

Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail or in person to the Superintendent/President or designee. The Superintendent/President's designee is the Public Information Officer.

Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the custodian of the records and/or the Superintendent/President or designee may request it be provided in writing.

A subpoena is a legal order rather than a public records request. However, if a District office or department receives a subpoena, it should be routed promptly to the Superintendent/President's designee. The Superintendent/President's designee for subpoenas is the Fiscal Services Administrative Assistant.

Records exempt from disclosure under the Public Records Act or any other provision of law, including the federal Family Educational Rights and Privacy Act (F.E.R.P.A.) and state laws protecting the privacy of student records and the federal Health Insurance Portability and Accountability Act (H.I.P.A.A.) and other laws protecting the privacy of health records, 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 ten days, the custodian of the records and/or 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).

As there are more than one hundred disclosure exemptions contained in California law, questions about whether a record is exempt from disclosure may be referred to legal counsel.

The most common exemptions pertaining to community colleges include:

1. Student records. (Education Code, Section 76243)
2. 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))
3. 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))
4. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. (Government Code, Section 6254(c))
5. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic Administrative Procedure 3300 Public Records examination (except for standardized tests provided for by Education Code, Sections 99150 et seq.). (Government Code, Section 6254(g))

6. 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))
7. Internet posting of home address or telephone numbers of locally elected officials. (Government Code, Section 6254.21)
8. Home addresses and home telephone numbers 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 a employee organization, or to an agency or employee of a health benefit plan). (Government Code, Section 6254.3)
9. Information security records, if disclosure of such records would reveal vulnerabilities to or otherwise increase the potential for an attack on the District's information technology system.

References:

Education Code, Sections 76243 and 99150 et seq.;
Government Code, Sections 6250 et seq.;
The Family Educational Rights and Privacy Act (F.E.R.P.A.);
The Health Insurance Portability and Accountability Act (H.I.P.A.A.)

El Camino College
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