

Community Relations

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 the 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. In order to expedite response to inquiries, all requests for information and/or documents shall be placed through the Superintendent or designee.

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 communication, 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.

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, 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 of 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

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ACCESS TO DISTRICT RECORDS

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right to access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil 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)

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://oag.ca.gov>

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

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

WESTMINSTER SCHOOL DISTRICT

Westminster, California

Policy Adopted: July 5, 1990

Revised: December 11, 1997

Revised: June 6, 2002

Revised: December 14, 2017