

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Policy No. 1008: 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 or other statutes.

Records Open To The Public.

1. The Proposed and approved budgets.
2. Statistical compilations.
3. Reports and memoranda.
4. Notices and bulletins.
5. Minutes of public meetings.
6. Meeting agendas.
7. Official communications between governmental branches.
8. School-based program plans.
9. Information and data relevant to the evaluation and modification of school improvement plans.
10. Initial proposals of exclusive employee representatives and of the District.
11. Tort claims filed against the District.
12. Records pertaining to pending litigation which predate the filing of the litigation, unless otherwise protected by the attorney/client privilege.
13. Statements of economic interests required by the Conflict of Interest Code.
14. Contracts of employment and settlement agreements.

Confidential Records

1. Personnel records, medical records, student records, personal correspondence, or similar materials the disclosure of which would constitute an unwarranted invasion of personal privacy.

The home addresses and home telephone numbers of employees may be disclosed only as follows:

- a) To an agent or a family member of the individual to whom the information pertains.
 - b) To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of its official duties.
 - c) To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed.
 - d) To an agent or employee of a health benefit plan providing health services or administering claims for health services to District employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents.
2. Test questions, scoring keys and other examination data except as provided by law.
 3. Records specifically prepared for litigation to which the District is a party, or records otherwise protected by the attorney/client privilege.
 4. Recall petitions or petitions for the reorganization of school districts.
 5. The minutes of Board meetings held in closed session.
 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.
 7. Computer software developed by the District.
 8. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes.

(cf. 4112.6/4212.6/4312.6 – Personnel Records)

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 – Student Records)

(cf. 5125.1 – Release of Directory Information)

(cf. 9001 – Disclosure of Confidential/Privileged Information)

(cf. 9321 – Closed Sessions)

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 (g) Outgoing evaluation and modification of school improvement plans

52015.5 Availability of information required by Education Code 52015 (g)

52850 Applicability of article (School-based coordinated program plan availability)

54722 Application of article (Motivation and maintenance program plan availability)

CODE OF REGULATION, TITLE 5

430-438 Individual pupil records

4061 Availability of evaluation information

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6268 California Public Records Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Public records; inspection and reproduction

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

Date Policy Adopted By The Board: January 25, 2000.