etc.

Classification: 1.21.2.307 NMAC, Funds Management

File closure: Close of fiscal year in which created

[New - 03/31/2021, A - 03/07/2023]

690-072 CANTEEN FILES:

Division/unit: Facility division

Maintenance system: Chronological by month

Record series content: Records concerning the monitoring of purchases and inventory of items maintained for the canteen. File may contain *canteen order slips*, *canteen inventory sheets*, *canteen distribution forms*, *canteen coupon issue log*, etc.

Classification: 1.21.2.317 NMAC, Inventories

File closure: Close of fiscal year in which created

[New - 03/31/2021, A - 03/07/2023]

690-073 DAILY POPULATION SHEETS:

Division/unit: Facility division

Maintenance system: Chronological by day

Record series content: Records concerning the tracking of the population in a juvenile facility and for each specific unit within it. Sheet may show date, name and title of person completing sheet, unit name, previous day grand total, present in unit, admitted, released, escape, pass, hospital, area grand total, out of facility placement and residential treatment centers - center and city, previous day total, present day total, grand total, special program, hospital, detention, unit transfer, return date and time, destination place and county, etc.

Classification: 1.21.2.911 NMAC, Unit Files

File closure: Close of calendar year in which created

[New - 03/31/2021, A - 03/07/2023]

690-074 UNIT FILES:

Division/unit: Facility division

Maintenance system: Chronological by date

Record series content: Records concerning the activities and security of the clients in each unit within an institution. File may contain *shift schedule for staff*, *off campus work details and activities*, *juvenile grievance*, *behavior change agreement*, *request for repairs* (work order), *daily adjustment unit chart*, *daily shift checklist*, *disciplinary report*, *conversation record*, *shakedown report*, *daily unit roster*, *use of force report*, *daily housing unit safety and sanitation inspection*, *counselor's log sheet*, *fire drill report*, etc.

Classification: 1.21.2.911 NMAC, Unit Files

File closure: Close of calendar year in which created

Confidentiality: Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).

[New - 03/31/2021, A - 03/07/2023]

690-075 RECREATION FILES:

Division/unit: Facility division

Maintenance system: Chronological by day

Record series content: Records concerning the scheduling, tracking and reporting of leisure and recreation time of juveniles. File may contain *recreation schedule, daily recreation log, recreation reports*, etc.

Classification: 1.21.2.907 NMAC, Programs - Correctional Institution

File closure: Close of calendar year in which created

[New - 03/31/2021, A - 03/07/2023]

690-076 to 690-090

690-091 ACA ACCREDITATION FILES:

Division/unit: Director office

Maintenance system: Numerical by standard number

Record series content: Records concerning accreditation of a juvenile correctional institution by the American correctional association. Files may contain copies of personnel documents, financial documentation, maintenance documentation, security documentation, training documentation, educational documentation, medical documentation, recreation documentation, copy of audit results, etc.

Classification: 1.21.2.403 NMAC, Correctional Facilities

File closure: Date of compliant ACA audit

Confidentiality: Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).

[New - 03/31/2021, A - 03/07/2023]

690-092 to 690-100

690-101 [RESERVED]

[New - 03/31/2021, Repealed - 03/07/2023]

690-102 REFERRAL FILES:

Division/unit: Children's behavioral health and community services

Maintenance system: Alphabetical by clients' surname

Record series content: Records concerning the referral and eligibility of children and young adults, under protective service division, for behavioral health services. Files may contain referral, client's hospital or medical center medical record, psychological evaluation, *medical summary list, service plan*, progress notes, *treatment plan* and updates, correspondence, etc.

Classification: 1.21.2.801 NMAC, Case Files - Child and Youth Services

File closure: Date case closed

Confidentiality: Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.), and Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information).

[New - 03/31/2021]

690-103 PROVIDER SERVICES FILES:

Division/unit: Children's behavioral health and community services

Maintenance system: Chronological by fiscal year, then alphabetical by entity name

Record series content: Records concerning the review of services provided by contractors for children's behavioral health services. File may contain copies of the contract, site visit reports, corrective action plans, correspondence, etc.

Classification: 1.21.2.415 NMAC, General - Audits and Compliance

File closure: Date contract terminated

[New - 03/31/2021]

690-104 to 690-110

690-111 to 690-112 [RESERVED]

[New - 03/31/2021, Repealed - 03/07/2023]

690-113 to 690-120

690-121 SUPERVISE RELEASE HEARINGS:

Division/unit: Juvenile public safety advisory board

Maintenance system: Chronological by hearing date

Record series content: List of decisions made by the supervise release advisory committee on juveniles at the supervise release hearings. Record may show board members present, juvenile's name, juvenile's facility number, county, type of discharge, effective date, parole term, special conditions, date of hearing, etc.

Classification: 1.21.2.805 NMAC, Juvenile Records

File closure: Date of hearing

Confidentiality: Confidential per Section 32A-2-32 NMSA 1978

[New - 03/31/2021, A - 03/07/2023]

690-122 [RESERVED]

[New - 03/31/2021, Repealed - 03/07/2023]

690-123 to 690-130

690-131 JUVENILE CASE FILES:

Division/unit: Juvenile public safety advisory board

Maintenance system: Alphabetical by juvenile's surname

Record series content: Record concerning juvenile's case history and activities acquired by the board for determination of released supervision. File may include plan of care, administrative review, judgment and disposition, petition, *case record sheet*, *chronological offense report*, base line assessment, education report, home study report, commitment addendum, *notice of action*, *certificate of discharge*, juveniles information (i.e., name, date of birth, social security number, address, etc.), school transcripts, psychological reports, medical units medical records.

Classification:

(A) **Short or long commitment:** 1.21.2.805 NMAC, Juvenile Records

(B) **Youthful offender:** 1.21.2.805 NMAC, Juvenile Records

File closure:

(A) **Short or long commitment:** Date juvenile reaches age 19

(B) **Youthful offender:** Date juvenile reaches age 22

Confidentiality: Portions of record may be confidential pursuant, but not limited to Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, pre-parole reports and supervision histories), Section 552a (i.e., social security number), and Section 59A-46-27NMSA 1978 confidentiality of medical information and limitation of liability.

[New - 03/31/2021]

690-132 to 690-140

690-141 INSPECTOR GENERAL RECORDS:

Division/unit: Office of the inspector general

Maintenance system: Alphabetical by last name

Record series content:

(A) **Administrative hearings:** Record concerning the impartial conduct of administrative hearings regarding department actions involving licensing or investigations. File may include notice of appeal, documents submitted by both parties, findings and recommendations, recordings, transcripts, notes from hearing, the record proper in the event of an appeal to district court, and correspondence between the hearing officer and the parties, etc.

(B) **SAP04 investigation:** Record concerning the investigation into allegations of abuse or neglect within the department's secure facilities for adjudicated juveniles. File may include notice of appeal, documents submitted by both parties, findings and recommendations, recordings, transcripts, notes from hearing, the record proper in the event of an appeal to district court, and correspondence between the hearing officer and the parties, etc.

(C) **Employee investigation:** Records concerning the investigation into allegations of fraud or misconduct by department employees. File may include allegations or grievances, documentation from applicable files (e.g., personnel files, foster care files, licensing files, facility files), recordings, transcripts, notes from interviews, finding, reports, recommendations, and correspondence, etc.

(D) **Foster Care investigations:** Record concerning the investigation into grievances and complaints pertaining to actions taken within foster care cases. File may include notice of appeal, documents submitted by both parties, findings and recommendations, recordings, transcripts, notes from hearing, the record proper in the event of an appeal to district court, and correspondence between the hearing officer and the parties, etc.

Classification:

(A) **Administrative hearings:** 1.21.2.632 NMAC, Hearing and Appeals

(B) **SAP04 investigation:** 1.21.2.901 NMAC, Complaints and Investigations

(C) **Employee investigations:** 1.21.2.230 NMAC, Grievances and Investigation

(D) **Foster care investigations:** 1.21.2.802 NMAC, Case Files – Foster Care

File closure:

(A) **Administrative hearings:** Thirty days after final determination or completion of appeal

(B) **SAP04 investigation:** Date of division briefing of final report or findings and notification of closure to compliant

(C) **Employee investigations:** Date of division briefing of final report or findings and notification of closure to compliant

(D) **Foster care investigations:** Date of division briefing of final report or findings and notification of closure to compliant

Confidentiality: Portions of record may be confident pursuant, but not limited to Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluation, pre-parole reports and supervision histories), Section 8.26.4.22 NMAC (i.e., denial, revocation, suspension, or non-renewal of a foster care provider license), Section 1.7.1.12 NMAC Employment Records.

[New - 03/07/2023]