

LAMPETER-STRASBURG SCHOOL DISTRICT

Lampeter, Pennsylvania 17537

BOARD WORKSHOP MEETING AGENDA

May 20, 2024

Meeting Called to Order

Opportunity for Public Comment Regarding Agenda Items

FOR BOARD WORKSHOP ACTION

MISCELLANEOUS

1. RECOGNITION OF SCHOLARSHIP RECIPIENT

A representative from PSBA Trust will recognize Miss Lauren Livengood as the H.H. Quimby Scholarship Committee scholarship recipient.

PERSONNEL COMMITTEE

2. RECOMMENDATION FOR APPROVAL OF RESIGNATIONS

Recommend the approval of resignations from the following individuals:

- a. Beverly J. Daily, special education teacher assistant, Hans Herr Elementary School, retroactively effective to May 9, 2024.
- b. Laurel D. Perry, long-term substitute fifth grade teacher, Hans Herr Elementary School, effective May 21, 2024.

3. RECOMMENDATION FOR APPROVAL OF EMPLOYMENT – PROFESSIONAL

Recommend the approval of employment of the following individuals in professional positions:

- a. Emma M. Gochnauer, as a temporary professional employee assigned as a third grade teacher at Hans Herr Elementary School effective August 7, 2024, pending receipt of required documentation. Ms. Gochnauer is certified in Grades PK-4 and Special Education PK-12. Her annual compensation will be \$66,633 based upon Step 2, Level B, of the District compensation agreement.
- b. Esther H. Huynh, as a professional employee assigned as a fourth grade teacher at Hans Herr Elementary School effective August 7, 2024, pending receipt of required documentation. Ms. Huynh is certified in Grades PK-4. Her annual compensation will be \$68,530 based upon Step 4, Level B, of the District compensation agreement.
- c. Marisa A. Rosemellia Ramirez, as a professional employee assigned as a seventh grade science teacher at Martin Meylin Middle School effective August 7, 2024, pending receipt of required documentation. Ms. Rosemellia Ramirez is certified in General Science 7-12 and Biology 7-12. Her annual compensation will be \$87,024 based upon Step 13, Level MEQ15, of the District compensation agreement.
- d. Amber L. Shoemaker, as an extended substitute fifth grade teacher at Hans Herr Elementary School effective May 22, 2024, through the end of the 2023-2024 school year. Her daily compensation will be \$334.71 based upon Step 1, Level B of the District compensation agreement.

4. RECOMMENDATION FOR APPROVAL OF EMPLOYMENT – SUPPORT

Recommend the approval of Jennifer E. Ferrarello to be employed as a SACC group supervisor at Lampeter Elementary School effective August 15, 2024. Ms. Ferrarello will become a category E support staff employee and will be compensated \$18.50 per hour.

5. RECOMMENDATION FOR APPROVAL OF CHANGE OF STATUS

Recommend the approval of a change of employment status for the following individuals:

- a. Melissa A. Curtis, custodian, Hans Herr Elementary School. Ms. Curtis will become head custodian at the Lampeter-Strasburg Early Childhood Center retroactively effective to May 13, 2024. She will remain a category A support employee and will be compensated \$20.25 per hour.
- b. Curtis R. Garvin, second shift lead custodian, Hans Herr Elementary School. Mr. Garvin will become a dayshift custodian at Hans Herr Elementary School effective July 1, 2024. He will remain a category A support staff employee and will be compensated \$16.39 per hour.
- c. Doreen Gonzalez-Anderson, SACC group supervisor, Lampeter Elementary School. Ms. Gonzalez-Anderson will become Assistant Director of SACC at Lampeter Elementary School effective July 1, 2024. She will become a category B support employee and will be compensated \$20.31 per hour.

6. RECOMMENDATION FOR APPROVAL OF ADDITIONAL ASSIGNMENT

Recommendation for approval of additional assignment for Lyndsey M. Keener, itinerant autistic support teacher (50%), Hans Herr Elementary School. Ms. Keener will continue her additional assignment of three hours per day as an extended substitute special education teacher at Hans Herr Elementary School retroactively effective through June 5, 2024. Her pay will remain \$53.24 per hour for this assignment.

7. RECOMMENDATION FOR APPROVAL OF LEAVE OF ABSENCE

Recommend the approval of an extension to a leave of absence for Erica N. Musser, special education teacher, Hans Herr Elementary School, through May 15, 2024.

8. RECOMMENDATION FOR APPROVAL OF EXTENDED SCHOOL YEAR VAN DRIVERS

Recommend the approval of van drivers on various dates between June 7 and August 15, 2024, for extended school year (ESY), as follows, paid at their 2023-2024 and 2024-2025 hourly rates:

Van Drivers

- Bleecher, R. Scott
- Brands, John E.
- Denlinger, Donald E.
- Esh, Calvin E.
- Forry, Edwin L.
- Graybill, Robert
- Harnish, Jennifer L.
- Heist, Diana R.
- Higgins, Michele A.
- Kauffman, Dave (substitute)
- Meck, Jennifer L. (substitute)
- Miller, Deborah A.
- Mitchell, R. Eugene
- Smith, Martin J.
- Wingenroth, Theodore E.

9. RECOMMENDATION FOR APPROVAL OF CORRECTION OF COMPENSATION FOR SUMMER CUSTODIAL

Recommend the approval of correction of compensation for Cozette Maines, summer custodian, Lampeter-Strasburg High School. Ms. Maines compensation should be \$15.00 per hour.

10. RECOMMENDATION FOR APPROVAL OF SUBSTITUTES

Recommend the approval of 2023-2024 substitutes, as follows:

Certified Substitutes

- Ferrarello, Jennifer E. Music PK-12, Grades PK-4
- Martin, Tyler D. Health and Physical Education K-12 – Lancaster Bible College student

11. RECOMMENDATION FOR APPROVAL OF VOLUNTEER

Recommend the approval of Dylan J. Zimmerman as 2023-2024 boys soccer volunteer.

BUSINESS AND FINANCE COMMITTEE

12. DISCUSSION OF ANNUAL DONATIONS

Dr. Peart and Mr. Stoltzfus will lead a discussion on the annual donations made by the District to organizations providing services to the District, as posted.

13. RECOMMENDATION FOR APPROVAL OF CHANGE ORDER FOR THE EARLY CHILDHOOD CENTER PROJECT

Recommend the approval of a change order for the Early Childhood Center project, as follows:

1. McCarty & Son Change Order GC #10 Deduct \$2,421 Credit for fiber to outside sign location

MISCELLANEOUS

14. DISCUSSION/REVIEW OF BOARD POLICIES

Dr. Peart will lead a discussion reviewing Board Policies, as follows and as posted:

- a. Policy 800 Records Management
- b. Policy 800.1 Electronic Signatures/Records
- c. Policy 801 Public Records

Opportunity for Public Comment

Adjournment

Invoice #:

Invoice Date:

VendorName	Amount	AccountCode	Description
FRIENDS OF WEST LAMPETER TWP POLICE	1000.00	10-3300-860-000-00-000-000-003-0000	annual donation
LAFAYETTE FIRE COMPANY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
LAMPETER FIRE COMPANY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
LANCASTER PUBLIC LIBRARY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
PARADISE FIRE COMPANY	250.00	10-3300-860-000-00-000-000-003-0000	annual donation
REFTON FIRE COMPANY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
RONKS FIRE COMPANY	250.00	10-3300-860-000-00-000-000-003-0000	annual donation
STRASBURG FIRE COMPANY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
STRASBURG PLAYGROUND ASSN.	500.00	10-3300-860-000-00-000-000-003-0000	annual donation
STRASBURG-HEISLER LIBRARY	1000.00	10-3300-860-000-00-000-000-003-0000	annual donation
WILLOW STREET FIRE COMPANY	500.00	10-3300-860-000-00-000-000-003-0000	annual donation

6000.00

Book	Policy Manual
Section	800 Operations
Title	Records Management
Code	800
Status	Active

Purpose

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

Authority

The Board shall retain, as a permanent record of the district, 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 district for a period of not less than six (6) years.[\[1\]](#)

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

The district shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.[\[2\]](#)[\[3\]](#)

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 district and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the district. 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.[\[4\]](#)

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

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

Delegation of Responsibility

Any individual responsible for the collection, maintenance and/or security of records on behalf of the district shall comply with state and federal laws and regulations, Board policies, district procedures and the Records Management Plan.

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 Superintendent as the district'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 is provided. Such training may include:
 - a. Operation, care and handling of the equipment and software.
 - b. Requirements of the Records Retention Schedule.
 - c. Protocols for preserving and categorizing district records.
 - d. Procedures and responsibilities of district 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 and recommendation of the district's Records Management Plan shall be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the:

1. Open Records Officer.[5]
2. Superintendent.

3. Board Secretary.[\[6\]](#)
4. District solicitor.
5. Director of Information Technology or designee.
6. Business Manager.
7. Board member(s).

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 district's Records Management Plan shall be the principal means for the **storage**, 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 district.
2. Criteria to distinguish records of the school district from the supplemental personal records of individual employees.[\[7\]](#)[\[8\]](#)
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 reduce the risk of a data breach. Such measures shall include encryption or other appropriate security procedures.**[\[9\]](#)[\[10\]](#)[\[11\]](#)
5. Data map or flow chart detailing the sources, routes and destinations of electronic records.
6. Procedures and **employee(s)** 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.[\[11\]](#)
10. Staff positions authorized to access district 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 district'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 district shall **store**, 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 district 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 district 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 district'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 Service Providers

~~Records created or maintained by the contractors employed by the Board shall be retained and disposed of~~ **The Board requires service providers contracted by the district to create, maintain, retain and dispose of district records** in accordance with the Records Management Plan. [\[12\]](#)

Legal References

1. 24 P.S. 518

2. 65 P.S. 67.901

3. Pol. 828

4. 65 P.S. 67.102

5. Pol. 801

6. 24 P.S. 433

7. 65 P.S. 67.708

8. 20 U.S.C. 1232q

9. 73 P.S. 2301 et seq

10. Pol. 830

11. Pol. 830.1

12. 65 P.S. 67.506

65 P.S. 67.101 et seq

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

Pol. 004

Pol. 006

Pol. 105.2

Pol. 113.4

Pol. 114

Pol. 138

Pol. 203

Pol. 203.1

Pol. 209

Pol. 212

Pol. 216

Pol. 216.1

Pol. 233

Pol. 314

Pol. 324

Pol. 326

Pol. 334

Pol. 601

Pol. 609

Pol. 610

Pol. 618

Pol. 619

Pol. 702

Pol. 706

Pol. 716

Pol. 800.1

Pol. 810

Pol. 810.1

Pol. 912

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

800-AR-0. RECORDS MANAGEMENT

In order to effectively implement the Records Management Plan, building administrators, department heads, and/or designated employees will be responsible for identifying and routing the various types of records and data that each department creates, gathers, uses, **stores** or disseminates, **in accordance with the Records Management Plan, Board policies, district procedures and applicable state and federal laws and regulations.**

All records, whether created or stored on electronic systems **or manual systems**, must be retrievable and available for the entire retention period listed on the Records Retention Schedule.

Before any record is converted to a different medium, the district will determine that the authorized disposition of the record can still be implemented after conversion.

The Records Management Committee will recommend appropriate media and systems for storing records throughout their life.

The specific requirements for selecting storage media **and systems** for records include the following:

1. Permit **access and** retrieval in a timely fashion.
2. Facilitate the distinction between records and nonrecords as well as the distinction between employee **personal** records and district records.
3. Retain the records in a usable format for the length of their required retention period.

The following factors will be considered before selecting storage media or when converting records from one medium **or system** to another:

1. Required retention period for the records.
2. Maintenance necessary to retain the records in that format.
3. Ability to index and search records.
4. Costs of storing and retrieving the records stored in that format.
5. Density of the record.

6. Access time necessary to retrieve stored records.
7. Ability of the medium to run on equipment, **software or platforms** produced by multiple manufacturers **or providers**.
8. Ability to transfer information from one medium, **software or platform** to another.
9. Flexibility of the software **or platform** to be used.
10. Compliance of the storage medium, **software application or digital platform** with current industry and/or government standards.
11. **Ability to apply encryption or security procedures to records.**

Before a **record** is created and maintained in a records system, **the record** will be identified sufficiently to enable authorized personnel to retrieve, protect and carry out the disposition of **the record** in the system. Appropriate identifying information for each **record** maintained may include: office of origin; file code; key words for retrieval; addressee, if any; signature; author; date; authorized disposition, coded or otherwise; and security classification, if applicable.

Electronic Records

The district will ensure that records maintained in **electronic data** systems can be correlated with related records on paper, microform, or other media.

The district **will** provide for the usability of image and index data for records stored on an electronic **data** system over time by establishing:

1. Methods for all authorized users of the system to retrieve desired records.
2. Appropriate **encryption and security procedures** to ensure integrity of the records.
3. A standard interchange format when necessary to permit the exchange of records on electronic media using different software, operating systems **or platforms**, and allowing for the conversion or migration of records from one system to another.
4. Procedures for the disposition of records in accordance with the Records Retention Schedule.
5. Procedures for necessary maintenance to ensure the retention and usability of electronic records throughout their required retention period.
6. **Security procedures** to be used when destroying or reusing **hardware** that contains confidential records.

Record Integrity

The district's records security **processes** will:

1. Ensure that only authorized personnel have access to records.
2. Provide **procedures** for backup, **storage, archiving** and recovery of records to protect against information loss **and to facilitate the district's security procedures and disaster recovery plan.**
3. Ensure that district personnel are trained to **implement security procedures and encryption, when applicable, and to** safeguard sensitive or **confidential** information.
4. Minimize the risk of unauthorized alteration or erasure of records.

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

800-AR-1. RECORDS RETENTION SCHEDULE

How to Use the Records Retention Schedule

The Records Retention Schedule lists records that are created, received or retained as a result of district operations. The schedule includes a description of the records, format in which the records will be retained, retention period, and disposal code. The following information will assist in applying this schedule.

Record Formats

Media codes are used to identify the format(s) that the district may use to maintain specified records and are assigned as follows:

- A. Paper
- B. Microform
- C. Electronic (machine readable)
- D. Audiovisual (tapes, movies, film strips, etc.)
- E. Cartographic (maps, drawings, blueprints, plans, etc.)
- F. Photographic

Retention Periods

Retention periods listed on the schedule are given in years, unless otherwise indicated. Upon expiration of the retention period, all identified records will be disposed of in accordance with Board policy and this schedule, **unless subject to a litigation hold in accordance with Board policy and administrative regulations.**

Disposal Codes

Disposal codes are used to direct the final disposition of records. Records must be disposed of according to the assigned code listed on the schedule. Assigned disposal codes are as follows:

1. Routine Handling – No special precautions are necessary upon disposal. The records should be recycled or disposed of in accordance with standard district procedures.
2. Special Handling – The destruction of records containing privileged, confidential, exempt or sensitive information that requires special handling by shredding, burning, erasing or any other method that reduces information to an illegible condition.
3. Archival Retention – Records requiring permanent retention or records that have sufficient archival or historic value must be preserved in perpetuity.
4. Delete – For use with electronic records. When electronic records have met their retention period, they will be deleted.

Records Not On Schedule

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

Schedule

Record Description	Record Format	Retention Period (in years)	Disposal Code
Administrative Records			
Comprehensive/Strategic Plans	A,C	1 copy permanent	3
Feasibility Studies	A,C	3	1,4

800-AR-1. RECORDS RETENTION SCHEDULE - Pg. 3

Record Description	Record Format	Retention Period (in years)	Disposal Code
PSSA/Keystone Exam Results	A,C	Permanent	3
Public Record Requests	A,C	1 from date received or until all appeals have been exhausted ¹	1,4
Benefits/Insurance Records²			
Claims	A,C	6 after settlement	2,4
COBRA Records	A,C	6 ³	2,4
Enrollment Forms	A,C	term of benefits plus 6	2,4
Policies/Plans/Contracts	A,C	6 after expiration	1,4
Child Labor Records			
Applications for Work Permits	A,C	2 after graduation	2,4
Employment Report from Employers	A,C	2 ⁴	2,4
Complaints/Challenges			
Federal Programs – Complaint, Report, Final Response	A,C	6 after final resolution	1,4
Investigation Records	A,C,D,E,F	6 after final resolution	2,4
Made By District Employee(s)	A,C	6 after final resolution ⁵	2,4
Regarding District Employee(s)	A,C	6 after employment ends	2,4
Regarding Instructional Materials or District Programs	A,C	6 after final resolution	1,4
Complaints – Title IX Sexual Harassment⁶			
Appeals and Results	A,C,D,F	7 after final resolution, or 40 after graduation for a student party	2,4
Informal Resolutions and Results, Including Remedies and Supportive Measures	A,C,D,F	7 after final resolution, or 40 after graduation for a student party	2,4
Investigation Records and Report, Including Any Recordings and Transcripts	A,C,D,F	7 after final resolution/dismissal, or 40 after graduation for a student party	2,4

Record Description	Record Format	Retention Period (in years)	Disposal Code
Reports and Records of Action Taken for Reports or Formal Complaints, Including Documentation of Basis for Conclusion That Response was Not Deliberately Indifferent	A,C,D,F	7 after final resolution/dismissal, or 40 after graduation for a student party	2,4
Supportive Measures Provided or Documentation of Reasons Supportive Measures Not Provided	A,C	7 after final resolution/dismissal, or 40 after graduation for a student party	2,4
Training Materials for Title IX Procedures (Title IX Coordinator, Investigators, Decision-Makers, Staff Facilitating Informal Resolution Processes)	A,C,D	7 after employment ends	1,4
Training Materials for Title IX Procedures Published on Website	C	7 after revised	4
Written Determination of Responsibility, Including Disciplinary Sanctions and Remedies	A,C,D,F	7 after final resolution, or 40 after graduation for a student party	2,4
District Organization Records			
District Boundaries/Attendance Areas	A,C,E	Permanent	3
Photographs/Movies of Historical Value	C,D,F	Permanent	3
Employment Contracts			
Administrative Compensation Plan	A,B,C	1 copy permanent	3
Collective Bargaining Agreements	A,B,C	1 copy permanent	3
Individual Employment Contracts/Board Resolutions	A,C	4 after employment ends	1,4
Facility Use Records			
Applications	A,C	6	1,4
Fee Schedule(s)	A,C	Current	1,4
Financial Records⁷			
Accounts Payable	A,C	6	1,4
Accounts Receivable	A,C	6	1,4
Adopted Annual Budget	A,B,C	10	1,4
Annual Financial Reports	A,B,C	Permanent	3
Annual Audit Reports	A,B,C	Permanent	3

800-AR-1. RECORDS RETENTION SCHEDULE - Pg. 5

Record Description	Record Format	Retention Period (in years)	Disposal Code
Bank Statements	A,C	6	1,4
Check Registers	A,C	6	1,4
Crowdfunding – Records of Approved Campaigns	A,C	6 after close of campaign	1,4
Deposit Slips	A,C	6	1,4
General Ledger	A,B,C	Permanent	3
Grant Records (Successful)	A,C	6 after close of grant, or period required by grant if longer	1,4
Investment Records	A,B,C	6 after cancellation	1,4
Purchase Orders/Invoices	A,C	6	1,4
Tax Collection Records	A,C	6	1,4
Food Service Program Records⁸			
Accounts/Records/Reports	A,C	6 or until completion of active audit	1,4
Free and Reduced Lunch Program Records⁹			
Accounts/Audits	A,C	6	1,4
Application for Participation ¹⁰	A,C	10	2,4
Professional Standards and Training for Food Service Personnel¹¹	A,C	3	1,4
Program Requirements	A,C	6	1,4
Grievances/Arbitrations			
Complaint	A,B,C	Permanent	3
District Response	A,B,C	Permanent	3
Final Ruling/Decision of Arbitrator	A,B,C	Permanent	3
Litigation Files			
Decision/Ruling	A,B,C	7 after final conclusion of litigation	1,4
Pleadings, Motions, Briefs, Other Filings	A,B,C	7 after final conclusion of litigation	1,4
Settlements	A,B,C	7 after settlement	2,4

800-AR-1. RECORDS RETENTION SCHEDULE - Pg. 6

Record Description	Record Format	Retention Period (in years)	Disposal Code
Medical Records			
Medical Documentation (Employee Leave, Accommodations)	A,C	6 after employment ends	2,4
Medical Records/Information (Employee)	A,C,D,F	30 after employment ends ¹²	2,4
Medical Records/Information (Employee Exposure to Toxic/Harmful Substances)	A,C,D,F	30 after employment ends ¹³	2,4
Medical Records/Information (Student)	A,C,D,F	6 after enrollment ends ¹⁴	2,4
Pre-Employment Medical Examination ¹⁵	A,C	6 after employment ends ¹⁶	2,4
Payroll Records¹⁷			
Deduction Authorizations	A,C	6	2,4
Direct Deposit Forms	A,C	6	2,4
Employee Earnings Statements (Pay Stubs)	A,C	6 ¹⁸	2,4
Time Cards/Sheets	A,C	6 ¹⁹	1,4
Wage and Tax Statements (W-2 Forms)	A,C	6 ²⁰	2,4
Withholding Allowance Certificates (W-4 Forms)	A,C	6 after superseded OR employment ends ²¹	2,4
Personnel Records²²			
Acknowledgement of Receipt (Handbooks/Policies)	A,C	6 after superseded OR employment ends	1,4
Advertised Job Openings/Postings	A,C	4 after position filled ²³	1,4
Arrest/Conviction Report Forms (PDE-6004)	A,C	40 after employment ends	2,4
Attendance Records	A,C	6 after employment ends	1,4
Change(s) in Status (Promotion/Demotion/Transfer/Furlough/Recall)	A,C	6 after employment ends ²⁴	2,4
Child Abuse Clearance Statement	A,C	40 after employment ends	2,4
Child Abuse Recognition and Reporting Training	A, C	6 after superseded OR employment ends	2,4
Continuing Education/Professional Development/Training	A,C	6 after employment ends	2,4
Credentials (Certificates/Licenses)	A,C	6 after employment ends	1,4
Criminal History Records (State and Federal)	A,C	40 after employment ends	2,4
Discipline Records	A,C,D,F	6 after employment ends	2,4
Employment Application/Resume (Hired)	A,C	6 after employment ends	2,4

800-AR-1. RECORDS RETENTION SCHEDULE - Pg. 7

Record Description	Record Format	Retention Period (in years)	Disposal Code
Employment Application/Resume and All Other Application Materials for Candidates Not Hired	A,C	4 after position filled ²⁵	2,4
Employment Eligibility Verification (Form I-9 and Documentation)	A,C	6 after employment ends ²⁶	2,4
Employment History Verifications	A,C	40 after employment ends	2,4
Equal Employment Opportunity Reports and Demographics	A,C	3 ²⁷	1,4
Evaluations/Classroom Teacher Rating/Data	A,B,C	6 after employment ends ²⁸	2,4
Evaluations/Performance Assessments/Non-Teachers	A,C	6 after employment ends	2,4
Job Description	A,C	6 after employment ends	1,4
Leave Records (FMLA) ²⁹	A,C	6 after employment ends ³⁰	2,4
Leave Records (Other)	A,C	6 after employment ends	2,4
Network/System User Agreement(s)	A,C	6 after employment ends	1,4
Offer of Employment (Accepted)	A,C	6 after employment ends	1,4
Pre-Employment Reference Checks ³¹	A,C	6 after employment ends	2,4
Resignations	A,C	6 after employment ends	1,4
Property Records			
Building Blueprints	C,E	Permanent	3
Construction Contracts	A,B,C	12 after completion ³²	1,4
Deeds and Related Records	A,B,C	Permanent	3
Equipment Inventories	A,C	6, 10 for any equipment purchased with Category 2 E-rate funds ³³	1,4
Fixed Asset List	A,B,C	Permanent	3
Inventory Transfer/Disposal Records	A,C	6 after transfer/disposition, 10 for any equipment purchased with Category 2 E-rate funds ³⁴	1,4
Leases (Real Estate)	A,B,C	Permanent	3
Leases (Equipment/Vehicles)	A,B,C	6 after expiration	1,4
Pesticide Application Record	A,C	3 ³⁵	1,4
Real Property Purchase or Sale	A,B,C	Permanent	3

Record Description	Record Format	Retention Period (in years)	Disposal Code
Purchasing Records (Goods and Services)			
Advertisements	A,C	6 after completion	1,4
Bid Documents (Accepted)	A,C	6 after completion	1,4
Bid Documents (Declined)	A,C	6 after completion	1,4
Executed Contracts	A,C	6 after completion	2,4
Financial Information of Bidders	A,C	6 after completion	2,4
Micropurchasing Documentation	A,C	6 after completion	1,4
Specifications	A,C	6 after completion	1,4
Written or Telephonic Price Quotations/ Small Purchase Documentation	A,C	6 after completion ³⁶	1,4
Safety Records			
Accident Reports	A,C	6 ³⁷	2,4
Drill Records – Bus Evacuation, Fire, School Security	A,C	6 school years	2,4
Emergency Preparedness Plan and Supporting Documents ³⁸	A,C	2 after revised ³⁹	2,4
Material Safety Data Sheets (MSDS)	A,C	30 ⁴⁰	1,4
Memorandum of Understanding with Local Law Enforcement	A,C	2 after revised	1,4
Reports of Suspected Child Abuse	A,C	1 after the year in which the student turns age 50	2,4
Safe School Act Reports - Annual Report	A,B,C	Permanent ⁴¹	3
Safety and Security Assessments and Inspection Reports	A,C	6 after superseded	2,4
School Health and Safety Plans – Including all Revisions Approved by the School Board	A,C	Permanent	3
School Safety and Security Annual Board Report	A,C,D	Permanent	3
Security Tapes and Images (Pulled from routine tape rotation)	C,D,F	Until resolution of incident or transfer to student's education records	2,4
Visitor Log	A,C	5	1,4
School Board Records			
Board Meeting Agendas	A,C	1	1,4
Board Minutes (Approved)	A,B,C	Permanent ⁴²	3
Board Policies and Procedures (Current)	A,B,C	Permanent	3

Record Description	Record Format	Retention Period (in years)	Disposal Code
Board Policies and Procedures (Old)	A,B,C	Permanent	3
Ethics Statement of Financial Interest	A,C	5 ⁴³	1,4
Notes, Recordings and/or Any Other Materials Used to Prepare Official Minutes	A,C,D	Until official minutes are approved	1,4
Oath of Office (Signed by Board Member) ⁴⁴	A	Term of office	1
Official Recordings of Board Meetings	C,D	1	1,4
Required Training for School Directors – Record of Completion	A,C	Term of office	1,4
School Wellness⁴⁵			
Documentation Demonstrating Notification and Participation With the Community on Policy and Triennial Assessment of Policy	A,C,D	6 following assessment	1,4
School Wellness Policy	A,C	Permanent	3
Triennial Assessment of School Wellness Policy	A,C	6 following assessment	1,4
Student Records	Refer to Student Records Plan⁴⁶		
Transportation Records (Drug/Alcohol Testing)⁴⁷			
Negative or Below Limit Test Results	A,C	1	2,4
Positive or Above Limit Test Results	A,C	5	2,4
Records of Each Query of Drug and Alcohol Clearinghouse	A,C	3⁴⁸	2,4
Records Related to Collection Process	A,C	2	2,4
Records Related to Education and Training	A,C	2 after employment ends	2,4
Records Related to Evaluation and Referrals	A,C	5	2,4
Refusal to Take Required Test	A,C	5	2,4
Transportation Records (General)⁴⁹			
Accident and Incident Reports	A,C	3	2,4
Claims for Reimbursement ⁵⁰	A,C	6	2,4
Distances from Student Homes to Established Bus Stops	A,C,E	Current and last revision	2,4
List of Bus Routes/Schedules/Loading Zones/Bus Stops	A,B,C,E,F	Current and last revision (at least 1 year)	2,4
Record of Students Transported to and from School	A,C	6 from end of school year	2,4
Universal Service Records (E-Rate Program)⁵¹			
Applications/Discount Verifications/Correspondence	A,C	10 after service year	2,4

800-AR-1. RECORDS RETENTION SCHEDULE - Pg. 10

Record Description	Record Format	Retention Period (in years)	Disposal Code
Bids/Quotations (accepted/declined); Correspondence; Financial Information of Bidders; Specifications/RFPs; Bid Evaluations	A,C	10 after service year	2,4
Executed Contracts	A,C	10 after service year	2,4
Filtering Documentation	A,C	10 after service year	2,4
Proof of Payment – Submitted and Received	A,C	10 after service year	2,4
Purchase Orders/Installation Records/Invoices	A,C	10 after service year	2,4
Staff Training and Education of Students in Online Behavior	A,C	10 after service year	1,4
Volunteer Records			
Application/Acknowledgement Forms	A,C	40 after service ends	2,4
Affidavit for Waiver of Federal Criminal History Check	A,C	40 after service ends	2,4
Arrest/Conviction Report Forms	A,C	40 after service ends	2,4
Criminal History Records (State)	A,C	40 after service ends	2,4
Criminal History Records (Federal – If Required)	A,C	40 after service ends	2,4
Workers’ Compensation Records	A,B,C,D,F	7 after claim closed	2,4

¹ 65 P.S. Sec. 67.502(b)(2)(iii) requires that an electronic or paper copy of the written request and all documents submitted with the request be maintained either 1) until the request has been fulfilled; 2) if the request is denied, for thirty (30) days; or 3) if an appeal is filed, until a final determination is made or the appeal is deemed denied. Since appeals may be made to court after a final determination, requests and related documents should be kept until all appeals have been exhausted. Keeping requests for 1 year from the date the request was received, or until all appeals have been exhausted, would satisfy most time periods in the Act and preserve evidence of repeated requests for the same records (burdensome). 67.506(a).

² 29 CFR Sec. 1627.3(b)(2) requires employers to keep “benefit plans” for the term of the plan plus at least 1 year after termination.

³ Retention period not specified in COBRA but recommended that records be retained in accordance with ERISA, See 29 U.S.C. Sec. 1027.

⁴ 43 P.S. Sec. 58.1(d) requires school districts to keep the required employment report/information for 2 years.

⁵ 29 CFR Sec. 1602.14 and 1627.3(b)(3) require retention of relevant records until final disposition.

⁶ **34 CFR Sec. 106.45(10) includes specific recordkeeping requirements for handling formal complaints of Title IX sexual harassment, which requires maintenance of records for at least 7 years. In cases where a student is a party as either a complainant or respondent, recommend maintaining for 40 years following student’s graduation based on PA statutes governing civil action that may be taken by a student.**

⁷ SC 518 requires permanent retention of annual auditor’s reports and annual financial reports. SC 518 also requires districts to maintain all other financial records for at least 6 years.

⁸ SC 1337(e) requires food service records to be maintained not in excess of 5 years; however, compliance with PA Dept. of Education, Division of Federal Programs monitoring under the Uniform Grant Guidance requires records to be maintained for 6 years, so retention period was updated to reflect federal monitoring requirements.

⁹ 7 CFR Sec. 210.9 requires free and reduced lunch accounts and records to be maintained for a minimum of 3 years. If a federal audit is being conducted, records must be kept until the audit is completed.

¹⁰ 47 CFR Sec. 54.516 requires a school district who uses free/reduced-price meal applications as the basis for their federal Universal Service funding under the E-Rate program to retain these applications for 10 years.

¹¹ **7 CFR Sec. 210.15 requires that participants retain records for a three-year period to demonstrate the school food authority's compliance with the professional standards for school nutrition program directors, managers and personnel established in § 210.30.**

¹² 29 CFR Sec. 1627.3 (b)(1)(v) requires the results of any physical examination to be kept for at least 1 year from the date of the personnel action to which the records relate when the exam results are considered in connection with any personnel action. If an enforcement action is under way, the required records shall be maintained until final disposition. 29 CFR Sec. 1910.1020(d)(1)(i) requires the retention of “employee medical records” for at least the duration of employment plus 30 years.

¹³ 29 CFR Sec. 1910.1020(d)(1)(i) requires the retention of “employee medical records” for at least the duration of employment plus 30 years. 29 CFR Sec. 1910.1020(d)(1)(ii) requires the retention of “employee exposure records” for at least 30 years. Terms are defined in 29 CFR Sec. 1910.1020(c)(5), (6). See 29 CFR Sec. 1910.1020(b) for applicability.

¹⁴ SC 1409 requires that all student health records be confidential and not destroyed for at least 2 years after the student is no longer enrolled. The school may surrender the health records to the parent/guardian if the student will not be enrolling in another school in Pennsylvania. 28 PA Code Sec. 23.55 requires the student’s health records be maintained in the school building that the student attends.

¹⁵ 42 U.S.C. Sec. 12112(d)(3)(B), 29 CFR Sec. 1630.14(c)(1) requires that this information be collected on separate forms, kept in separate files and be treated as confidential medical records.

¹⁶ 29 CFR Sec. 1627.3 (b)(1)(v) requires the results of any physical examination to be kept for at least 1 year from the date of the personnel action to which the records relate when the exam results are considered in connection with any personnel action. If an enforcement action is under way, the required records shall be maintained until final disposition.

¹⁷ 29 CFR Sec. 516.5, 516.6, 1620.32 and 1627.3(a) require retention of specified payroll records/information for at least 1-3 years. SC 518 requires retention of financial records for at least 6 years.

¹⁸ 29 CFR Sec. 516.6(c)(1) requires retention of records of additions to or deductions from wages paid for at least 2 years.

¹⁹ 29 CFR Sec. 516.6(a)(1) requires retention of time cards/sheet for at least 2 years when used to determine pay period earnings or wages.

²⁰ 26 CFR 31.6001.1(e)(2) requires the retention of tax records for at least 4 years after the due date of the tax for the return period that the records relate to, or the date the tax is paid, whichever is later.

²¹ 26 CFR 31.6001.1(e)(2) requires the retention of tax records for at least 4 years after the due date of the tax for the return period that the records relate to, or the date the tax is paid, whichever is later.

²² 29 CFR Sec. 1602.14 requires employers to keep any personnel or employment records for at least 1 year from the date of making the record or the personnel action involved, whichever is later. If a claim is filed or action is under way, the relevant records shall be maintained until final disposition.

²³ 29 CFR Sec. 1627.3 (b)(1)(vi) lists records to be kept for 1 year. If an enforcement action is under way, the required records shall be maintained until final disposition.

²⁴ 29 CFR Sec. 1627.3 (b)(1)(i) lists records to be kept for 1 year. If an enforcement action is under way, the required records shall be maintained until final disposition. Statute of limitations under 42 U.S.C. 1981 is 4 years.

²⁵ 29 CFR Sec. 1627.3 (b)(1)(i) lists records to be kept for 1 year. If an enforcement action is under way, the required records shall be maintained until final disposition. Statute of limitations under 42 U.S.C. 1981 is 4 years.

²⁶ 8 U.S.C. Sec. 1324a(b)(3) and 8 CFR Sec. 274a.2(b)(2)(i)(A) requires retention for 3 years after the date of the hire or 1 year after the date the individual's employment is terminated, whichever is later.

²⁷ 29 CFR Sec. 1602.39, 1602.41 requires form EEO-5 and records necessary to complete EEO-5 to be maintained for 3 years. 1602.40 lists personnel records that must be kept for 2 years.

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- ²⁸ SC 1123(f)(3) requires teacher performance ratings of “needs improvement” to be retained for 10 years. 22 PA Code Sec. 19.1 requires school entities to establish a “permanent record system” for ratings
- ²⁹ 29 CFR Sec. 825.500(g) requires medical records and documents created for FMLA purposes be maintained as confidential medical records in separate files from the usual personnel files.
- ³⁰ 29 CFR Sec. 825.500(b) requires specified FMLA records to be kept for no less than 3 years.
- ³¹ 43 P.S. Sec. 1321 defines “personnel file” to exclude “letters of reference”.
- ³² 42 Pa. C.S.A. Sec. 5536 states that civil actions regarding construction projects must be commenced within 12 years after completion of the construction.
- ³³ 47 CFR Sec. 54.516 requires school districts who receive federal Universal Service funding through the E-Rate program to retain asset and inventory records of equipment purchased as part of Category 2 services for 10 years after purchase.
- ³⁴ 47 CFR Sec. 54.516 requires school districts who receive federal Universal Service funding through the E-Rate program to retain asset and inventory records of equipment purchased as part of Category 2 services for 10 years after purchase.
- ³⁵ SC 772.2(b)(2) requires each school to maintain detailed records of all chemical pest control treatments for at least 3 years.
- ³⁶ SC 751 and 807.1 require the retention of written price quotations and written records of telephonic price quotations for 3 years; **for federal purchasing under Uniform Guidance, PA Dept. of Education, Division of Federal Programs monitoring requires 6 years.**
- ³⁷ 29 CFR Sec. 1904.33(a) requires the retention of the OSHA incident report forms for 5 years following the end of the calendar year that the records cover.
- ³⁸ Supporting documents would be the materials listed in 22 Pa Code 10.24(g)(1-11.)
- ³⁹ 35 Pa. C.S.A. Sec. 7701(g) requires plan to be reviewed annually and updated as necessary.
- ⁴⁰ 29 CFR Sec. 1910.1020(c)(5) defines “employee exposure records” to include material safety data sheets (MSDS) indicating that the material may pose a hazard to human health. See 29 CFR Sec. 1910.1020(d)(1)(ii) for exceptions and alternate records.
- ⁴¹ Refers to the annual report required by SC 1303-A(b). Historical data is maintained by the state. SC 1307-A also requires school entities to maintain records of all applicable incidents but does not list retention period(s).
- ⁴² SC 518 requires permanent retention of the “minute book” of each district.
- ⁴³ 65 Pa. C.S.A. Sec. 1107(9) requires the retention of financial interest statements for 5 years from date of receipt.
- ⁴⁴ SC 321 requires members to subscribe (in writing) to the oath of office.
- ⁴⁵ **7 CFR Sec. 210.31 sets forth recordkeeping requirements for school wellness policies.**
- ⁴⁶ 22 PA Code Sec. 12.32 requires each district to develop a plan for the collection, maintenance and dissemination of student records.
- ⁴⁷ 49 CFR 382.401 lists applicable retention periods. 49 CFR 382.405 puts limits on release of records.
- ⁴⁸ **49 CFR Sec. 382.701 requires employers to retain for 3 years a record of each query and all information received in response to each query made in the federal Commercial Driver’s License Drug and Alcohol Clearinghouse. As of January 6, 2023, an employer who maintains a valid registration in the Clearinghouse fulfills this requirement.**
- ⁴⁹ 22 Pa. Code Sec. 23.4 lists records required to be kept by local Boards.
- ⁵⁰ 22 Pa. Code Sec. 23.32.
- ⁵¹ 47 CFR Sec. 54.516 requires school districts who receive federal Universal Service funding through the E-Rate program to retain all related documentation for at least 10 years after the last day of service delivered in a particular funding year.

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

800-AR-2. LITIGATION HOLD

When the district receives notice that the district is involved in litigation as a party to a lawsuit, the district is issued a subpoena by a party to a lawsuit in which it is not a party, an investigation concerning the district has commenced or may commence, or the district receives information that would lead a reasonable person to anticipate the possibility of litigation, the district will immediately take steps to ensure that any records and data that could be related to the ongoing litigation/investigation or potential litigation/investigation are preserved from deletion or destruction.

Actions to preserve records and data will include, but not be limited to, postponing or canceling any automatic deletion of electronically stored information until relevant information and documents can be identified and stored, notifying employees of a litigation hold to prevent the deletion and destruction of records and data that might be related to the litigation/investigation or potential litigation/investigation, and identifying records and data that are subject to preservation.

A litigation hold triggers the duty to preserve records and data that could otherwise be deleted or destroyed under the district's Records Management Plan.

The district solicitor(s) will be responsible for issuing a litigation hold that specifically describes the types of records and data that must be preserved and describes how those materials are to be maintained and stored. The litigation hold will be sent directly to the Records Coordinator, who will acknowledge receipt of the litigation hold. The litigation hold may be communicated initially by phone but will be followed by a written notification (fax, email or letter).

The Records Coordinator, in consultation with the district solicitor(s), will decide which records and data are subject to the litigation hold and in which form the records will be retained or produced. The Records Coordinator will be responsible for:

1. Coordinating the collection and preservation of records and data that are subject to the litigation hold.
2. Monitoring and ensuring the district's compliance with the litigation hold.
3. Checking periodically on the status of a litigation hold.

4. Ensuring that all steps taken by the district to identify and preserve relevant records and data are documented.

The solicitor will inform the Records Coordinator of changes as they occur.

Book School District for PNN+
Section 800 Operations
Title Electronic Signatures/Records
Code 800.1 Vol II 2021

Purpose

Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business. The 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 utilized by the district.[\[1\]](#)

Authority

The Board authorizes the use of electronic signatures in place of manual signatures to conduct district 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.[\[1\]](#)

Electronic records filed with or issued by the district shall have the full force and effect of paper records when the requirements of this policy and applicable law and regulations are satisfied.[\[2\]](#)[\[3\]](#)[\[4\]](#)

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

Definitions

Electronic record – any record created, generated, sent, communicated, received, or stored by electronic means.[\[4\]](#)[\[5\]](#)[\[6\]](#)

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 district.[\[5\]](#)[\[6\]](#)

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to direct staff on the parameters for authorized use of electronic signatures related to district programs and operations.

Guidelines

Electronic Recordkeeping

The maintenance of electronic records and signatures by the district shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the district's Records Management Plan.[4][7]

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

The district 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.[8]

The district shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions in their original form.[6][9][10]

Such a system shall allow the district 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.[8]
3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received and stored.[8]

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 district 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:[1][2][11][12]

1. The signing employee is authorized to manually sign the document on behalf of the district.
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 district shall maintain a secure log of each employee authorized to utilize an electronic signature in connection with district business.[4]

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 district.

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 regulation, is not a valid signature. Should an electronic signature be deemed invalid, the Superintendent or designee may require a manual signature.

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

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Legal References

[1. 73 P.S. 2260.101 et seq](#)

[2. 15 U.S.C. 7001 et seq](#)

[3. 73 P.S. 2260.301 et seq](#)

4. Pol. 800

[5. 15 U.S.C. 7006](#)

[6. 73 P.S. 2260.103](#)

7. Pol. 815

[8. 73 P.S. 2260.502](#)

[9. 73 P.S. 2260.305](#)

[10. 73 P.S. 2260.306](#)

[11. 21 P.S. 483.1 et seq](#)

12. Pol. 716

Book	Policy Manual
Section	800 Operations
Title	Electronic Records/Signatures
Code	800.1
Status	Active
Adopted	September 3, 2019

Purpose

Under certain conditions electronic records and signatures satisfy the requirement of a written signature when transacting business. The Lampeter-Strasburg School District wishes to promote effective and efficient use of electronic communications to conduct business. Although all electronic signatures are represented digitally, they can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic records and signatures relating to transactions are dependent on the accompanying processes, supplemental records, and the overall context in which records are created, transferred, signed, and stored. The district adopts the following policy with respect to the use of electronic records and signatures in connection with the transaction of district business.

Definitions

Attribution - an electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.[\[1\]](#)

Electronic Record - any record created, generated, sent, communicated, received or stored by electronic means.

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.

Guidelines

Electronic records created or received by the district shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The district shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the district shall be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the district agrees to accept or send such communication electronically.
2. If a signature is required on the record or communication by any law, rules or other applicable district policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signature

An electronic signature may be used if the law requires a signature unless there is a specific law, regulation or rule of law that requires records to be signed in nonelectronic form. The issuance and/or acceptance of an electronic signature by the district shall be permitted in accordance with the provisions of this policy and all applicable state and federal law. 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:

1. The electronic signature identifies the individual signing the document by his/her name and title.
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail.
3. The electronic signature and the document to which is it affixed cannot be altered once the electronic signature has been affixed.
4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

1. The district shall develop and maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to transactions in their original form. Such system shall include security procedures whereby the district can:
 - a. Verify the attribution of a signature to a specific individual.
 - b. Detect changes or errors in the information contained in a record submitted electronically.
 - c. Protect and prevent access, alteration, manipulation, or use of an unauthorized person.
 - d. Provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.
2. The district shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.
3. The district shall designate individuals who are authorized to utilize an electronic signature in connection with district business and shall require each designated individual to sign a statement of exclusive use.
4. The district shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with district business.

5. The district shall receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.
6. The district shall retain in its records this policy and all statements of exclusive use, until such time as all legally mandated retention requirements are satisfied.

Legal

73 P.S. 2260.101 et seq

15 U.S.C. 7001 et seq

Book	Policy Manual
Section	800 Operations
Title	Public Records
Code	801
Status	Active
Adopted	September 3, 2019

Purpose

The Board recognizes the importance of public records as the record of the district's actions and the repository of information about this district. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative regulations.

Definitions

Financial record - any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; and a financial audit report, excluding the audit's underlying work papers.[\[1\]](#)

Public record - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

Record - information, regardless of physical form or characteristics, that documents a district transaction or activity and is created, received or retained pursuant to law or in connection with a district transaction, business or activity, including: 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.

Response - the district's notice informing a requester of a granting of access to a record or the district's written notice to a requester granting, denying, or partially granting and partially denying access to a requested record.

Requester - a legal resident of the United States, or an agency, who requests access to a record.

Authority

The Board shall make the district's public records available for access and duplication to a requester, in accordance with law, Board policy and administrative regulations.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Delegation of Responsibility

The Board shall designate an Open Records Officer, who shall be responsible to:[\[6\]](#)

1. Receive written requests for access to records submitted to the district.
2. Review and respond to written requests in accordance with law, Board policy and administrative regulations.
3. Direct requests to other appropriate individuals in the district or in another agency.
4. Track the district's progress in responding to requests.
5. Issue interim and final responses to submitted requests.
6. Maintain a log of all record requests and their disposition.
7. Ensure district staff are trained to perform assigned job functions relative to requests for access to records.

Upon receiving a request for access to a record, the Open Records Officer shall:[\[6\]](#)[\[7\]](#)[\[8\]](#)

1. Note the date of receipt on the written request.
2. Compute and note on the written request the day on which the five-day period for response will expire.
3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.

Guidelines

Requesters may access and procure copies of the public records of the district during the regular business hours of the administration offices.[\[5\]](#)

A requester's right of access does not include the right to remove a record from the control or supervision of the Open Records Officer.

The district shall not limit the number of records requested.[\[2\]](#)

When responding to a request for access, the district is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the district does not currently use.[\[9\]](#)

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.[\[10\]](#)[\[11\]](#)[\[12\]](#)

The district shall post at the administration office and on the district's website, if the district maintains a website, the following information:[\[4\]](#)[\[13\]](#)

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or other applicable appeals officer.
3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the district decides to create its own form.
4. Board policy, administrative regulations and procedures governing requests for access to the district's public records.

Request for Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer. [\[4\]](#)[\[13\]](#)[\[14\]](#)

Written requests may be submitted to the district in person, by mail, to a designated facsimile machine, and to a designated email address.

Each request must include the following information: [\[5\]](#)[\[14\]](#)

1. Identification or description of the requested record, in sufficient detail.
2. Medium in which the record is requested.
3. Name and address of the individual to receive the district's response.

The district shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law. [\[14\]](#)

Fees

Except for the duplication fee established by the state, the Board shall approve a list of reasonable fees relative to requests for public records. The district shall maintain a list of applicable fees and disseminate the list to requesters. [\[15\]](#)

No fee may be imposed for review of a record to determine whether the record is subject to access under law. [\[15\]](#)

Prior to granting access, the district may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100. [\[15\]](#)

The Superintendent may waive duplication fees when the requester duplicates the record or the Superintendent deems it is in the public interest to do so. [\[15\]](#)

Response to Request

District employees shall be directed to immediately forward requests for access to public records to the Open Records Officer. [\[6\]](#)[\[16\]](#)

Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the district has possession, custody or control of that record.[\[7\]](#)

The Open Records Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer.[\[7\]](#)

The initial response shall grant access to the requested record; deny access to the requested record; partially grant and partially deny access to the requested record; notify the requester of the need for an extension of time to fully respond; or request more detail from the requester to clearly identify the requested material.

If the district fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.[\[7\]](#)

Extension of Time

If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and an estimate of applicable fees owed when the record becomes available.[\[7\]\[17\]](#)

Up to a thirty-day extension for one (1) of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date.

A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the day following the date specified in the notice if the Open Records Officer has not provided a response by that date.

Granting of Request

If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the administration office, provide electronic access, or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of \$100 and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the district is not required to permit use of its computers.[\[5\]](#)

The Open Records Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the district shall provide access to inspect

the record electronically. If the requester, within thirty (30) days following receipt of the district's notice, submits a written request to have the record converted to paper, the district shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.[\[5\]\[18\]](#)

A public record that the district does not possess but is possessed by a third party with whom the district has contracted to perform a governmental function and which directly relates to that governmental function shall be considered a public record of the district. When the district contracts with such a third party, the district shall require the contractor to agree in writing to comply with requests for such records and to provide the district with the requested record in a timely manner to allow the district to comply with law.[\[19\]](#)

If the Open Records Officer determines that a public record contains information both subject to and not subject to access, the Open Records Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Open Records Officer shall redact from the record the information that is not subject to access. The Open Records Officer shall not deny access to a record if information is able to be redacted.[\[20\]](#)

If the Open Records Officer responds to a requester that a copy of the requested record is available for delivery at the administration office and the requester does not retrieve the record within sixty (60) days of the district's response, the district shall dispose of the copy and retain any fees paid to date.[\[21\]](#)

Notification to Third Parties

When the district produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the district, the person that is the subject of the record, and the requester.[\[22\]](#)

The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information, in accordance with law and administrative regulations.[\[22\]](#)

Denial of Request

If the Open Records Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:[\[7\]\[23\]](#)

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Open Records Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the district.[\[19\]](#)

The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.[\[19\]](#)

Information that is not subject to access and is redacted from a public record shall be deemed a denial.[\[20\]\[23\]](#)

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial.[\[8\]](#)

Legal

- [1. 65 P.S. 67.102](#)
- [2. 65 P.S. 67.302](#)
- [3. 65 P.S. 67.305](#)
- [4. 65 P.S. 67.504](#)
- [5. 65 P.S. 67.701](#)
- [6. 65 P.S. 67.502](#)
- [7. 65 P.S. 67.901](#)
- [8. 65 P.S. 67.1101](#)
- [9. 65 P.S. 67.705](#)
- [10. 42 U.S.C. 12132](#)
- [11. 28 CFR 35.160](#)
- [12. 28 CFR 35.164](#)
- [13. 65 P.S. 67.505](#)
- [14. 65 P.S. 67.703](#)
- [15. 65 P.S. 67.1307](#)
- [16. 65 P.S. 67.702](#)
- [17. 65 P.S. 67.902](#)
- [18. 65 P.S. 67.704](#)
- [19. 65 P.S. 67.506](#)
- [20. 65 P.S. 67.706](#)
- [21. 65 P.S. 67.905](#)
- [22. 65 P.S. 67.707](#)
- [23. 65 P.S. 67.903](#)

24 P.S. 408

24 P.S. 518

42 U.S.C. 12101 et seq

65 P.S. 67.101 et seq

Pol. 800

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

801-AR-0. EXEMPTED RECORDS

To determine if a requested record is exempt from access, the Open Records Officer will consider and apply each exemption separately.

The following records are exempt from public access by a requester in accordance with the Right-To-Know Law.

1. Loss of Funds/Physical Harm/Personal Security - when the disclosure of a record would result in the district's loss of federal or state funds or would reasonably be likely to result in a substantial and demonstrable risk of physical harm to or personal security of an individual.
2. Public Safety - when the disclosure of a record maintained in connection with the military, homeland security, national defense, law enforcement or other public safety activity would reasonably be likely to jeopardize or threaten public safety or public protection activity, or a record that is designated classified by an appropriate federal or state military authority.
3. Safety/Security of Facilities - when the disclosure of a record creates a reasonable likelihood of endangering the safety or physical security of a building, public utility, resource, infrastructure, facility, or information storage system, which may include:
 - a. Documents or data relating to computer hardware; source files; software; and system networks that could jeopardize computer security by exposing a vulnerability in preventing, protecting against, mitigating or responding to a terrorist act.
 - b. Lists of infrastructure, resources and significant special events, including those defined by the federal government in the National Infrastructures Protections, that are deemed critical due to their nature and result from risk analysis; threat assessments; consequences assessments; antiterrorism protective measures and plans; counterterrorism measures and plans; and security needs assessments.
 - c. Building plans or infrastructure records that expose or create vulnerability through disclosure of the location, configuration or security of critical systems, including public utility systems; structural elements; technology; communication; electrical; fire suppression; ventilation; water; wastewater; sewage; and gas systems.
4. Computer Systems - when the disclosure of a record regarding computer hardware, software and networks, including administrative and technical records, would reasonably be likely to jeopardize computer security.

5. Medical Information - when the disclosure of a record of an individual's medical, psychiatric or psychological history or disability status, including an evaluation; consultation; prescription; diagnosis or treatment; results of tests, to include drug tests; enrollment in a health care program or program designed for participation by persons with disabilities, including vocational rehabilitation; workers' compensation and unemployment compensation; or related information would disclose individually identifiable health information.
6. Personal Identification Information - disclosure of the following personal identification information:
 - a. A record containing all or part of an individual's Social Security number; driver's license; driver's license number; personal financial information; home, cellular or personal telephone numbers; personal email addresses; employee number or other confidential personal identification number.
 - b. A spouse's name, marital status, beneficiary or dependent information.
 - c. The home address of a law enforcement officer or judge.

Personal information that must be disclosed includes the name; position; salary; actual compensation or other payments or expenses; employment contract; employment-related contract or agreement; and length of service of a public official or district employee.

The Open Records Officer may redact from a record the name or other identifying information relating to an individual performing an undercover or covert law enforcement activity.

7. Certain Employee Information - disclosure of the following records relating to a district employee:
 - a. A letter of reference or recommendation pertaining to the character or qualifications of an identifiable individual, unless it was prepared in relation to the appointment of an individual to fill a vacancy in an elected office or an appointed office requiring Senate confirmation.
 - b. A performance rating or review.
 - c. The result of a civil service or similar test administered by a Commonwealth agency, legislative agency or judicial agency. The result of a civil service or similar test administered by a local agency shall not be disclosed if restricted by a collective bargaining agreement. Only test scores of individuals who obtained a passing score on a test administered by a local agency may be disclosed.
 - d. The employment application of an individual who is not hired by the district.
 - e. Workplace support services information.

- f. Written criticisms of a district employee.
 - g. Grievance material, including documents related to discrimination or sexual harassment.
 - h. Information regarding discipline, demotion or discharge contained in a personnel file, except information that applies to the district's final action that results in demotion or discharge.
 - i. An academic transcript.
8. Labor Relations/Negotiations/Arbitration - disclosure of a record pertaining to strategy or negotiations relating to labor relations or collective bargaining and related arbitration proceedings. In the case of the arbitration of a dispute or grievance under a collective bargaining agreement, disclosure of an exhibit entered into evidence at an arbitration proceeding or a transcript of the arbitration or the opinion.

This exemption does not apply to a final or executed contract or agreement between the parties in a collective bargaining agreement, or to the final award or order of the arbitrator in a dispute or grievance procedure.

9. Predecisional Drafts - disclosure of the draft of a bill, resolution, regulation, statement of policy, management directive, or ordinance, or their amendments, prepared by or for the district.
10. Predecisional Deliberations -

Disclosure of a record that reflects:

- a. The internal, predecisional deliberations of the district, its Board members, employees or officials, or predecisional deliberations between district Board members, employees or officials and members, employees or officials of another agency, including predecisional deliberations relating to a budget recommendation; legislative proposal; legislative amendment; contemplated or proposed policy or course of action; or any research, memos or other documents used in the predecisional deliberations, subject to law governing open meetings.

Public records do include a record of any of the above that is not exempt from access by law and which is presented to a quorum for deliberation in accordance with law governing open meetings; a written or Internet application or document that has been submitted to request Commonwealth funds; and the results of public opinion surveys, polls, focus groups, marketing research or similar efforts designed to measure public opinion.

- b. The strategy to be used to develop or achieve the successful adoption of a budget, legislative proposal or regulation.

11. Trade Secret/Confidential Proprietary Information - disclosure of a record that constitutes or reveals a trade secret or confidential proprietary information.
12. Personal Notes/Working Papers - disclosure of notes and working papers prepared by or for a district public official or employee used solely for that official's or employee's own personal use, including telephone message slips; routing slips; and other materials that do not have an official purpose.
13. Donor Identity - disclosure of records that would disclose the identity of an individual who lawfully makes a donation to the district, unless the donation is intended for or restricted to providing remuneration or personal tangible benefit to a district public official or employee, including lists of potential donors compiled by the district to pursue donations; donor profile information; or personal identifying information relating to a donor.
14. Unpublished Academic Works - disclosure of unpublished lecture notes, unpublished manuscripts, unpublished articles, creative works in progress, research-related material, and scholarly correspondence of a community college or an institution of the State System of Higher Education or one of their faculty members, employees, guest speakers or students.
15. Academic Records - disclosure of academic transcripts, examinations, examination questions, scoring keys and answers to examinations, including licensing and other examinations relating to the qualifications of an individual; examinations given in district schools; and examinations given in institutions of higher education.
16. Criminal Investigations - disclosure of a record of the district or an agency relating to or resulting in a criminal investigation, including:
 - a. Complaints of potential criminal conduct other than a private criminal complaint.
 - b. Investigative materials, notes, correspondence, videos and reports.
 - c. A record that includes the identity of a confidential source or of a suspect who has not been charged with an offense to whom confidentiality has been promised.
 - d. A record that includes information made confidential by law or court order.
 - e. Victim information, including any information that would jeopardize the safety of a victim.
 - f. A record that if disclosed would reveal the institution, progress or result of a criminal investigation, except the filing of criminal charges; deprive an individual of the right to a fair trial or impartial adjudication; impair the ability to locate a defendant or codefendant; hinder an agency's ability to secure an arrest, prosecution or conviction; or endanger the life or physical safety of an individual.

This exemption does not apply to information contained in a police blotter as defined in law and utilized or maintained by the State Police, local, campus, transit or port authority police department or other law enforcement agency, or in a traffic report except as provided by law.

17. Noncriminal Investigations - disclosure of a district record relating to a noncriminal investigation, including:
 - a. Complaints submitted to the district.
 - b. Investigative materials, notes, correspondence and reports.
 - c. A record that includes the identity of a confidential source, including individuals subject to the Whistleblower Law.
 - d. A record that includes information made confidential by law.
 - e. Work papers underlying an audit.
 - f. A record that if disclosed would reveal the institution, progress or result of a district investigation, except the imposition of a fine or civil penalty; the suspension, modification or revocation of a license, permit, registration, certification or similar authorization issued by an agency or an executed settlement unless the agreement is determined to be confidential by a court; deprive a person of the right to an impartial adjudication; constitute an unwarranted invasion of privacy; hinder an agency's ability to secure an administrative or civil sanction; or endanger the life or physical safety of an individual.
18. Emergency Communications - disclosure of records or parts of records, except time response logs, pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including 911 recordings, unless the agency or a court determines that the public interest in disclosure outweighs the interest in nondisclosure.
19. DNA/RNA - disclosure of DNA and RNA records.
20. Coroner/Medical Examiner - disclosure of specific records and reports of a coroner or medical examiner.
21. Draft Minutes - disclosure of draft minutes of any School Board meeting until the next regularly scheduled Board meeting, minutes of an executive session, and any record of discussions held in executive session.
22. Real Estate Appraisals/Feasibility Studies - disclosure of the contents of real estate appraisals, engineering or feasibility estimates, environmental reviews, audits or evaluations made for or by the district relative to the leasing, acquiring, or disposing of real property or an interest in real property; the purchase of public supplies or equipment included in the real estate transaction; and construction projects.

This exemption does not apply to the documents listed above once the decision is made to proceed with the lease, acquisition or disposal of real property or an interest in real property, the purchase of public supplies, or a construction project.

23. Library Records - disclosure of library and archive circulation and order records of an identifiable individual or groups of individuals.
24. Library/Museum Materials - disclosure of library archived and museum materials or valuable or rare book collections or documents contributed by gift, grant, bequest or devise, to the extent of any limitations imposed by the donor as a condition of the contribution.
25. Archeological Site/Endangered Species - disclosure of a record identifying the location of an archeological site or an endangered or threatened plant or animal species if not already known to the general public.
26. Pre-Contract Award Documents - disclosure of a proposal pertaining to district procurement or disposal of supplies, service or construction prior to the award of the contract or prior to the opening and rejection of all bids; financial information of a bidder or offerer requested in an invitation for bid or request for proposals to demonstrate the bidder's or offerer's economic capability; or the identity of members, notes and other records of district proposal evaluation committees established under law relating to competitive sealed proposals.
27. Insurance Communications - disclosure of a record or information relating to a communication between the district and its insurance carrier, administrative service organization or risk management office.

This exemption does not apply to a contract with an insurance carrier, administrative service organization or risk management office, or to financial records relating to the provision of insurance.

28. Social Services - disclosure of a record or information identifying an individual who applies for or receives social services, the type of social services received by an individual, an individual's application to receive social services, or eligibility to receive social services.
29. General Assembly Correspondence - disclosure of correspondence between an individual and member of the General Assembly and records accompanying the correspondence that would identify an individual requesting assistance or constituent services, except for correspondence between a member of the General Assembly and a principal or lobbyist under law.
30. Minors - disclosure of a record identifying the name, home address or date of birth of a child seventeen (17) years of age or younger.

Financial Records

The listed exemptions do not apply to financial records, except that the Open Records Officer shall redact the portions of a financial record protected under exemptions 1, 2, 3, 4, 5, 6, 16 or 17.

Aggregated Data

The listed exemptions do not apply to aggregated data maintained or received by the district, except for data protected under exemptions 1, 2, 3, 4 or 5.

Law Enforcement Activity

The Open Records Officer will not disclose the identity of an individual performing an undercover or covert law enforcement activity.

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

801-AR-1. DISCLOSURE/PRODUCTION OF CERTAIN RECORDS

The Open Records Officer will respond as promptly as possible under the circumstances to a request for access to a public record.

The Open Records Officer will forward copies of the district's written responses to records requests to the Superintendent.

Extension Of Time

Upon receipt of a written request for access, the Open Records Officer will determine if any one (1) of the following applies:

1. Redaction - the request for access requires redaction of a record.
2. Retrieval Time/Remote Storage - the request for access requires retrieval of a record stored in a remote location.
3. Staffing Limitations - a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations.
4. Legal Review - a legal review is necessary to determine whether the requested record is a public record subject to access.
5. Lack of Policy Compliance - the requester has not complied with the Board policy governing access to public records.
6. Failure to Pay Fees - the requester refuses to pay applicable, established fees.
7. Nature of Request - the extent or nature of the request precludes a response within the required time period.

If the Open Records Officer determines that an extension of time is required to respond to a records request, the requester will be notified in writing, in accordance with law and Board policy.

Certified Copies

If the Open Records Officer grants a request for access to a record and the requester requests a certified copy of the record for the purpose of legally verifying the public record, the Open Records Officer will provide a certified copy upon payment of the applicable, established fees by the requester.

District Does Not Possess Record

A request for a public record that the district does not possess but is possessed by a third party with whom the district has contracted to perform a governmental function and which relates directly to that governmental function must be submitted to the district's Open Records Officer.

If the Open Records Officer determines that the requested record is subject to public access, the Open Records Officer will respond and grant access in accordance with law, Board policy and administrative regulations.

The requester will pay the established duplication fee.

If the third party that possessed the requested public record duplicated the record in response to the request, the Open Records Officer will remit the fee to the third party.

The third party is not required to provide access to any other of its records.

Transcripts Of Administrative Proceedings

Prior to an adjudication becoming final, binding and nonappealable, a transcript of an administrative proceeding will be provided to a requester by the proceeding's stenographer.

To request access to a pre-final adjudication transcript possessed by a stenographer that is subject to disclosure, the requester must directly contact the stenographer and pay the fees assessed by the stenographer.

After an adjudication becomes final, binding and nonappealable, a transcript of an administrative proceeding will be provided to a requester, and the established duplication fee will be charged.

Trade Secrets/Confidential Proprietary Information

When a third party provides a record to the district and includes a written statement signed by its representative that the record contains a trade secret or confidential proprietary information, the Open Records Officer will notify that third party of a request for access to that record.

Trade secret is defined as information, including a formula; drawing; pattern; compilation such as a customer list; program; device; method; technique; or process that derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its

disclosure or use and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The term includes data processing software obtained by the district under a licensing agreement prohibiting disclosure.

Confidential proprietary information is defined as commercial or financial information that is privileged or confidential and the disclosure of which would cause substantial harm to the competitive position of the individual that submitted the information.

The Open Records Officer will provide notice within five (5) business days of receipt of the request. The third party will have five (5) business days from receipt of the Open Records Officer's notice to provide input on the release of the requested record.

The Open Records Officer will provide access to the record or will deny the request for access within ten (10) business days of providing notice to the third party and will notify the third party of the Open Records Officer's decision.

Computer Access

The Open Records Officer will not grant requests for access to the district's or its employees' computers.

Discretionary Access

The Open Records Officer may exercise discretion and make an otherwise exempt record accessible in response to a request.

The exempted record will be made accessible for access and duplication, in accordance with law and Board policy, if all of the following apply:

1. Disclosure of the record is not prohibited by federal or state law or regulation, or by judicial order or decree.
2. The record is not protected by privilege, to include the attorney-work product doctrine; attorney-client privilege; doctor-patient privilege; speech and debate privilege; or other privilege recognized by a relevant court.
3. The Superintendent determines that the public interest favoring access outweighs any individual, district or public interest that may favor restriction of access.

Appeal Of Denial Of Access

A requester who is denied access to a requested record by the district will write to the Office of Open Records, 400 N Street, Harrisburg, PA, 17120, and mark the envelope Right-To-Know Appeal.

LAMPETER-STRASBURG SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

801-AR-2. FEES FOR PUBLIC RECORDS REQUESTS

The district will not charge a fee for the Open Records Officer's review of a record to determine if the requested record is a public record subject to access under law, Board policy and administrative regulations.

The Open Records Officer will ensure that the district establishes, maintains and disseminates a current list of reasonable fees that requesters must pay in order to receive access to a requested record.

The district's established list of reasonable fees applicable to records requests will comply with the following restrictions:

1. Postage – fees will not exceed the actual mailing cost.
2. Duplication – fees for photocopying, printing from electronic media or microfilm, copying onto electronic media, transmission by facsimile or other electronic means, and other methods of duplication.

Duplication fees will be established and reviewed biannually by the Office of Open Records.

Duplication fees will be charged for a request by an individual employed by or connected with a newspaper or magazine of general circulation, weekly publication, press association, or radio or television station when the purpose of the request is obtaining information for publication or broadcast, and for a request by a nonprofit organization for the conduct of educational research.

3. Complex and Extensive Data Sets – fees for copying based on the reasonable market value of the same or closely related sets and include geographic information systems and integrated property assessment lists.

These fees do not apply to a request by an individual employed by or connected with a newspaper or magazine of general circulation, weekly publication, press association, or radio or television station when the purpose of the request is obtaining information for publication or broadcast, and for a request by a nonprofit organization for the conduct of educational research.

4. Certification – fees for official certification of copies if the certification is for the purpose of legally verifying a public record and is requested by the requester.
5. Conversion to Paper – duplication fees for a record maintained only electronically or in other nonpaper media will be limited to the lesser of either the fee for duplication on paper or in the original media, unless the requester specifically requests that the record be duplicated in the more expensive medium.
6. Enhanced Electronic Access – fees for providing enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a requester.

These fees may be a flat-rate fee, a subscription fee for a period of time, per-transaction fee, a fee based on the cumulative time of system access, any other reasonable method, or a combination of these.

These fees must be reasonable; may not be established with the intent or effect of excluding individuals from access to records or their duplicates or of creating a profit for the district; and must be approved by the Office of Open Records.

Except as provided by law, no other fees may be imposed unless the district necessarily incurs costs for complying with a request for a public record, and then such fees must be reasonable.

Office of Open Records – Official RTKL Fee Schedule

Updated December 30, 2022

Record Type / Delivery Method	Fee
Black & White Copies (first 1,000)	Up to \$.25 per copy.
Black & White Copies (beyond 1,000)	Up to \$.20 per copy. ¹
Color Copies	Up to \$.50 per copy. ²
Specialized Documents ³	Up to actual cost.
Records Delivered via Email	No additional fee may be imposed. ⁴
CD / DVD	Up to actual cost, not to exceed \$1.00 per disc.
Flash Drive	Up to actual cost.
Facsimile	Up to actual cost. ⁵
Other Media	Up to actual cost.
Redaction	No additional fee may be imposed. ⁶
Conversion to Paper	Up to \$.25 per page. ⁷
Photographing a Record	No additional fee may be imposed. ⁸
Postage	Up to actual cost of USPS first-class postage.
Certification of a Record	Up to \$5.00 per record. ⁹

¹ A “copy” is either a single-sided copy, or one side of a double-sided copy, on 8.5”x11” or 8.5”x14” paper.

² A “copy” is either a single-sided copy, or one side of a double-sided copy, on 8.5”x11” or 8.5”x14” paper. Note that a requester may ask for black and white copies even if the original is in color and color copies are available.

³ Including, but not necessarily limited to, non-standard sized documents and blueprints.

⁴ If a requester asks to receive records which require redactions in electronic format and the agency is unable to securely redact the records by electronic means, an agency may print the records to provide for secure redaction, then scan them in for delivery by email. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁵ If an agency must print records to send them by facsimile, the agency may charge the fees noted above for B&W copies.

⁶ If a requester seeks records requiring redaction and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁷ If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media, unless the requester specifically requests for the record to be duplicated in the more expensive medium. *See § 1307(d)*.

⁸ This assumes the requester is using his or her own camera, such as a cellphone camera, to photograph the records. *See Muenz v. Township of Reserve, OOR Dkt. AP 2015-1021, 2015 PA O.O.R.D. LEXIS 1176*. If redaction is required prior to the requester being granted access to photograph records and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁹ Under the RTKL, an agency may impose “reasonable fees for official certification of copies if the certification is at the behest of the requester and for the purpose of legally verifying the public record.” The OOR recommends no more than \$5 per record to certify a public record. Certification fees do not include notarization fees.

Additional Notes

Fees May Be Waived: All fees established herein may be waived at the discretion of the agency.

Medium Requested: A record being provided to a requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. *See § 701.*

Other Statutory Fees: If a statute other than the RTKL governs the amount an agency may charge for a certain type of record, the other statute controls. For example, a Recorder of Deeds may charge a copy fee of 50 cents per uncertified page and \$1.50 per certified page (42 P.S. § 21051). Police departments may charge up to \$15 for a copy of a vehicle accident report (75 Pa.C.S. §3751 (b)(2)); the Philadelphia Police Department may charge up to \$25 per copy (Id. at (b)(3)). State police are authorized to charge “\$5 for each copy of the Pennsylvania State Police full report of investigation.” (75 Pa.C.S. §1956(b)). Other examples include the History Code, the Municipalities Planning Code, and the Criminal History Record Information Act.

Inspection of Redacted Records: If a requester wishes to inspect, rather than receive copies of, records which contain both public and non-public information, the agency may redact the non-public information. An agency may not charge the requester for the redaction itself. However, an agency may charge (in accordance with the OOR’s Official Fee Schedule) for any copies it must make in order to securely redact the material before allowing the requester to view the records. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee may be charged.

Enhanced Electronic Access: If an agency offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the agency may establish user fees specifically for the provision of the enhanced electronic access. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access, or any other reasonable method and any combination thereof. Such fees shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency. **NOTE: Fees for enhanced electronic access must be reasonable and must be pre-approved by the OOR. Please [submit enhanced electronic access fee requests to the OOR](#).**

Fee Limitations: Except as otherwise provided by statute, the RTKL states that no other fees may be imposed unless the agency necessarily incurs costs for complying with the request, and such fees must be reasonable. No fee may be imposed for an agency’s review of a record to determine whether the record is a public record subject to access under the RTKL. No fee may be charged for searching for or retrieval of documents. An agency may not charge staff time or salary for complying with a RTK request. No fee may be charged for an agency’s response letter.

Prepayment: Prior to granting a request for access in accordance with the RTKL, an agency may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100. Once a request is fulfilled and prepared for release, the OOR recommends that an agency obtain payment prior to releasing the records.

Questions: If you have any questions regarding the OOR’s Official Fee Schedule, please [contact the OOR](#) (email: openrecords@pa.gov, telephone: 717-346-9903).