



Santa Ana Unified School District

BOARD POLICY NO: 1340

EFFECTIVE: 10/22/2019

SUBJECT: Access to District Records

CATEGORY: Community Relations

RESPONSIBLE OFFICE(S): Business Services, Communications

SCOPE:

The Governing Board recognizes the right of citizens to have access to public records of the district.

POLICY:

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.

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.

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)

DESIRED OUTCOME:

Through this policy, the District shall establish and maintain procedures to provide access to District records within the requirements of law and public disclosure in the California Public Records Act and other state and federal law.



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IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

District Policies and Procedures:

BP 3553 – Free and Reduced Price Meals

BP 3580 – District Records

BP 4040 – Employee Use of Technology

BP 4112.5/4212.5/4312.5 – Criminal Record Check

BP 4112.6/4212.6/4312.6 – Personnel Files

BP 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information

BP 5020 – Parent Rights and Responsibilities

BP 5125 – Student Records

BP 5125.1 – Release of Directory Information

BP 6162.5 – Student Assessment

BP 9011 – Disclosure of Confidential/Privileged Information

BP 9012 – Board Member Electronic Communications

BP 9321 – Closed Session Purposes and Agendas

AR 3553 – Free and Reduced Price Meals

AR 3580 – District Records

AR 4040 – Employee Use of Technology

AR 4112.6/4212.6/4312.6 – Personnel Files

AR 5125 – Student Records

AR 5125.1 – Release of Directory Information

Legal Reference:

Education Code

234.7	Student protections relating to immigration and citizenship status
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
8310.3	California Religious Freedom Act
53262	Employment contracts



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- 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 vs. 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)

Management Resources:

CSBA Publications:

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

California Office of the Attorney General Publications:

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues
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

Websites:

- CSBA: <http://www.csba.org>
- California Office of the Attorney General: <http://oag.ca.gov>
- Institute for Local Government: <http://www.cacities.org>
- State Bar of California: <http://www.calbar.ca.gov>

ADOPTION AND REVISION HISTORY:

10-19