



VALLEY FORGE
PUBLIC SERVICE ACADEMY
CHARTER SCHOOL

EXHIBIT 13 – Records Management Policy

Book Policy: Manual

Section: 6000 Operations

Title: Records Management

Code: 6000

Status: Active

Adopted: February 17, 2020

Last Revised: September 24th, 2025

Purpose

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

Authority

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

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

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

The Board directs Charter School staff to provide the chartering school district(s) with ongoing access to Charter School records for the purpose of Charter School oversight, upon request, and

in accordance with applicable laws and regulations. Such records include, but are not limited to, financial records, aggregated student assessment data, personnel records and Board records. Charter School staff shall provide access or copies of records within a reasonable period of time.[6][7][8][9]

The Charter School shall make the following records available in paper or electronic format, upon request by a student's school district of residence:

1. A copy of the written Charter.
2. A copy of all annual reports prepared by the Charter School.
3. A list of all students enrolled in the Charter School from the requesting school district.

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 Charter School and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the Charter School. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.[10]

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

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

Delegation of Responsibility

Records Coordinator

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

The Records Coordinator shall be responsible to:

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

3. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually.

Records Management Committee

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

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

1. Records Coordinator.
2. Chief Executive Officer.
3. Board Secretary.
4. Solicitor.
5. Technology Director or designee.

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

Guidelines

Records Management Plan

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

The Records Management Plan shall include:

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

f. In what format the records will be collected.

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

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

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

Manual Records

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

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

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

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

Electronic Records

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

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

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

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

Email Records

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

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

Email messages and attachments that do not meet the definition of records shall be deleted annually. Email records may be maintained as an electronic record or be printed and maintained as a manual record.

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

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

Contractors

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

The Charter School has a comprehensive **Records Management Plan** that governs how all records are created, maintained, stored, retrieved, and disposed of in compliance with federal and state laws, including the **Family Educational Rights and Privacy Act (FERPA)**.

All student education records whether in paper or electronic form are indexed and stored securely in accordance with the school's Records Retention Schedule. The **Chief Executive Officer serves as the Records Coordinator** and oversees a Records Management Committee that meets annually to review procedures, retention periods, and security measures. Staff receive training on identifying, handling, and protecting records, as well as specific protocols in the event of a litigation hold or other special circumstances.

The Charter School ensures that access to student records is limited to authorized staff and officials with a legitimate educational interest. Any release of education records or personally identifiable information is carefully reviewed to ensure compliance with FERPA's consent and disclosure requirements. When records are requested under public access laws, such as the Right-to-Know Law, the **Open Records Officer** works closely with the Records Coordinator to ensure that any student information protected by FERPA is redacted or withheld prior to release.

The school also maintains a clear process for parents and eligible students to inspect and review education records upon request. Requests are documented, tracked, and responded to within the timeframes required by FERPA. Parents and eligible students are notified annually of their FERPA rights, including the right to request amendments to records they believe are inaccurate or misleading, and the procedure to file complaints.

Through these coordinated policies and procedures, the Charter School maintains accurate, secure records while disseminating information in a manner that fully complies with FERPA's privacy protections.

Book Policy Manual

Section: 6000 Operations

Title: Public Records

Code: 6001

Status: Active

Adopted: January 25, 2024

Purpose

The Board of Trustees (Board) recognizes the importance of public records as the record of the Charter School's actions and the repository of information about this Charter School. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative procedures.^{[1][2]}

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 Charter School transaction or activity and is created, received or retained pursuant to law or in connection with a Charter School 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 Charter School's notice informing a requester of a granting of access to a record or the Charter School'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 Charter School's public records available for access and duplication to a requester, in accordance with law, Board policy and administrative procedures.^{[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 Charter School.
2. Review and respond to written requests in accordance with law, Board policy and administrative procedures.
3. Direct requests to other appropriate individuals in the Charter School or in another agency.
4. Track the Charter School'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 Charter School 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 Charter School during the regular business hours of the administration office.^[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 Charter School shall not limit the number of records requested.^[2]

When responding to a request for access, the Charter School 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 Charter School 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 Charter School shall post the following information at the administration office and on the Charter School's website:[4][13]

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or another 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 Charter School decides to create its own form.
4. Board policy and administrative procedures governing requests for access to the Charter School'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 Charter School 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 Charter School's response.

The Charter School 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 fees established by the state, the Board shall approve a list of reasonable fees relative to requests for public records. The Charter School 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 Charter School may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.^[15]

The Chief Executive Officer or designee may waive duplication fees when the requester duplicates the record or the Chief Executive Officer or designee deems it is in the public interest to do so.^[15]

Response to Request

Charter School 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 Charter School has possession, custody or control of that record.^[8]

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.^[8]

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 Charter School fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.^[8]

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 the 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.^{[8][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 Charter School 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 Charter School shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the Charter School's notice, submits a written request to have the record converted to paper, the Charter School 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 Charter School does not possess but is possessed by a third party with whom the Charter School has contracted to perform a governmental function and which directly relates to that governmental function shall be considered a public record of the Charter School. When the Charter School contracts with such a third party, the Charter School shall require the contractor to agree in writing to comply with requests for such records and to provide the Charter School with the requested record in a timely manner to allow the Charter School 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 Charter School's response, the Charter School shall dispose of the copy and retain any fees paid to date.[21]

Notification to Third Parties

When the Charter School 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 Charter School, 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 procedures.[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:[8][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 Charter School.^[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.^[7]

