

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

<u>Recommendation</u>: 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 revision resplaning those 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

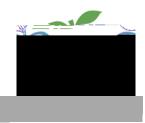
Documents Attached: 1. Executive Summary

- 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*

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Operational Excellence

VI. Results:

VII. Lessons Learned/Next Steps:

Next Steps include the adoption of this Board Policy

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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

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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) 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 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