Access to County Board of Education and County Superintendent of Schools Records

The County Board of Education and County Superintendent recognize the right of persons to have access to public records of the County Office of Education. The County Board and County Superintendent intend for the County Office of Education to provide any person reasonable access to the public records of the County Office of Education and its programs during normal business hours and within the requirements of state and federal law. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

The County Office of Education may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the County Superintendent or designee and as specified in administrative regulation.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other statutes or regulations. Access to pupil records is governed by California state law and regulations, the Family Education Rights and Privacy Act, and Board Policy 5280 governing access to such records.

The following procedure shall be used by members of the public in requesting information pursuant to the California Public Records Act:

1. Each request for access to public records of the San Mateo County Office of Education shall be presented in writing to the Superintendent/designee and shall describe with reasonable particularity the identifiable public record sought to be inspected.

2. The Superintendent/designee shall determine within ten (10) days after the receipt of said request, except in unusual circumstances, whether to comply with the request. The response shall inform the requesting party of the determination as to whether the request seeks a disclosable public record in the County Office’s possession and the reasons therefore.

3. Upon a determination that the records requested will be disclosed, the County Office will make the records available to the requesting party.
Access to County Board of Education and County Superintendent of Schools Records

Legal References:

EDUCATION CODE
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections
44839 Medical certificates; periodic medical examination (re: access to medical certificate in personnel file)
49060 – 49079 Pupil records
49091.10 Parental review of curriculum and instruction
52015 Ongoing evaluation and modification of school improvement plans
52015.5 Availability of information required by Education Code 52015(g)
52850 Applicability of article (School-based Program Coordination Plan availability)
54722 Application of article (Motivation and maintenance program Plan availability)

GOVERNMENT CODE
3547 Proposals relating to representation
6250-6268 California Public Records Act
53262 Employment contracts
54957.2 Minute book record of closed sessions
54957.5 Agendas and other writings distributed for discussion or consideration
81008 Public records; inspection and reproduction

CODE OF REGULATIONS, TITLE 5
430-438 Individual pupil records

COURT DECISIONS

ATTORNEY GENERAL OPINIONS

Adopted SMCBE: 4/20/11