

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member. (Government Code 1098)

Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities. (Government Code 1098)

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

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION (continued)

resources for those interested in the subject matter of the policy.

State References

Ed. Code 35010
 Ed. Code 35146
 Evid. Code 1040
 Gov. Code 1098
 Gov. Code 3549.1
 Gov. Code 54950-54963
 Gov. Code 54956.8
 Gov. Code 54956.9
 Gov. Code 54957
 Gov. Code 54957.1

 Gov. Code 54957.5
 Gov. Code 54957.6
 Gov. Code 54957.7
 Gov. Code 54963
 Gov. Code 7920.000-7930.170

Management Resources References

Attorney General Opinion
 CSBA Publication
 Website
 Website

Cross References

0450
 1100
 1312.3
 1340
 2120
 2121
 3580
 4112.5
 4112.6
 4119.23
 4119.42
 4143
 4134.1
 4212.5
 4212.6
 4219.23
 4219.42
 4243
 4243.1
 4312.5
 4312.6
 4319.23
 4319.42
 5125
 9000

Description

Control of district; prescription and enforcement of rules
 Closed sessions regarding suspensions
 Privilege for official information
 Disclosure of confidential information
 Meeting and negotiating in public educational employment
 The Ralph M. Brown Act
 Open meeting laws
 Closed meeting for pending litigation
 Complaints against employees; right to open session
 Subsequent public report and roll call vote: employee matters in closed session
 Public records
 Closed session; representatives with employee organization
 Reasons for closed session
 Unauthorized disclosure of confidential information
 California Public Records Act

Description

80 Ops.Cal.Atty.Gen. 231 (1997)
 Professional Governance Standards
[CSBA District and County Office of Education Legal Services](#)
[CSBA](#)

Description

Comprehensive Safety Plan
 Communication with the Public
 Uniform Complaint Procedures
 Access to District Records
 Superintendent Recruitment and Selection
 Superintendent's Contract
 District Records
 Criminal Record Check
 Personnel Files
 Unauthorized Release of Confidential/Privileged Information
 Exposure Control Plan for Bloodborne Pathogens
 Negotiations/Consultation
 Public Notice – Personnel Negotiations
 Criminal Record Check
 Personnel Files
 Unauthorized Release of Confidential/Privileged Information
 Exposure Control Plan for Bloodborne Pathogens
 Negotiations/Consultation
 Public Notice-Personnel Negotiations
 Criminal Record Check
 Personnel Files
 Unauthorized Release of Confidential/Privileged Information
 Exposure Control Plan for Bloodborne Pathogens
 Student Records
 Role of the Board

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION (continued)

9005	Governance Standards
9010	Public Statements
9200	Limits of Board Member Authority
9230	Orientation
9321	Closed Session