

Policy 1340: Access To District Records

Status: DRAFT

Original Adopted Date: 04/01/2008 | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 09/18/2018

The Governing Board recognizes the right of ~~citizens~~ **members of the public** to have access to public records of the district. ~~The Board intends the district to~~ **shall** provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of ~~state and federal law~~. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

The district may charge for copies of public records or other materials requested by individuals or groups, **unless they are using their own personal equipment to reproduce the record**. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

5 CCR 430-438	Individual student records
CA Constitution Article 1, Section 3	Right of access to governmental information - https://simbli.eboardsolutions.com/SU/0NOFGS6OZ4XNZAAQ8paFRA==
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 35145	Public meetings
Ed. Code 35170	Authority to secure copyrights
Ed. Code 35250	Duty to keep certain records and reports
Ed. Code 41020	Requirement for annual audit
Ed. Code 42103	Publication of proposed budget; hearing
Ed. Code 44031	Personnel file contents and inspections
Ed. Code 44839	Medical certificates; periodic medical examination
Ed. Code 49060-49079	Student records
Ed. Code 49091.10	Parental review of curriculum and instruction
Gov. Code 3547	Proposals relating to representation
Gov. Code 53262	Employment contracts
Gov. Code 54957.2	Minute book record of closed sessions
Gov. Code 54957.5	Agendas and other writings distributed for discussion or consideration
Gov. Code 6250-6270	California Public Records Act
Gov. Code 6275-6276.48	California Public Records Act; other exemptions from disclosure
Gov. Code 81008	Political Reform Act, public records; inspection and reproduction

Gov. Code 8310.3

California Religious Freedom Act

Management Resources References

Description

Attorney General Opinion

64 Ops.Cal.Atty.Gen. 186 (1981)

Attorney General Opinion

71 Ops.Cal.Atty.Gen. 235 (1988)

CA Office of the Attorney General Publication

Promoting a Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues Apr 18

CA Office of the Attorney General Publication

California Department of Justice Guidelines for Access to Public Records, October 2017

Court Decision

Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440

Court Decision

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

Court Decision

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Court Decision

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Court Decision

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

Court Decision

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Court Decision

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

Court Decision

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

CSBA Publication

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

League of California Cities Publication

The People's Business: A Guide to the California Public Records Act, rev. April 2017

Website

League of California Cities - <https://simbli.eboardsolutions.com/SU/TUf8jshHeiQslshKJpHe2qEtug==>

Website

State Bar of California - <https://simbli.eboardsolutions.com/SU/HeXYVIVNHfX4izN0mRp2fg==>

Website

California Office of the Attorney General - <https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Website

CSBA - <https://simbli.eboardsolutions.com/SU/W3Qxkk2FPsDsQBnMIENxGg==>

Cross References

Description

0400

Comprehensive Plans - <https://simbli.eboardsolutions.com/SU/5plusfKUn3aL8gJu7D0hZoQ9A==>

0420

School Plans/Site Councils - <https://simbli.eboardsolutions.com/SU/DyK0YaDQplusW63SpOOgvT99g==>

0420

School Plans/Site Councils - <https://simbli.eboardsolutions.com/SU/ELwFdqqM1dlmLodslshc59CTg==>

0440

District Technology Plan - <https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==>

0440

District Technology Plan - <https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==>

0450

Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==>

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfzqzV1MmtaRBg==>

0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/Oa8UxEDuhq6BH2zsd274XA==>

0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/8eaD94eHfiVAA8KyIGLOhw==>

1100 Communication With The Public -
<https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==>

1112 Media Relations -
<https://simbli.eboardsolutions.com/SU/3IHEaJYmsnDktqG0qiC94Q==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==>

1113-E(1) District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==>

1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==>

1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/tHSbWzMDkTpvVHIUIA5KQ==>

1312.4 Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/4nKsf7OqCyf78FQ5NpVbbA==>

1312.4-E(1) Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/Vouz1byLBrdGQklvsFslshGfg==>

2121 Superintendent's Contract -
<https://simbli.eboardsolutions.com/SU/3jnAT52i7xoxtslshnloobqpg==>

3100 Budget - <https://simbli.eboardsolutions.com/SU/LAXsliS005BXIXyCf1Nf6A==>

3100 Budget - <https://simbli.eboardsolutions.com/SU/0Em4vjDpAKIGfnem14N1VA==>

3230 Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/U7QTeU9Soli935xKxaXdplusQ==>

3230 Federal Grant Funds -
<https://simbli.eboardsolutions.com/SU/Oh3eMwsYd7zIFD5OxF2rsg==>

3311 Bids - <https://simbli.eboardsolutions.com/SU/4rOhsyLofrigJRhzplusINOMg==>

3311 Bids - <https://simbli.eboardsolutions.com/SU/9Yfp9XgBK9CvZxdp5LHYFg==>

3312 Contracts - <https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==>

3320 Claims And Actions Against The District -
<https://simbli.eboardsolutions.com/SU/uCWIR11RDy6p03LxKpKPCw==>

3320 Claims And Actions Against The District -
<https://simbli.eboardsolutions.com/SU/Qrp22NVkslshfb8KJT8vxFvVg==>

3460 Financial Reports And Accountability -
<https://simbli.eboardsolutions.com/SU/ZZKplusS3He9zslshfzmUKeOe4slshQ==>

3460 Financial Reports And Accountability -
<https://simbli.eboardsolutions.com/SU/URScodNCGtnDxTzhVq1RCw==>

3514.2 Integrated Pest Management -
<https://simbli.eboardsolutions.com/SU/W2Yj24ilN4UhsLshQ1VklYZmQ==>

3516 Emergencies And Disaster Preparedness Plan -
<https://simbli.eboardsolutions.com/SU/dOrqkL6zGeHD5I2pKwHzwA==>

3516 Emergencies And Disaster Preparedness Plan -
<https://simbli.eboardsolutions.com/SU/MA2DL2Mnc9xXhOn6dxxRIA==>

3543 Transportation Safety And Emergencies -
<https://simbli.eboardsolutions.com/SU/3h3co6oeaQVFPUwobu8KQA==>

3550 Food Service/Child Nutrition Program -
<https://simbli.eboardsolutions.com/SU/8PD4MufjPOdleCs1QuQQ3Q==>

3550 Food Service/Child Nutrition Program -
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3551 Food Service Operations/Cafeteria Fund -
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3551 Food Service Operations/Cafeteria Fund -
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3553 Free And Reduced Price Meals -
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3580 District Records -
<https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==>

4040 Employee Use Of Technology -
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4040-E(1) Employee Use Of Technology -
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4112.5 Criminal Record Check -
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4112.6 Personnel Files -
<https://simbli.eboardsolutions.com/SU/ZbKyC91DY3CsgslshTWWChauQ==>

4119.42-E(1) Exposure Control Plan For Bloodborne Pathogens -
<https://simbli.eboardsolutions.com/SU/nwgsduSvv7hZn4b4C22Sdw==>

4140 Bargaining Units -
<https://simbli.eboardsolutions.com/SU/Me9RciM9hArmlwaa2ObDsQ==>

4154 Health And Welfare Benefits -
<https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==>

4154 Health And Welfare Benefits -
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4212.5 Criminal Record Check -
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4212.6 Personnel Files -
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4219.42-E(1) Exposure Control Plan for Bloodborne Pathogens -
<https://simbli.eboardsolutions.com/SU/I0CS8XxwoZ1xrnJ1vkVpNg==>

4240 Bargaining Units -
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4254 Health And Welfare Benefits -
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4254 Health And Welfare Benefits -
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4312.1 Contracts -
<https://simbli.eboardsolutions.com/SU/ShpXI3Yv7zBIJplusQVAdpg==>

4312.6 Personnel Files -
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4319.42-E(1) Exposure Control Plan for Bloodborne Pathogens -
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4340 Bargaining Units -
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4354 Health And Welfare Benefits -
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<https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYIspgiSrg==>

5020 Parent Rights And Responsibilities -
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5020 Parent Rights And Responsibilities -
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5125 Student Records -
<https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmq==>

5125 Student Records -
<https://simbli.eboardsolutions.com/SU/Arf4IGHplusjQnGslsh3Sd1slshP0Hw==>

5125.1 Release Of Directory Information -
<https://simbli.eboardsolutions.com/SU/OgZNdnsk7slshO1pm7w6dgQMw==>

5125.1 Release Of Directory Information -
<https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==>

5125.1-E(1) Release Of Directory Information -
<https://simbli.eboardsolutions.com/SU/OLSr2W5pluszBu048bHf3MxfQ==>

5125.3 Challenging Student Records -
<https://simbli.eboardsolutions.com/SU/ERUTslsh4dXbbsPkTv6T4WK6A==>

5141.6 School Health Services -
<https://simbli.eboardsolutions.com/SU/PHI14K6HGZLv1uutyHg3Cg==>

5141.6 School Health Services -
<https://simbli.eboardsolutions.com/SU/IDF5UhA2UC1W84kOoddjldg==>

5145.13 Response To Immigration Enforcement -
<https://simbli.eboardsolutions.com/SU/gLr7slshhPFSiLdMymMnKUslshdgm==>

5145.13 Response To Immigration Enforcement -
<https://simbli.eboardsolutions.com/SU/ZNjPWs0Z3YmduSxQEj5x9g==>

6161.1 Selection And Evaluation Of Instructional Materials -
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6161.1 Selection And Evaluation Of Instructional Materials -
<https://simbli.eboardsolutions.com/SU/36O7I0MprITMVXSH2aUCslshA==>

6161.1-E(1) Selection And Evaluation Of Instructional Materials -
<https://simbli.eboardsolutions.com/SU/b9DR42M1EdCANrzwKB7O8g==>

6162.5 Student Assessment -
<https://simbli.eboardsolutions.com/SU/O1pOcHMRQnwXK2yNAfbMyg==>

6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/NUVRB6a69j7omFVQPA0iVw==>

6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/DvplusGs1o9QPJTzyqtV9Jopw==>

6163.1 Library Media Centers -
<https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==>

7110 Facilities Master Plan -
<https://simbli.eboardsolutions.com/SU/LplusUljchhmiKrmYftUrSrxg==>

7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/RuWplR0Hyg9zd1a1uLplusJg==>

7214 General Obligation Bonds -
<https://simbli.eboardsolutions.com/SU/5H9WP4YrKfWbYiJpZDAC7Q==>

9010 Public Statements -
<https://simbli.eboardsolutions.com/SU/pplusGikKLIU0CP7U1yIXehkQ==>

9011 Disclosure Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==>

9012 Board Member Electronic Communications -
<https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==>

9124 Attorney -
<https://simbli.eboardsolutions.com/SU/slshOCqMiqFc60jEt4dQfrsA==>

9200 Limits Of Board Member Authority -
<https://simbli.eboardsolutions.com/SU/OhKRSAtVLHUI2u41Y5PPKQ==>

9223 Filling Vacancies -
<https://simbli.eboardsolutions.com/SU/3H8slshnB52Eh4LdZR9FJS7slshg==>

9270-E(1) Conflict Of Interest -
<https://simbli.eboardsolutions.com/SU/YARn4x3ogplqErh63MXQNg==>

9270 Conflict Of Interest -
<https://simbli.eboardsolutions.com/SU/E4fcgnfSOiHslshULRaLOA3fA==>

9310 Board Policies -
<https://simbli.eboardsolutions.com/SU/w1Hju6YkZpluilAx4r6plQpg==>

9320 Meetings And Notices -
<https://simbli.eboardsolutions.com/SU/OxDNy6bT6jJslshUjLW43u4bg==>

9321 Closed Session -
<https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==>

9322 Agenda/Meeting Materials -
<https://simbli.eboardsolutions.com/SU/HMeZuSH7vnURgKSyn06rcA==>

9324 Minutes And Recordings -
<https://simbli.eboardsolutions.com/SU/soUJFnL8INplusXOW3UtoNvXg==>