
**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**

**Community Relations
ACCESS TO RECORDS**

The County Superintendent and County Board recognize the right of members of the public to have access to public records. The County Superintendent and County Board intend to provide any person reasonable access to public records during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

In response to a public records request, the County 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 device or account provided by the County Superintendent or the personal device or account of the County Superintendent, a County Board member, or a County Superintendent employee.

The County Superintendent and County Board may charge for copies of public records or other materials requested by individuals or groups, unless they are using their own personal equipment to reproduce the record. The charge shall be based on actual costs of duplication, as determined by the County Superintendent or designee and as specified in Superintendent Administrative Regulation 1340.

In order to help maintain the security of the records of the County Superintendent and County Board, the County Superintendent or designee may require that members of the public who are granted access to examine records do so in the presence of a County Superintendent staff.

Adopted: 06/15/1995

Amended: 11/18/2010, 10/18/2018, 03/16/2023

Legal ReferenceEducation Code

35145 Public meetings
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports
41020 Requirement for annual audit
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections
44839 Medical certificates; periodic medical examination
49060-49079 Pupil records
49091.10 Parental review of curriculum and instruction

Government Code

3547 Proposals relating to representation
6250-6270 California Public Records Act
6275-6276.48 Other exemptions from disclosure
53262 Employment contracts

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
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54957.2 Minute book record of closed sessions
54957.5 Public records
81008 Political Reform Act, public records; inspection and reproduction

California Constitution

Article 1, Section 3 Right of access to governmental information

Code of Regulations, Title 5

430-438 Individual pupil records

Court Decisions

City of San Jose v. Superior Court (2017) 2 Cal.5th 608
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Ca.5th 282
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County (2007) 42 Cal.4th 319
Los Angeles Times v. Alameda Corridor Transportation Authority (2001) 88 Cal.App.4th 1381
Kleitman v. Superior Court (1999) 74 Cal.App.4th 324
Fairley v. Superior Court (1998) 66 Cal.App.4th 1414
North County Parents Organization for Children with Special Needs v. Department of Education (1994) 23 Cal.App.4th 144
Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440

Attorney General Opinions

71 Ops.Cal.Atty.Gen. 235 (1988)
64 Ops.Cal.Atty.Gen 186 (1981)

Management Resources

CSBA Publications

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

Attorney General Publications

California Department of Justice Guidelines for Access to Public Records, October 2017

League of California Cities Publications

The People's Business: A Guide for the California Public Records Act, rev. April 2017

Web Site

CSBA: <http://www.csba.org>
California Attorney General's Office: <http://www.oag.ca.gov>
Institute for Local Government: <http://www.cacities.org>
State Bar of California: <http://www.calbar.ca.gov>