Business and Noninstructional Operations
RECORDS OF COUNTY SUPERINTENDENT AND COUNTY BOARD

The County Superintendent and County Board recognize the importance of securing and retaining their records. The County Superintendent or designee shall ensure that records are developed, maintained, and disposed of in accordance with law, policy, and administrative regulation.

The County Superintendent or designee shall consult with legal counsel, site administrators, information technology staff, personnel department staff, and others as necessary to develop secure document management systems that provide for the storage, retrieval, archiving, and destruction of records, including electronically stored information such as email. These document management systems shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The County Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The County Superintendent or designee shall ensure that employees receive information about the County Superintendent’s document management systems, including retention and confidentiality requirements and an employee’s obligations in the event of a litigation hold established on the advice of legal counsel.

If the County Superintendent discovers or is notified that a breach of security of electronic records containing unencrypted personal information has occurred, the County Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver’s license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29.)

The County Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29.)

Safe at Home Program

County Superintendent and County Board public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207.)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish requirements for enrollment and for school emergency purposes.
FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

Adopted:   11/17/2011
Amended:   11/15/2018

Legal References

Education Code
1011  Regular meetings
1015  Recording of vote
1040  Duties of Boards
1240  General duties of superintendent
1245  Additional reports as required
1246  Destruction of records
44031  Personnel file contents and inspection
49065  Reasonable charge for transcripts
49069  Absolute right to access

Civil Code
1798.29 Breach of security involving personal information

Code of Civil Procedure
1985.8  Electronic Discovery Act
2031.010-2031.060  Civil Discovery Act, scope of discovery demand
2031.210-2031.320  Civil Discovery Act, response to inspection demand

Government Code
6205-6210  Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
6252-6265  Inspection of public records
12946  Retention of employment applications and records for two years

Penal Code
11170  Retention of child abuse reports

Code of Regulations, Title 5
430  Individual student records; definition
432  Varieties of student records
16022  Classification of Records
16023-16027  Retention of records
17401-17404  Destruction of records of a county superintendent

United States Code, Title 20
1232g  Family Educational Rights and Privacy Act

Code of Federal Regulations, Title 34
99.1-99.8  Family Educational Rights and Privacy Act
Management Resources

Websites
California Secretary of State:  http://www.ss.ca.gov/safeathome

SD 3580, 05/2016; Doc# 98952.2, rev. 10/2018