

Riverside County Office of Education

Board Policy 1340 Access to County Board of Education and County Superintendent of School Records

COMMUNITY RELATIONS

SUBJECT: Access to County Board of Education and County Superintendent of Schools Records

The County Board of Education and County Superintendent recognize the right of members of the public to have access to public records of the County Office of Education. The County Board and County Superintendent intend for the County Office of Education to provide any person reasonable access to the public records of the schools and County Office of Education during normal business hours and within the requirements of state and federal 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, and other electronic communications, regardless of whether they are transmitted through a county-provided device or account or through an employee's or Board member's personal device or account.

The County Office of Education 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 County Superintendent or designee and as specified in administrative regulation.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other statutes.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

(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)

Legal Reference:

EDUCATION CODE

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

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44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination (re access to medical certificate in personnel file)

49060-49079 Student records

49091.10 Parental review of curriculum and instruction

GOVERNMENT CODE

3547 Proposals relating to representation

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

6250-6270 California Public Records Act

6275-6276.48 California Public Records Act; other exemptions from disclosure

81008 Political Reform Act, public records; inspection and reproduction

8310.3 California Religious Freedom Act

MANAGEMENT RESOURCES

64 Ops.Cal.Atty.Gen 186 (1981)

71 Ops.Cal.Atty.Gen. 235 (1988)

CA Office of the Attorney General Publication:

Promoting a Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist

CA K-12 Schools in Responding to Immigration Issues Apr 18

CA Office of the Attorney General Publication:

California Department of Justice Guidelines for Access to Public Records, October 2017

COURT DECISIONS

Fairley v. Superior Court, 66 Cal.App. 4th 1414 (1998)

North County Parents Organization for Children with Special Needs v. Department of Education, 23 Cal.App. 4th 144 (1994)

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440

City of San Jose v. Superior Court (2017) 2 Cal.5th 608