

Liberty Union High School District

Administrative Regulation

Classification: Community Relations

Policy No.

AR 1340

Page

1 of 3

Effective

6-10-93

Subject: Access to District Records

Revised

Records Open to the Public

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. Records to which the public shall have access during normal business hours include but are not limited to:

1. The proposed and approved budgets. (Government Code 6252, Education Code 42103)
2. Statistical compilations. (Government Code 6252)
3. Reports and memoranda. (Government Code 6252)
4. Notices and bulletins. (Government Code 6252)
5. Minutes of public meetings. (Government Code 6252)
6. Meeting agendas. (Government Code 6252, 54957.5)
7. Official communications between governmental branches. (Government Code 6252)
8. School-based program plans. (Education Code 52850, 54722)
9. Information and data relevant to the evaluation and modification of school improvement plans. (Education Code 52015.5)
10. Initial proposals of exclusive employee representatives and of the district. (Government Code 3547)
11. Tort claims filed against the district. (71 Ops. Cal. Atty. Gen. 235, 1988)
12. Records pertaining to pending litigation which predate the filing of the litigation, unless otherwise protected by the attorney/client privilege. (Government Code 6254.25 71 Ops. Cal. Atty. Gen. 235, 1988)
13. Statements of economic interests required by the Conflict of Interest Code. (Government Code 81008)
14. Contracts of employment and settlement agreements. (Government Code 53262)

Confidential Records

Records to which the general public shall not have access include but are not limited to:

1. Personnel records, medical records, student records, personal correspondence, or similar materials the disclosure of which would constitute an unwarranted invasion of person privacy. (Government Code 6254)

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

Liberty Union High School District

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Policy No. **AR 1340**

Page 2 of 3

Effective 6-10-93

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- 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. (Government Code 6254.3)
 - 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 dependants, 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. (Government Code 6254)
 3. Records specifically prepared for litigation to which the district is a party, or records otherwise protected by the attorney/client privilege. (Government Code 6254, 6254.25; 71 Ops. Cal. Atty. Gen. 235, 1988)
 4. Recall petitions or petitions for the reorganization of school districts. (Government Code 54957.2)
 5. The minutes of Board meetings held in closed session. (Government Code 54957.2)
 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. (Government Code 6254)
 7. Computer software developed by the district. (Government Code 6254.9)
 8. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes.

Requests for Copies

Any person may receive a copy of any district record open to the public. Upon request, an exact copy shall be provided unless it is impracticable to do so. (Government Code 6256)

Copies shall be furnished at the cost of \$0.10 per page.

Computer data shall be provided in a form determined by the Superintendent or designee.

Within ten days of receiving any request for a copy of records, the Superintendent or designee shall determine whether to comply with the request and shall immediately inform the person making the request of his/her determination and the reasons for it. (Government Code 6256)

Liberty Union High School District

Administrative Regulation

Classification: Community Relations

Policy No. **AR 1340**

Page 3 of 3

Effective 6-10-93

Subject: Access to District Records

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With proper notice, the ten-day limit may be extended for up to ten additional working days, to the extent reasonably necessary, under the following circumstances:

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request.
3. The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein. (Government Code 6256.1)

Provisions of the Public Record Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial (Government code 6256.2)