

**State Board of Career Colleges and Schools**  
**Confidential Personal Information Policy**

Effective December 1, 2009

**I. General Policy**

Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this contained below is a list of valid reasons, directly related to the State Board of Career Colleges and Schools' ("SBCCS") exercise of its powers or duties, for which only employees of the agency may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the agency to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) Licensure [or permit, eligibility, filing, etc.] processes;
- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
- (14) Complying with an executive order or policy;
- (15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or
- (16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the SBCCS, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees or contractors conducting investigations or onsite school reviews may review CPI of individuals who are subject to investigation for alleged misconduct that may result in school discipline. Such employees or contractors may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by such employees, contractors, and members of the SBBCS in investigative matters that become the subject of administrative hearings.

## II. Confidential Personal Information Logging Policy

Each employee of the State Board of Career Colleges and Schools ("SBCCS") who accesses or directs another employee of SBCCS to access confidential personal information (CPI) from a personal information system shall record that specific access whenever it is directed toward a specifically-named individual or a group of specifically-named individuals. Each employee covered by this policy shall record such access in the appropriate CPI Log maintained for the SBCCS's personal information systems governed by this Policy.

Consistent with section 1347.15 of the Revised Code, access to CPI that occurs as a result of a request of the person whose information is being accessed is not required to be logged. Specifically access to information in SBCCS' Student Records Database that results from a request of a person seeking information about their personal student records and/or by a verification entity as authorized by that person, is not required to be logged. Also, access to CPI that is not targeted to a specifically named individual or a group of specifically named individuals is not required to be recorded.

**"Personal Information System":** For the purposes of this Policy, a personal information system is a system of record that contains all of the following attributes:

1. It is a group or collection of records that are kept in an organized manner in either electronic or paper formats. (See the definition of "system" in ORC 1347.01(F))
2. It contains "personal information" which is a person's name or other identifier (such as SSN or driver's license number) associated with any information that describes anything about a person or indicates that a person possesses certain

personal characteristics. (See the definition of "personal information" in ORC 1347.01(E))

3. Personal information is retrieved from the system by name or other identifier. (See the definition of "system" in ORC 1347.01(F))

4. The agency has ownership of, control over, responsibility for, or accountability for that system of record. (See the definition of "maintains" in ORC 1347.01(D))

To the best of our knowledge, this Policy applies to the following SBCCS' personal information systems: **Student Records Database**

The remainder of SBCCS's information systems are exempted from the application of this Policy as the information contained within such systems do not meet the above definition of CPI and/or such systems are specifically exempted from the application of ORC 1347.15 under ORC 1347.15(F), ORC 1347.04(A)(1)(d) and/or ORC 1347.04(A)(1)(e).

**"Confidential Personal Information"** for the purposes of this policy is personal information that the law prohibits the agency from releasing. Examples of personal information that fall within the scope of CPI collected and maintained by the Office include:

- Social Security Numbers;
- Student Transcripts;
- Student Financial Aid Information

**"Access,"** for the purposes of this policy, means the retrieval of confidential personal information from a personal information system by name or personal identifier so that CPI is viewed, or so that CPI is copied or retained outside of the personal information system.

### **Managing and Retaining the Logs**

The access logs created pursuant to the Policy shall be secured daily in the offices of the respective employees accessing any such information. Access logs shall be retained by SBCCS pursuant to the Department of Administrative Services ("DAS") General Retention Schedule No. IT-OP-07 for "System Users Access Records" until they are no longer of administrative value, and then destroyed. For the purpose of this Policy, "administrative value" shall be defined as an audit cycle (2 years), or longer if there is a possibility of litigation related to SBCCS' employee access to CPI.