RECORDS ACCESS POLICY (#503)

ADOPTED 4/10/2019

PURPOSE

Freire Charter School ("the School") recognizes the need to maintain the confidentiality of the records of its employees, students and families, and our affiliates that contain certain Personally Identifiable Information (PII). The School handles different types of PII that could be subject to public release, such as educational records, personnel files, and board records. Guidelines for the release and handling of personnel information can be found in the School's policies listed in the Employee Handbook. The public disclosure of educational or student records is governed by statues, regulations, and separate school policies, including FERPA and the School's corresponding policy found in the Student and Family handbook and the School's student records policy (Policy #502). The protection and release of all records and data produced by the School and its Board of Directors are governed by the PA Right-to-Know Law and the Sunshine Act as applicable. Within the context of the laws and the School's policies listed above, the School always protects Non-Public PII and generally protects Public PII from disclosure unless required by local, state, or federal law, court order, or as indicated herein or otherwise in the policies referenced above.

DEFINITIONS

Personally Identifiable Information (PII): PII means any information that can be used to uniquely identify an individual's identity or any information that is linkable to an individual. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. All PII collected by the School falls into one of two categories: Public PII and Non-Public or Protected PII.

Public PII: Generally, Public PII is all PII collected that can be used to identify an individual professionally and if disclosed, by itself, could not reasonably be expected to result in personal harm. Some information considered to be Public PII is available from public sources such as telephone books, public websites, and university listings. Public PII can include: first and last name, work and home address, work and home telephone number, work and home email address, and general education credentials. Depending on the circumstances, a combination of these items could potentially be categorized as Non-Public or Protected PII.

Non-Public or Protected PII: Protected PII means an individual's first name or first initial and last name in combination with any one or more types of information, including but not limited to: Social Security Number, passport number, Driver's license or state ID number, credit and debit card numbers, clearances, bank account numbers, biometric data, medical information and records, date and place of birth, mother's maiden name, criminal records (including driving record), financial records, citizenship or immigration status, and educational transcripts. Generally, Protected PII is information, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. If a document to be publicly released has a mixture of Public and Protected PII, compliance with this policy may be achieved through excision or redaction of the document as appropriate or required by law.

FEDERAL GRANT RECORDS

Public access to the School's records that are related to a federal grant award will generally be subject to a Freedom of Information Act (5 U.S.C. 552) (FOIA) request and applicable exceptions. The PII covered by this policy includes but is not limited to all School records pertinent to a Federal award. The purpose of this policy includes compliance with federal Uniform Grant Guidance (2 CFR § 200.79, 200.82, and 200.337) and sets forth

requirements for the security and protection of PII throughout the School and its approved vendors both on and off work premises. Failure to correctly identify and protect PII could result in the loss of state or federal funding or present the risk of legal and financial repercussions.

OPEN RECORDS

Freire Charter School shall comply with applicable provisions of Pennsylvania's Right-to-Know Law, 65 P.S. § 67.101- 67.3104. The CEO shall serve as the Open-Records Officer for the School, unless he or she designates another official or employee to act as the Open-Records Officer. The contact information for the School's Open-Records Officer shall be posted in accordance with the law, and written requests must be addressed to the Open-Records Officer.

NOTHING IN THIS POLICY SHALL BE CONSTRUED TO MODIFY, RESCIND, OR SUPERSEDE ANY RECORD RETENTION POLICY OR DISPOSITION SCHEDULE OF THE SCHOOL.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.