Unauthorized Release of Confidential/Privileged Information

Adopted: 08/04/2026 **| Last Revised:** n/a **| Last Reviewed**: 08/04/2026

The Board 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 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 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 they have received training or notice as to the requirements of this policy.

The district 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 Board policy, when the employee is:

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session

2. Expressing an opinion concerning the propriety or legality of 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 district, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of their 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 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.

Legal References:

STATE
EDUCATION CODE
35010 Control of district; prescription and enforcement of rules
35146 Closed sessions regarding suspensions
35160 Authority of governing boards
44031 Personnel file contents and inspection
44932 Grounds for dismissal of permanent employees
44933 Other grounds for dismissal
45113 Notification of charges; classified employees
49060-49079 Student records
GOVERNMENT CODE
1098 Disclosure of confidential information
54950-54963 The Ralph M. Brown Act
7920.000-7930.215 California Public Records Act
FEDERAL
UNITED STATES CODES
20 USC 1232g Family Educational Rights and Privacy Act (FERPA) of 1974
MANAGEMENT RESOURCES
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/#
CSBA http://www.csba.org/

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