

TITLE: Unauthorized Release of Confidential/Privileged Information	
Approved by: <u> <i>Rob Gregor</i> </u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Personnel Version: 2 Effective Date: 2/6/2026 Previous Policy Date: 1/7/2008 Revised By: Committee Policy Number: SP 4119.23

The Yuba County Office of Education recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the County Board authorizes disclosure of that information.

Confidential information means a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session.

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if he/she has received training or notice as to the requirements of this policy.

The County Superintendent or designee shall provide all employees who attend closed sessions a copy of this policy. New employees who may attend closed sessions shall also receive a copy of this policy.

The Yuba County Office of Education shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or County Board policy, when the employee is:

1. Making a confidential inquiry or complaint to a department attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of County Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action

3. Disclosing information that is not confidential

Other Disclosures

An employee who willfully releases confidential/privileged information about the Yuba County Office of Education, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the County Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35146	Closed sessions regarding suspensions
Evid. Code 1040	Privilege for official information
Gov. Code 1098	Disclosure of confidential information
Gov. Code 3549.1	Meeting and negotiating in public educational employment
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54956.8	Open meeting laws
Gov. Code 54956.9	Closed meeting for pending litigation
Gov. Code 54957	Complaints against employees; right to open session
Gov. Code 54957.1	Subsequent public report and rollcall vote; employee matters in closed session
Gov. Code 54957.5	Public records
Gov. Code 54957.6	Closed session; representatives with employee organization endangering life or health
Gov. Code 54957.7	Reasons for closed session
Gov. Code 54963	Unauthorized disclosure of confidential information
Gov. Code 7920.000-7930.170	California Public Records Act

Management Resources	Description
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Attorney General Opinion

80 Ops.Cal.Atty.Gen. 231 (1997)

CSBA Publication

Professional Governance Standards

Website

CSBA District and County Office of Education Legal
Services

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