

Pacific Crest Youth Arts Organization

Board of Directors Confidentiality Statement & Policy

Board of Directors

**Pacific Crest Youth Arts Organization
Record Retention and Destruction Policy**

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I. General

The Board of Directors have established a Policy that defines PCYAO's expectations and directives on Confidentiality. Directors, Officers and members of the Advisory Board, as well as those identified as "Interested Party" (as identified by the Board), shall annually be required to review and sign a Statement of Compliance that contains agreement and adherence with Board policy on Confidentiality.

II. Policy

Members of the Board of Directors, its Officers, members of the Advisory Board and Board identified Interested Parties, have an ethical and legal obligation to respect the privacy of members, families, board, committee, volunteers, staff and all other directly involved persons, information and actions. The following detail of policy reflect what the annual Statement of Compliance refers to as the Confidentiality Agreement.

1. Meetings: From time to time Board and Committee members, volunteers and or PCYAO employees, representatives and Interested Parties, may attend meetings or engage in other activities where sensitive and confidential information is discussed or presented in writing or verbally. Confidential information means any information or material that is proprietary to or that is not generally known, outside of PCYAO. Confidential information includes, but is not limited to: information about PCYAO's finances, fundraising, special initiatives, operating plans, investment management, information about membership, personnel matters, internal discussions, future forecasts for growth, and other information that may be deemed proprietary.
2. Votes: Board votes on particular matters may be conveyed when the sharing of such information is helpful in communicating the board's positions or concerns. On voice votes, no member shall suggest or imply the vote of another member.
3. Executive Session: Executive Session minutes are subject to the organization policy on Executive Session and are not published, copied or otherwise disclosed either to the membership or the general public. However, if specific actions are taken in Executive Session, in which outcomes of such discussion have direct bearing on membership, whole board action, change in policy or a contested issue where an opinion or directive is sought, the board shall memorialize such actions in full and open sessions of the board, in ways that provide clear record of such action, while respecting the confidential nature of the discussion.
4. All Student Information.
5. Home Contact Information: the home postal and e-mail addresses, phone and fax numbers and non-professional contact information of Board members, committee members, volunteer and staff members, donors or professional contacts will not be given out to any individual or organization without the expressed permission of the person affected. However, a current and updated list of contacts, with the individuals preferred professional contact information, limited to what that individual prefers to release, will be made available and kept updated, for internal use within the organization, and with consent of individual, may be published in a public forum, electronically or otherwise, as is directed and approved for such use.

6. Disclosure: PCYAO complies with both the letter and spirit of all public disclosure requirements including the open availability of its Form 990 tax return, in compliance with state and Federal regulations.

This confidentiality policy shall not be constructed in any manner to prevent PCYAO from disclosing information to tax authorities, other government agencies, the courts having regulatory control or jurisdiction over this organization. In addition, PCYAO's auditors, legal counsel and other contractors who are authorized to review records as required for the purposes for which they are engaged.

This Confidentiality Policy establishes that any confidential information discussed, heard or transcribed will not be released, copied, modified, discussed or shared in any manner, with any individual outside the current PCYAO Board, and/or concerned members.

III. Procedure and Remedy

1. If a breach or substantial suspicion of a breach of Confidentiality is identified, then the party(s) involved will be notified by Board President or his/her designee. The President or his/her designee will determine if a relevant breach has occurred.
2. After all material facts and discussion with involved parties, a formal presentation of facts will be made to the Board.
3. Determined Violation of Confidentiality
 - a. If the Board has reasonable cause to believe a Party has breached the Confidentiality Policy it shall inform, in writing, said party of the basis for such belief and afford the member an opportunity to explain the alleged incident in person or in writing.
 - b. If, after receiving a response and after making further investigation as warranted by the circumstances, the Board determines the party has intentionally breached this policy, with or without malice of intent, it shall take appropriate disciplinary and corrective actions including, but not restricted to, demanding immediate resignation, formal order to cease and desist, and/or determine a more substantial consequence as appropriate to result of such breach.
 - c. Such actions and findings, as well as record of process, will be documented in the minutes of the Board.