

## ACCESS TO DISTRICT RECORDS

Any person shall have reasonable access, during normal business hours, to the public records of the schools and district. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

The district may charge for copies of public records or other materials requested by individuals or groups. The charge, based on actual costs of duplication, shall be determined by the Superintendent or designee.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act.

- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 4112.6/4212.6/4312.6 - Personnel Files)
- (cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
- (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5125 - Student Records)
- (cf. 5125.1 - Release of Directory Information)
- (cf. 6162.5 - Student Assessment)
- (cf. 9011 - Disclosure of Confidential/Privileged Information)
- (cf. 9321 - Closed Session Purposes and Agendas)

### Legal Reference:

- EDUCATION CODE
- 35145 Public meetings
- 35170 Authority to secure copyrights
- 35250 Duty to keep certain records and reports
- 42103 Publication of proposed budget; hearing
- 44031 Personnel file contents and inspections
- 44839 Medical certificates; periodic medical examination (re access to medical certificate in personnel file)
- 49060-49079 Pupil records
- 52015 Ongoing evaluation and modification of school improvement plans
- 52015.5 Availability of information required by Education Code 52015(g)
- 52850 Applicability of article (School-based Program Coordination Plan availability)
- 54722 Application of article (Motivation and Maintenance Program Plan availability)
- CODE OF REGULATIONS, TITLE 5
- 430-438 Individual pupil records
- GOVERNMENT CODE
- 3547 Proposals relating to representation
- 6250-6268 California Public Records Act
- 54957.2 Minute book record of closed sessions
- 54957.5 Agendas and other writings distributed for discussion or consideration
- 71 Ops.Cal.Atty.Gen. 235 (1988)

**ACCESS TO DISTRICT RECORDS**

Requests for access to district records shall be placed with the Superintendent or designee.

**Public Records**

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used or retained by the district regardless of physical form or characteristics. Records to which the public shall have access during normal business hours include but are not limited to:

1. The proposed and approved budgets. (Government Code 6252, Education Code 42103)
2. Statistical compilations. (Government Code 6252)
3. Reports and memoranda. (Government Code 6252)
4. Notices and bulletins. (Government Code 6252)
5. Minutes of public meetings. (Government Code 6252)
6. Meeting agendas. (Government Code 6252, Education Code 54957.5)
7. Official communications between governmental branches. (Government Code 6252)
8. School-based program plans. (Education Code 52850, 54722)
9. Information and data relevant to the evaluation and modification of school improvement plans. (Education Code 52015.5)
10. Initial proposals of exclusive employee representatives and of the district. (Government Code 3547)
11. Tort claims filed against the district. (71 Ops. Cal. Atty. Gen. 235, 1988)
12. Records pertaining to pending litigation which predate the filing of the litigation, unless otherwise protected by the attorney/client privilege. (Government Code 6254.25, 71 Ops. Cal. Atty. Gen. 235, 1988)
13. Statements of economic interests required by the Conflict of Interest Code. (Government Code 81008)

## **ACCESS TO DISTRICT RECORDS (continued)**

### **Nonpublic Records**

Records to which the general public shall not have access include but are not limited to:

1. Personnel records, medical records, student records, personal correspondence, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy. (Government Code 6254)
2. Test questions, scoring keys and other examination data except as provided by law. (Government Code 6254)
3. Records pertaining to pending litigation, except those which predate the filing of the litigation, unless otherwise protected by the attorney/client privilege. (Government Code 6254 and 6254.25, 71 Ops. Cal. Atty. Gen. 235, 1988)
4. Recall petitions or petitions for the reorganization of school districts. (Government Code 6253.5)
5. The minutes of Board meetings held in closed session. (Government Code 54957.2)
6. Preliminary drafts, notes or interdistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure. (Government Code 6254)
7. Computer software developed by the district. (Government Code 6254.9)
8. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes.

### **Copies**

Any person may receive a copy of any identifiable public record. Upon request, an exact copy shall be provided unless it is impracticable to do so. (Government Code 6256)

Copies shall be furnished at the cost per page determined by the Board upon recommendation of the Superintendent or designee.

**ACCESS TO DISTRICT RECORDS** (continued)

Computer data shall be provided in a form determined by the Superintendent or designee.

Within 10-days of receiving any request for a copy of records, the Superintendent or designee shall determine whether to comply with the request and shall immediately inform the person making the request of his/her determination and the reasons for it. (Government Code 6256)

The 10-day limit may be extended for up to ten additional working days in unusual circumstances and with proper notice. (Government Code 6256.1)

Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6256.2)