

## Community Relations

BP 1340(a)

### ACCESS TO DISTRICT RECORDS

The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of 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.

*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 3580 - District Records)*  
*(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)*  
*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*  
*(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)*

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.

*(cf. 4040 - Employee Use of Technology)*  
*(cf. 9012 - Board Member Electronic Communications)*

The district may charge for copies of public records or other materials requested by individuals or groups. 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.

#### *Legal Reference:*

##### EDUCATION CODE

*35145 Public meetings*

*35170 Authority to secure copyrights*

*35250 Duty to keep certain records and reports*

*41020 Requirement for annual audit*

*42103 Publication of proposed budget; hearing*

*44031 Personnel file contents and inspections*

*44839 Medical certificates; periodic medical examination*

*49060-49079 ~~Pupil~~ Student records*

*49091.10 Parental review of curriculum and instruction*

*~~52850 Applicability of article (School-Based Program Coordination Plan availability)~~*

*Legal Reference continued: (see next page)*

## ACCESS TO DISTRICT RECORDS (continued)

### Legal Reference: (continued)

#### GOVERNMENT CODE

3547 Proposals relating to representation  
6250-6270 California Public Records Act  
6275-6276.48 Other exemptions from disclosure  
53262 Employment contracts  
54957.2 Minute book record of closed sessions

#### GOVERNMENT CODE (continued)

54957.5 Agendas and other writings distributed for discussion or consideration  
81008 Political Reform Act, public records; inspection and reproduction

#### CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

#### CODE OF REGULATIONS, TITLE 5

430-438 Individual ~~pupil~~ student records

#### COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608  
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282  
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319  
Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381  
Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324  
Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414  
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144  
ATTORNEY GENERAL OPINIONS  
71 Ops.Cal.Att’y.Gen. 235 (1988)  
64 Ops.Cal.Att’y.Gen. 186 (1981)

### Management Resources:

#### CSBA PUBLICATIONS

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

#### ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

#### LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008

#### WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.caag.state.ca.us> <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

Policy  
adopted: September 12, 2013  
revised:

CSBA MANUAL MAINTENANCE SERVICE  
May 2017