

General Institution

AP 3300 PUBLIC RECORDS

Reference(s):

Government Code Sections 6250 et seq

Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by U.S. mail or in person to the Director of Public Relations, Marketing, and Government Relations (PRMG) at the District Office.

Any public record request shall identify with reasonable specificity the records that are sought. The request shall also include the name, mailing address, and contact information of the requester. If additional information is needed, the Director of PRMG may request it be provided in writing.

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.

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

Document copies will be made by an employee of the Chabot-Las Positas Community College District. Direct costs of duplication, including electronic programming and processing costs where applicable, shall be charged to the requesting party. Copying of the documents shall not interfere with or delay the completion of ongoing duties or responsibilities of the employee of the district. Copying of a document and delivery to the person requesting it may be delayed for a reasonable time to permit completion of the usual functions of the district.

There are numerous exemptions from public records, including in Government Code Sections 6254 et seq, and 6275 et seq, the Education Code (student records, information security records, employee cell phone numbers and personal email addresses, unique identifying codes for vendors or contractors) and others. 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.

Within the legally-prescribed timeframes, the Director of PRMG will determine whether the records can be produced and will communicate the determination to the member of the public requesting the record(s).

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 subdivision (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 subdivision (b))
- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code Section 6254 subdivision (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 subdivision (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 subdivision (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 of a school district or county office of education (other than to an agent or family member of the employee, to an officer of another school district when necessary, to an employee organization, or to an agency or employee of a health benefit plan). (Government Code Section 6254.3)
- Personal email addresses (other than to an agent or family member of the employee, to an officer of another school district when necessary, to an employee organization, or to an agency or employee of a health benefit plan) unless the email address is used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication. (Government Code Section 6254.3 subdivision (b))
- Records regarding alternative investments (i.e. an investment in a private equity fund, venture fund, hedge fund, or absolute return fund; limited partnership, limited liability company or similar legal structure) involving public investment funds, unless already publicly released by the keeper of the information.

- 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 Section 6254.33.)

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