



# Butte-Glenn Community College District ADMINISTRATIVE PROCEDURE

---

## AP 3300 – Public Records

---

**Approved by Leadership: March 2013**

*Reference: Government Code Sections 6250, et seq.;*

Members of the public may request to inspect or copy public records. The request, by a member of the public, may be delivered by mail or in person to the office of the Superintendent/President.

- Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Superintendent/President or designee may request it be provided in writing.
- Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff 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. *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 and home telephone number of employees of a school District or county office of education (other than 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*)
- 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.

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
- the estimated date and time when the records will be made available

Within ten days, the Superintendent/President or designee 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).

Copies of records may be obtained for the direct cost of duplication, unless the Legislature has established a statutory fee (*GC 6253(b)*). The direct cost of duplication includes the pro rata expense of the duplicating equipment utilized in making a copy of a record and, conceivably, the pro rata expense in terms of staff time (salary/benefits) required to produce the copy. A staff person's time in researching, retrieving and mailing the record is not included in the direct cost of duplication. By contrast, when an agency must compile records or extract information from an electronic record or undertake programming to satisfy a request, the requestor must bear the full cost, not merely the direct cost of duplication (*GC 6253.9(b)(2)*).

Costs for duplication will be provided to the member of the public prior to the production of the records.