DISTRIBUTED RECORDS

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

(cf. 1340 - Access to District Records)
(cf. 3440 - Inventories)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)

The 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.

(cf. 5125.1 - Release of Directory Information)

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

If the district discovers or is notified that a breach of security of district records containing unencrypted personal information has occurred, the 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 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)

(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Safe at Home Program

District 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 district residency requirements for enrollment and for school emergency purposes.

(cf. 5111.1 - District Residency)
(cf. 5141 - Health Care and Emergencies)

Policy Adopted: 01/17/07; 02/05/14; 12/14/16
Legal Reference:

EDUCATION CODE
35145 Public meetings
35163 Official actions, minutes and journal
35250-35255 Records and reports
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
16020-16022 Records, general provisions
16023-16027 Retention of records

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:

WEB SITES
California Secretary of State: http://www.sos.ca.gov/safeathome