



AP 3300 PUBLIC RECORDS

References:

Education Code Sections 76243 and 99150 et seq.;
Government Code Sections 6250 et seq.

Pursuant to the California Public Records Act, public records are open to inspection at all times during office hours of the District, and every person has a right to inspect any public record, except for records exempted by the California Education Code and the California Public Records Act. Members of the public may also request a copy of public records. Except with respect to public records exempted from disclosure, the designee of the Superintendent/President, the Public Information Officer, shall make the records promptly available to any person upon payment of fees authorized by the California Public Records Act.

A request by a member of the public may be delivered to the Public Information Officer. This request will be guided through the process by the Public Information Officer.

Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Public Information Officer may request it be provided.

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

Records that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected or copied by members of the public. Social security numbers must be redacted from records before they are disclosed to the public.

Members of the public shall be assisted in identifying records or information that may respond to their request. Assistance that will be provided includes: the information technology and physical location in which the records exist; practical suggestions for overcoming denial of access to the records or information; and the estimated date and time when the records will be made available.

Within ten days, the Public Information Officer will determine whether or not the records can be produced and will communicate the determination to the member of the public requesting the record(s).

NOTE: The Public Records Act presumes that all records of a public agency are public, unless specifically exempted by law. There are now well over a hundred exemptions contained in California law, although most will never apply to a community college district. (See Government Code Sections 6254 et seq. and 6275 et seq.) Any questions about whether a document is exempt should be referred to legal counsel.



The most common exemptions for community colleges include:

- Student records (Education Code Section 76243)
- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding the records clearly outweighs the public interest in disclosure. (Government Code Section 6254(a))
- Records pertaining to pending litigation ...or to claims...until the pending litigation or claim has been finally adjudicated or otherwise settled. (Government Code Section 6254(b))
- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code Section 6254(c))
- Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination [except for standardized tests provided for by Education Code Sections 99150 et seq.]. (Government Code Section 6254(g).)
- The contents of real estate appraisals or engineering or feasibility estimates and evaluations...relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. (Government Code Section 6254(h)).
- Internet posting of home address or telephone numbers of local elected officials (Government Code Section 6254.21)
- Home addresses, home telephone number, cellular phone number, and date of birth of employees (Government Code Section 6254.3)
- Information security records, if disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, the District's information technology system.
- Identification number, alphanumeric character, or other unique identifying code that a district uses to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency. (Government Code 6254.33)

Fees

No fee is charged for making the record(s) available for review. However, fees may be assessed for the direct cost of duplication.

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