

Book	Policy Manual
Section	1000 Programs
Title	Confidentiality of Special Education Student Information
Code	1013.4
Status	First Reading
Adopted	April 29, 2006

Authority

The Board of Trustees (Board) recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.[1][2]

The Charter School (School) shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.[2][3][4][5]

The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from the School or an outside program provided through the School.[6][7]

Definitions

Destruction shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.[8]

Disclosure shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.[9]

Education Records, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.[2][9][10]

Personally identifiable information includes, but is not limited to:[9][11]

1. The name of a student, the student's parents/guardians or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's social security number, student number, or biometric record.
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who the School reasonably believes knows the identity of the student to whom the education record relates.

Guidelines

Parental Access Rights

The School shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the School in connection with providing special education services to the student.[12][13]

The School shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.

The School shall presume a parent/guardian has authority to inspect and review records relating to their child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.[12][14]

The School shall comply with a parental request for review within forty-five (45) days following receipt of the request.[12][13]

A parent's/guardian's right to inspect and review education records includes the right to:

1. A response from the School to reasonable requests for explanations and interpretations of the records;
2. Request that the School provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and
3. Have a representative inspect and review the records.

If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record.[15][16]

The School shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by the School.[17]

Fees

The School may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records.[18][19]

The School shall not charge a fee to search for or to retrieve information in response to a parental request.

Record of Access

The School shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education and related services to students with disabilities, except access by parents/guardians and authorized School employees.[20]

The School's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Amendment of Records Upon Parental Request

If a parent/guardian believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that the School amend the information.[21][22]

The School shall decide whether to amend the information within a reasonable period of time from receipt of the request.

If the School declines to amend the information in accordance with a parental request, the School shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.

Records Hearing

The School shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student's education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The School recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.[23][24][25][26]

Hearing Procedures

A hearing to challenge information in education records must meet the following requirements:[27][28]

1. The School shall hold the hearing within a reasonable time after receiving the request for a hearing.
2. The School shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.
3. The hearing may be conducted by any individual, including a School official, who does not have a direct interest in the outcome of the hearing.
4. The School shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at their own expense, be assisted or represented by one (1) or more individuals of their choice, including an attorney.
5. The School shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.
6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Result of Hearing

If, as a result of the hearing, the School decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the School shall amend the information accordingly and inform the parent/guardian in writing.[26][29]

If, as a result of the hearing, the School decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the School shall inform the parent/guardian of the parent's/guardian's right to place in the student's records a statement commenting on the information and/or providing any reasons for disagreeing with the School's decision.

Any explanation placed in the student's records shall be:

1. Maintained by the School as part of the student's records as long as the record or contested portion is maintained by the School; and
2. Included with the record or contested portion if the record or contested portion are disclosed to any party.

Storage, Retention and Destruction of Information

The School shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention.[30]

The School shall maintain, for public inspection, a current listing of the names and positions of those School employees who have access to personally identifiable information.[30]

In order to fulfill state compliance monitoring requirements, the School shall maintain education records for students receiving special education services for at least six (6) years.[2]

The School shall inform parents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.[31]

No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.[13]

The School may maintain a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed.[31]

The School shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and the student's family.[30]

Disclosure to Third Parties

The School shall obtain parental consent before disclosing personally identifiable information to parties other than School officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.[2][32][33][34][35][36][37]

Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.[33]

The School shall forward a student's educational records, including the most recent Individualized Education Program (IEP), within ten (10) school days after the School is notified in writing that the student is enrolled at another public agency, public school, private school, approved private school or private agency.[4]

Disclosure to Law Enforcement

When reporting an incident committed by a student with a disability to the appropriate authorities, in accordance with applicable law, regulations and Board policy, the School shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The School shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[2][10][37][38][39][40][41][42][43][44][45]

Delegation of Responsibility

In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Chief Academic Officer or designee to coordinate the School's efforts to comply with this policy and applicable laws and regulations.[4][30]

All School employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, administrative procedures, and state and federal laws and regulations regarding confidentiality of education records and personally identifiable information.[30]

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Legal
1. Pol. 1013
2. Pol. 2016

3. 22 PA Code 711.3
4. 22 PA Code 711.8
5. 34 CFR 300.611-300.627
6. 34 CFR 300.520
7. 34 CFR 300.625
8. 34 CFR 300.611
9. 34 CFR 99.3
10. 20 U.S.C. 1232g
11. 34 CFR 300.32
12. 34 CFR 300.613
13. 34 CFR 99.10
14. 34 CFR 99.4
15. 34 CFR 300.615
16. 34 CFR 99.12
17. 34 CFR 300.616
18. 34 CFR 300.617
19. 34 CFR 99.11
20. 34 CFR 300.614
21. 34 CFR 300.618
22. 34 CFR 99.20
23. 22 PA Code 711.62
24. 34 CFR 300.510-300.516
25. 34 CFR 300.619
26. 34 CFR 99.21
27. 34 CFR 300.621
28. 34 CFR 99.22
29. 34 CFR 300.620
30. 34 CFR 300.623
31. 34 CFR 300.624
32. 34 CFR 300.154
33. 34 CFR 300.622
34. 34 CFR 99.30
35. 34 CFR 99.31
36. Pol. 1013.2
37. Pol. 1013.3
38. 22 PA Code 10.2
39. 22 PA Code 10.21
40. 22 PA Code 10.22
41. 22 PA Code 10.23
42. 20 U.S.C. 1415

43. 34 CFR 300.535

44. 34 CFR Part 99

45. Pol. 6005.1

20 U.S.C. 1400 et seq

34 CFR Part 300

Bureau of Special Education Letter to School Entities on Retention of Records, Dated November 9, 2009

Pennsylvania Department of Education Individuals With Disabilities Education Act Part B LEA Policies and Procedures under 34 CFR §§300.101 - 300.176 (2018).

Pol. 1013.1

Book	Policy Manual
Section	2000 Students
Title	Gang Activity
Code	2018.4
Status	First Reading
Last Reviewed	July 13, 2023

Purpose

The Board recognizes the importance of providing a safe learning and working environment for students, employees and visitors. The presence of gang activity threatens the safety of the school environment and disrupts the educational program. It shall be the policy of the Board to aggressively pursue the prevention and suppression of gang activity in the school through identification, collaboration and training.

Definitions

For purposes of this policy, a **gang** shall be defined as a group or association of individuals associated with criminal activities or whose purpose includes the commission of illegal acts, who have displayed or expressed intent to cause a substantial disruption to the school environment or otherwise to threaten, intimidate, or do violence to members of the school community, and who refer to themselves by a group name or designation.

Gang activity shall constitute any activity or conduct whether by one or more individuals that includes the following:

1. Wearing, possessing, using, distributing, displaying or selling of any clothing, jewelry, emblem, badge, symbol, sign, tattoos or manner of grooming, or other thing which indicates or implies membership in, or affiliation with any gang, and/or is representative of any gang.
2. Any act or omission, either verbal or nonverbal (gestures, handshakes, etc.), which indicates or implies membership in or affiliation with any gang, and/or is representative of any gang.
3. Any act or omission in furtherance of the interests of any gang or gang activity, including but not limited to:
 - a. Soliciting others for membership in any gangs on school property.
 - b. Requesting any person to pay for protection or otherwise intimidating, threatening, hazing or harassing any person.
 - c. Painting, writing or otherwise inscribing gang-related graffiti, messages, insignias or signs on school property.

Authority

The Board prohibits gang activity on school property, at any school-sponsored activity, or during the time the student is traveling to or from school.

Delegation of Responsibility

The Principal/CAO or designee shall develop and publish guidelines to address and curtail gang-related acts in school settings. The Principal/CAO and/or designee will:

1. Provide school level counseling and support for students who wish to leave gangs or to avoid joining gangs.
2. Ensure open communication with law enforcement and social service agencies to mitigate or eliminate the harmful acts gangs have on the education environment.
3. Provide training for staff on the recognition and prevention of gangs and gang activity.

Guidelines

Implementation

A school employee shall report all suspected signs of gang activity to his/her administrator.

No student may engage in the above whether s/he is connected with a gang.

Notification of this policy shall be given to all families, students and employees.

Gang clothing, jewelry, emblems, badges, symbols or signs shall be identified by school administrators and school police. Administrators shall consult with police as needed, to help them determine what is gang-related.

Violation of this policy may lead to disciplinary action in accordance with law and the Code of Student Conduct.

Book	Policy Manual
Section	3000 Employees
Title	Job Related Expenses
Code	3031
Status	First Reading

Authority

The Board of Trustees (Board) shall reimburse Charter School (School) employees for the actual and necessary expenses, including travel expenses, if they incur in the course of performing services for the School, in accordance with Board policy and administrative procedures.

Delegation of Responsibility

The validity of payments for job related expenses for School employees shall be determined by the Chief Academic-Officer (CAO) or designee.

The CAO or designee shall report all reimbursed expenses for travel outside the Commonwealth by employees at the next Board meeting.

The CAO or designee may develop administrative procedures for approval and reimbursement of job related expenses, including travel expenses, which, if developed, shall require employees to provide adequate documentation of expenses.

Guidelines

The use of a personal vehicle shall be considered a legitimate job expense if travel is among the employee's assigned travel locations, but not between home and the assigned location, and is authorized in advance by the CAO or designee.

Use of a personal vehicle for approved purposes is reimbursable at the rate per mile approved by the IRS.

Use of a personal vehicle requires that liability insurance be provided by the employee.

Actual and necessary expenses incurred when attending functions away from the School shall be reimbursed to an employee if approval has been obtained in advance from the CAO or designee.

Attendance at approved events away from the School shall be without loss of regular pay, unless otherwise stipulated prior to attendance.

Legal	1. Pol. 3009.1
	2. Pol. 4024
	<u>24 P.S. 1724-A</u>
	Pol. 4026.1

Book	Policy Manual
Section	5000 Property
Title	Facilities and Workplace Safety
Code	5005
Status	First Reading

Purpose

The Board of Trustees (Board) recognizes that the Charter School (School) facility must be maintained and operated in a condition that prioritizes the safety of students, staff and visitors.

Authority

The Board directs the School to provide a facility and equipment deemed necessary for the safe conduct of the educational programs and operations of the School, in accordance with guidance issued by state and local officials, and the Board-approved health and safety plan.

The Board requires that all students, staff and visitors adhere to state and local health and safety orders, Board policy, administrative procedures and Board-approved plans pertaining to safety purposes. Violation of this policy and School safety rules may result in disciplinary action, in accordance with law, regulations or Board policy, or denial of entry to School buildings and property, except where accommodations are deemed reasonable and necessary for individuals with disabilities or for medical conditions.[1][2][3][4][5][6]

Delegation of Responsibility

The Chief Academic Officer or designee shall periodically review and evaluate School health and safety rules and health and safety plans, as necessary.[7]

Administrators shall ensure that all staff and students are informed of health and safety rules at the beginning of each school year and whenever conditions and requirements change. Administrators shall provide ongoing education and post signage to assist staff and students in complying with health and safety rules.[7]

Guidelines

School Safety and Security Committee:

A workplace safety and security committee shall be established to promote the School's goals concerning safe schools.[8][9][10]

The workplace safety and security committee shall be composed of a minimum of four (4) members, including one (1) administrator and three (3) employee representatives.

If the number of members on the workplace safety and security committee exceeds four (4), the committee shall be composed of an equal number of administrators and employees unless otherwise agreed upon by both groups. The administrators shall not constitute a majority of the workplace safety committee.

It shall be the responsibility of the workplace safety and security committee to:

1. Evaluate the current safety program.

2. Establish procedures for conducting and documenting the findings of periodic inspections to locate and identify safety and health hazards.
3. Make recommendations to correct hazards.
4. Review, in a timely manner, incident and accident report and investigation forms.
5. Conduct follow-up evaluations on the effectiveness of new health and safety equipment or safety procedures.

A quorum of the workplace safety and security committee members shall meet at least once per quarter.

The workplace safety and security committee shall develop and maintain operating procedures, membership lists, committee meeting agendas, attendance lists and minutes of each meeting.

All decisions of the committee shall be made by majority vote of members present.

The Chief Academic Officer or designee shall ensure that a qualified trainer provides all committee members with adequate, annual training in safety committee structure and operation, hazard detection and inspection, and accident and illness prevention and investigation.

The Chief Academic Officer or designee shall maintain written records of workplace safety and security committee training.

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Legal

1. Pol. 1003.1
2. Pol. 1013
3. Pol. 1013.3
4. Pol. 2018
5. Pol. 3017
6. Pol. 7007
7. Pol. 6005
8. 34 PA Code 129.1001 et seq
9. 72 P.S. 1722-J
10. 77 P.S. 1038.2
- 24 P.S. 1517
- 24 P.S. 1518
- 24 P.S. 1722-A
- 24 P.S. 1732-A

Book	Policy Manual
Section	5000 Property
Title	Property Records
Code	5006
Status	First Reading

Purpose

The Board of Trustees (Board) recognizes that adequate property and inventory records must be maintained on all buildings, equipment, and physical property of the Charter School.

Authority

The Board directs that a complete inventory, by physical count, of all Charter School-owned equipment and property records of the School building and grounds shall be maintained and updated annually.

Delegation of Responsibility

It shall be the responsibility of the Chief Academic Officer or designee to ensure that equipment inventories are systematically and accurately recorded, updated, and adjusted annually by reference to purchase orders and withdrawal reports. Property records of facilities shall be maintained on an ongoing basis.

Guidelines

Major items of equipment shall be subject to annual physical spot check inventory to determine loss, location or depreciation; any major loss shall be reported to the Board.

No equipment shall be removed for personal or non-school use, except in accordance with Board policy. [1]

Equipment shall be identified with a permanent tag that provides appropriate Charter School identification.

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Legal	1. Pol. 5008
	<u>24 P.S. 1716-A</u>
	Pol. 4026

Book	Policy Manual
Section	5000 Property
Title	Lending of Equipment and Books
Code	5008
Status	First Reading

Purpose

The Board of Trustees (Board) directs that Charter School-owned equipment normally shall not be loaned for non-school use off Charter School (School) property. If equipment is required for use by those granted permission to use School facilities, it may be loaned in accordance with Board policy.[1]

Delegation of Responsibility

Use of specific items of equipment, when unobtainable elsewhere, may be granted on the written request of the intended user and approval by the Chief Academic Officer or designee.

School equipment may be removed from School property by students or staff members only when such equipment is necessary to accomplish tasks relevant to their School or job responsibilities. Prior approval of the Chief Academic Officer or designee is required for such removal and use.

Guidelines

The user of School-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return.

Removal of School equipment or supplies from School property for personal use by staff or students is prohibited.

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Legal	1. Pol. 5007
	<u>24 P.S. 1716-A</u>

Book	Policy Manual
Section	6000 Operations
Title	Records Management
Code	6000
Status	First Reading
Last Revised	July 21, 2021

Purpose

The Board of Trustees (Board) recognizes the importance of establishing and maintaining a Records Management Plan that defines Charter School (School) staff responsibilities and complies with federal and state laws and regulations.

Authority

The Board shall retain, as a permanent record, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the School for a period of not less than six (6) years.[1][2]

All other School records shall be retained in accordance with state and federal laws and regulations, and the School's Records Management Plan approved by the Board.

The School shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is prohibited.[3][4][5]

The Board directs School staff to provide the chartering school district(s) with ongoing access to School records for the purpose of School oversight, upon request, and in accordance with applicable laws and regulations. Such records include, but are not limited to, financial records, aggregated student assessment data, personnel records and Board records. School staff shall provide access or copies of records within a reasonable period of time.[6][7][8][9]

Definitions

Electronic Mail (Email) System - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.

Litigation Hold - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

Records - information, regardless of physical form or characteristics, that documents a transaction or activity of the School and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the School. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.[11]

Records Management Plan - the system implemented by the School for the retention, retrieval, and disposition of all records generated by School operations.

Records Retention Schedule - a comprehensive listing stating retention periods and proper disposition of records.

Delegation of Responsibility

Records Coordinator

In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Chief Academic Officer as the School's Records Coordinator who shall serve as the chairperson of the Records Management Committee.

The Records Coordinator shall be responsible to:

1. Ensure that training appropriate to the user's position and level of responsibility regarding records is provided. Such training may include:
 - a) Operation, care and handling of equipment and software.
 - b) Requirements of the Records Retention Schedule.
 - c) Protocols for preserving and categorizing Charter School records.
 - d) Procedures and responsibilities of Charter School staff in the event of a litigation hold.
 - e) Identification of what is and what is not a record.
 - f) Disposal of records.
2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
3. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.

Records Management Committee

A committee responsible for the development, recommendation and maintenance of the School's Records Management Plan shall be established by the Chief ~~Executive~~ Academic Officer.

The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee may include the:

1. Chief Academic Officer or designee
2. Board Secretary
3. Contracted Information Technology Technician
4. Federal Programs Coordinator

The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

Guidelines

Records Management Plan

The School's Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.

The Records Management Plan shall include:

1. Comprehensive listing of records and data of the School.
2. Criteria to distinguish records of the School from the supplemental personal records of individual employees.[6][12]
3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.
4. Preservation measures to protect the integrity of records and data.
5. Data map or flow chart detailing the sources, routes, and destinations of electronic records.
6. Procedures and employee designated for determining whether an item is a record.
7. Procedures for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.
8. Records Retention Schedule.
9. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
10. Staff positions authorized to access School records.
11. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify:
 - a) Who can initiate a litigation hold.
 - b) How and to whom a litigation hold is communicated.
 - c) Who will determine which records are subject to the litigation hold.
 - d) Who will be responsible for collecting and preserving such records and data.
 - e) Who will be responsible for monitoring and ensuring the Charter School's compliance with the litigation hold.
 - f) In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.

For any record not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The School shall maintain and dispose of records in a manner that protects any sensitive, proprietary or confidential information or individual privacy rights, and helps conserve natural resources.

Manual Records

Manual records, which include all records not stored electronically, shall be retained and disposed of in accordance with the Records Management Plan.

Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The School shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Define the contents of the system, including record formats.
3. Identify vital records and information.
4. Determine restrictions on access and use.

Electronic Records

Electronic records shall be retained and disposed of in the same manner as records in other formats and in accordance with the Records Management Plan.

Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The School shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Specify all technical characteristics necessary for reading or processing the records stored on the system.
3. Identify all defined inputs and outputs of the system.
4. Define the contents of the system, including records formats and database tables.
5. Identify vital records and information.
6. Determine restrictions on access and use.
7. Describe update cycles or conditions.

Email Records

Email messages, in and of themselves, do not constitute records. Retention and disposition of email messages depend on the function and content of the individual message.

Records on an email system, including messages and attachments, shall be retained and disposed of in accordance with the School's Records Management Plan.

Email messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.

Email records may be maintained as an electronic record or be printed and maintained as a manual record.

For each email considered to be a record, the following information shall be retained:

1. Message content.
2. Name of sender.
3. Name of recipient.
4. Date and time of transmission and/or receipt.

Contractors

Records created or maintained by contractors shall be retained and disposed of in accordance with the School's Records Management Plan.[13]

Legal

1. 15 Pa. C.S.A. 5508

2. 24 P.S. 518

3. 65 P.S. 67.901

4. Pol. 6001

5. Pol. 6028

6. 20 U.S.C. 1232g

7. 24 P.S. 1728-A

8. Pol. 2016

9. Pol. 3024

10. 24 P.S. 1743-A

11. 65 P.S. 67.102

12. 65 P.S. 67.708

13. 65 P.S. 67.506

24 P.S. 1716-A

24 P.S. 1732-A

65 P.S. 67.101 et seq

Federal Rules of Civil Procedure - 16, 26, 34, 37, 45

Pol. 0004

Pol. 0006

Pol. 1005.2

Pol. 1038

Pol. 2003

Pol. 2009

Pol. 2012

Pol. 2033

Pol. 3014

Pol. 3026

Pol. 3034

Pol. 4001

Pol. 4009

Pol. 4010

Pol. 4018

Pol. 4019

Pol. 5002

Pol. 5006

Pol. 5016

Pol. 6010

Pol. 6018

Pol. 6030

Pol. 7012

Book	Policy Manual
Section	6000 Operations
Title	Electronic Signatures/Records
Code	6000.1
Status	First Reading

Purpose

Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business. The Board of Trustees (Board) recognizes that the effectiveness of electronic records and signatures depends upon the authenticity and reliability of the signatures and the context in which the electronic records are created, transferred and stored. Therefore, the Board adopts this policy to allow for the use of and acceptance of electronic records and signatures and to establish the guidelines under which electronic signatures may be used by the Charter School (School). [1][2]

Authority

The Board authorizes the use of electronic signatures in place of manual signatures to conduct School business unless a manual signature is required by law or regulations. Electronic signatures shall have the full force and effect of a manual signature when used in accordance with this policy and applicable law and regulations.[3]

Electronic records filed with or issued by the School shall have the full force and effect of paper records when the requirements of this policy and applicable law and regulations are satisfied.[1][2][4][5][6]

This policy applies to the use of electronic records and signatures when permitted or required in connection with School programs and operations.

Definitions

Electronic record – any record created, generated, sent, communicated, received, or stored by electronic means.[6][7]

Electronic signature – an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. More simply, it is a paperless means of committing to a contract or other document in a manner that indicates the signer's intent to bind themselves and/or the School.[7][8]

Delegation of Responsibility

The Chief Academic Officer or designee shall develop administrative procedures to direct staff on the parameters for authorized use of electronic signatures related to School programs and operations.

Guidelines

Electronic Recordkeeping

The maintenance of electronic records and signatures by the School shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the School's Records Management Plan.[6][9]

Electronic records created or received by the School shall be appropriately attributed to the individual(s) responsible for their creation, authorization and/or approval.

The School may specify the type of electronic signature required on an electronic record, the manner and format in which the electronic signature must be affixed to the electronic record, and the criteria that must be met when an individual uses a third party to file a document if electronic records must be signed by electronic means.

The School shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions in their original form.[2]

Such a system shall allow the School to implement:

1. A security procedure for the purposes of verifying that an electronic signature is that of a specific person or for detecting changes or errors in the information in an electronic record.
2. Appropriate control processes and procedures to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records.
3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received and stored.

Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be manually signed. The issuance and/or acceptance of an electronic signature by the School shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws and regulations. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:[2][5][10][11]

1. The signing employee is authorized to manually sign the document on behalf of the School.
2. The electronic signature identifies the individual signing the document by their name and position.
3. The individual signing with an electronic signature has signed a statement of exclusive use.
4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail.
5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been applied.
6. The electronic signature conforms to all other provisions of this policy.

The School shall maintain a secure log of each employee authorized to utilize an electronic signature in connection with School business.

This policy does not require a specific method for executing an electronic signature. The employee signing a particular document is responsible for verifying that the method chosen is appropriate for the nature of the transaction. Employees must consider confidentiality, authentication of signatures, and verification that the document signed is, in all respects, identical to the one to which the signer intends to bind the Charter School.

Any electronic signature that appears to be forged, altered, or otherwise not authentic, or that is not compliant with law or regulation, this policy or related administrative procedure, is not a valid signature. Should an electronic signature be deemed invalid, the Chief Academic Officer or designee may require a manual signature.

All other policies and procedures that apply to the execution of contracts or other documents on behalf of the School remain in full force and effect.

No employee may bind the School to any contract unless expressly authorized by the Chief Academic Officer or Board. The Chief Academic Officer may only authorize employees to bind the School where they would normally have that right, or when the Board specifically designates such right.

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Legal

1. 15 Pa. C.S.A. 111
2. 73 P.S. 2260.101 et seq
3. 24 P.S. 1716-A
4. 15 Pa. C.S.A. 107
5. 15 Pa. C.S.A. 5506
6. Pol. 6000
7. 73 P.S. 2260.103
8. 15 Pa. C.S.A. 102
9. Pol. 6015
10. 21 P.S. 483.1 et seq
11. Pol. 5016

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