

General Institution

1 **AP 3300 PUBLIC RECORDS**

2 **Reference:**

3 Government Code, Sections 6250 et seq.

4 Members of the public may request to inspect or copy public records. A request by a
5 member of the public may be delivered by mail or in person to the President/
6 Superintendent or designee.

7 Any request shall identify with reasonable specificity the records that are sought. If
8 additional information is needed, the custodian of the records and/or the President/
9 Superintendent or designee may request it be provided in writing.

10 Any request to inspect records shall be made sufficiently in advance of the date of
11 inspection to allow staff members time to assemble the records and identify any records
12 that may be exempt from disclosure.

13 Records that are exempt from disclosure under the Public Records Act or any other
14 provision of law, including the federal Family Educational Rights and Privacy Act
15 (F.E.R.P.A.) and state laws protecting the privacy of student records and the federal
16 Health Insurance Portability and Accountability Act (H.I.P.A.A.) and other laws protecting
17 the privacy of health records, may not be inspected or copied by members of the public.
18 Social security numbers must be redacted from records before they are disclosed to the
19 public.

20 Within ten days, the custodian of the records and/or the President/Superintendent or
21 designee, will determine whether or not the records can be produced and will
22 communicate the determination to the member of the public requesting the record(s).

23 As there are more than one hundred disclosure exemptions contained in California law,
24 questions about whether a record is exempt from disclosure may be referred to legal
25 counsel.

26 The most common exemptions pertaining to community colleges include:

- 27 • Student records. (Education Code, Section 76243)
- 28 • Preliminary drafts, notes, or interagency or intra-agency memoranda that are not
29 retained by the public agency in the ordinary course of business, provided that the
30 public interest in withholding the records clearly outweighs the public interest in
31 disclosure. (Government Code, Section 6254(a))
- 32 • Records pertaining to pending litigation or to claims until the pending litigation or
33 claim has been finally adjudicated or otherwise settled. (Government Code,
34 Section 6254(b))

- 35 • Personnel, medical, or similar files, the disclosure of which would constitute an
36 unwarranted invasion of personal privacy. (Government Code, Section 6254(c))
37 • Test questions, scoring keys, and other examination data used to administer a
38 licensing examination, examination for employment, or academic examination
39 (except for standardized tests provided for by Education Code, Sections 99150 et
40 seq.). (Government Code, Section 6254(g).)
41 • The contents of real estate appraisals or engineering or feasibility estimates and
42 evaluations relative to the acquisition of property, or to prospective public supply
43 and construction contracts, until all of the property has been acquired or all of the
44 contract agreement obtained. (Government Code, Section 6254(h)).
45 • Internet posting of home address or telephone numbers of locally elected officials.
46 (Government Code, Section 6254.21)
47 • Home addresses, home telephone number, cellular phone number, and date of
48 birth of employees of a school district or county office of education (other than to
49 an agent or family member of the employee, to an officer of another school district
50 when necessary, to an employee organization, or to an agency or employee of a
51 health benefit plan). (Government Code, Section 6254.3)
52 • Personal email addresses (other than to an agent or family member of the
53 employee, to an officer of another school district when necessary, to an employee
54 organization, or to an agency or employee of a health benefit plan) unless the email
55 address is used by the employee to conduct public business, or necessary to
56 identify a person in an otherwise disclosable communication. (Government Code
57 Section 6254.3(b))
58 • Records regarding alternative investments (i.e. an investment in a private equity
59 fund, venture fund, hedge fund, or absolute return fund; limited partnership, limited
60 liability company or similar legal structure) involving public investment funds,
61 unless already publicly released by the keeper of the information.
62 • Information security records, if disclosure of such records would reveal
63 vulnerabilities to or otherwise increase the potential for an attack on the District's
64 information technology system.
65 • Identification number, alphanumeric character, or other unique identifying code
66 that a district uses to identify a vendor or contractor, or an affiliate of a vendor or
67 contractor, unless the identification number, alphanumeric character, or other
68 unique identifying code is used in a public bidding or an audit involving the public
69 agency. (Government Code Section 6254.33)

70 Office of Primary Responsibility: President/Superintendent

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