

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.

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

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 *Student records*
49091.10 *Parental review of curriculum and instruction*

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*
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 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.Atty.Gen.* 235 (1988)
64 *Ops.Cal.Atty.Gen.* 186 (1981)

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

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: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org>

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

Policy

adopted: December 11, 2007

revised: June 23, 2009; October 24, 2017

SCOTTS VALLEY UNIFIED SCHOOL DISTRICT

Scotts Valley, California