



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.2

**Meeting Date:** September 21, 2017

**Subject:** Revisions to Board Policy (BP) 1340, Access to District Records

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: October 5, 2017)
- Conference/Action
- Action
- Public Hearing

**Division:** Legal Services

**Recommendation:** Approve revisions to District policy regarding access to District records.

**Background/Rationale:**

A Public Record is defined by Government Code Section 6252(e) as:

“Any writing containing information relating to the conduct of the public’s business prepared, own- Therefore, Policy 1340 requires revisions to clarify that in response to a public records request, the District shall make reasonable efforts to locate the requested records, including those that are transmitted through an employee’s or Board member’s personal device or account.

**Financial Considerations**

\_\_\_\_\_ : None

**LCAP Goal(s):** Operational Excellence

**Documents Attached:**

1. Executive Summary
2. Revised BP 1340
3. Revised red-line of BP 1340

# Board of Education Executive Summary

## Legal Services

Board Policy (BP) 1340: Access to District Records

September 21, 2017



### I. Overview/History of Department or Program

The District, as a public entity, must comply with valid requests for public records. A Public Record is defined by Government Code Section 6252(e) as: *City of San Jose v. Superior Court*

business records of the official family employees. Policy 1340 states that the District shall take reasonable steps to ensure that all public records are accessible to the public.

Thus, officials and employees must make a good faith effort to provide records to the public. Officials and employees should use reasonable discretion in determining what records to release.

#### Major Initiatives:

Operational Excellence

#### VI. Results:

#### VII. Lessons Learned/Next Steps:

Next Steps include the adoption of this Board Policy

Materials and guidance will be provided. This information has previously been shared with staff, and further

# **Sacramento City USD**

## **Board Policy**

### **Access To District Record**

BP 1340

### **Community Relations**

The Governing Board recognizes the right of citizens to have access to public records of the

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

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

COURT DECISIONS

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:

ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Right to Know Act of 2004 (SB 106) - 1.15.04 - [(71 O)2phmPI an:ipko2004

# **Sacramento City USD**

## **Board Policy**

### **Access To District Record**

BP 1340

#### **Community Relations**

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

41020 Requirement for annual audit  
42103 Publication of proposed budget; hearing  
44031 Personnel file contents and inspections  
44839 Medical certificates; periodic medical examination  
49060-49079 Pupil records  
49091.10 Parental review of curriculum and instruction  
52850 Applicability of article (School-Based Program Coordination Plan availability)

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##### 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://www.caag.state.ca.us>

revised: May 21, 2009

revised: August , 2017