

**Community Relations**  
**ACCESS TO DISTRICT RECORDS**

BP 1340 (a)

The Governing Board recognizes the right of the public to have access to public records of the district. The district shall provide any member of the public reasonable access to the public records of the district during normal business hours and within the requirements law. Public access shall not be given to records that are exempt from public disclosure pursuant to the California Public Records Act or other state or 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, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

The district may charge for copies of public records or other materials requested by individuals or groups, in accordance with law and as specified in the accompanying administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

***State***

5 CCR 430-438: Individual student records

CA Constitution Article 1, Section 3: Right of access to governmental information

Civil Code 1798.3: Personal information

Ed. Code 234.7: Student protections relating to immigration and citizenship status

Ed. Code 35145: Public meetings

Ed. Code 35170: Authority to secure copyrights

Ed. Code 35250: Duty to keep certain records and reports

Ed. Code 35266: Cybersecurity

Ed. Code 41020: Requirement for annual audit

Ed. Code 42103: Budget notification

Ed. Code 44031: Personnel file contents and inspection

Ed. Code 44839: Medical certificates; periodic medical examination

Ed. Code 49060-49079: Student records

Ed. Code 49091.10: Parental review of curriculum and instruction

Gov. Code 11549.3: Office of Information Security

Gov. Code 3547: Proposals relating to representation

Gov. Code 53262: Employment contracts

Gov. Code 54957.2: Minute book record of closed sessions

Gov. Code 54957.5: Agendas and other writings distributed for discussion or consideration

Gov. Code 6205-6210: Address confidentiality; victims of domestic violence, sexual assault, stalking, human trafficking, child abduction, and elder and dependent adult abuse

Gov. Code 6215-6216: Address confidentiality; reproductive health care providers, employees, volunteers, patients, and other individuals who face threats or violence

Gov. Code 7920.000-7930.215: California Public Records Act

Gov. Code 81008: Political Reform Act, public records; inspection and reproduction

Gov. Code 8310.3: California Religious Freedom Act

Gov. Code 8450: Tribal financial information

Gov. Code 8550-8669.7: California Emergency Services Act

Gov. Code 8586.5: Office of Emergency Services; California Cybersecurity Information Center

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***Federal***

20 USC 1232g: Family Educational Rights and Privacy Act (FERPA) of 1974  
34 CFR 99.1-99.8: Family Educational Rights and Privacy Act

***Management Resources***

Attorney General Opinion: 64 Ops.Cal.Atty.Gen. 186 (1981)  
Attorney General Opinion: 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, December 2024  
CA Office of the Attorney General Publication: Summary of the California Public Records Act, August 2004  
CA Office of the Attorney General Publication: California Department of Justice Guidelines for Access to Public Records, January 2023  
Court Decision: National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward (2020) 9 Cal.5th 488  
Court Decision: Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440  
Court Decision: Fairley v. Superior Court (1998) 66 Cal.App. 4th 1414  
Court Decision: International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County (2007) 42 Cal.4th 319  
Court Decision: Kleitman v. Superior Court (1999) 74 Cal.App. 4th 324  
Court Decision: Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282  
Court Decision: Los Angeles Times v. Alameda Corridor Transportation Authority (2001) 88 Cal.App.4th 1381  
Court Decision: North County Parents Organization for Children with Special Needs v. Department of Education (1994) 23 Cal.App. 4th 144  
Court Decision: City of San Jose v. Superior Court (2017) 2 Cal.5th 608  
CSBA Publication: Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017  
League of California Cities Publication: The People's Business: A Guide to the California Public Records Act, rev. April 2017  
Website: California Department of Education, Resources to Include Immigrant Families  
Website California Department of Education, LEA Immigration Enforcement Policy Submission  
Website: California Office of Emergency Services  
Website: CSBA District and County Office of Education Legal Services  
Website: League of California Cities  
Website: State Bar of California  
Website: California Office of the Attorney General  
Website: CSBA

Policy Adopted: 3/11/26

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California