

Bylaws of the Board

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

All confidential/privileged information and records shall be released only as allowed by law.

Confidential/privileged information which is produced for or which comes out during closed sessions of the Board shall not be divulged or released unless a majority of Board members agree to release the information, subject to applicable laws regarding closed sessions and confidential records. (Education Code 35146, Government Codes 3549.1, 6250 et seq., 54956.8, 54956.9, 54957 et seq.)

(cf. 4112.6/4212.6/4312.6 - Personnel Records)
(cf. 5125 - Student Records)

This policy is not intended to cause the withholding of information about the purpose and subject(s) of the closed session as required for public information under Government Code Section 54957.7.

Information from closed sessions shall be released by the president or chairman of the meeting in which the closed session is held.

Any Board member who willfully and for monetary gain uses or discloses confidential/privileged information as defined in Government Code 1098 is guilty of a misdemeanor.

Any Board member who releases confidential/privileged information contrary to the provisions of this bylaw may be publicly censured by a majority vote of the members of the Board.

(cf. 4119.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9321 - Closed Sessions)

Legal Reference: (see next page.)

Bylaws of the Board

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION (continued)

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35146 Closed session

GOVERNMENT CODE

1098 Public officials and employees: confidential information

6254 Public Records; exemption of particular records

54957 Closed Session; "employee" defined; exclusion of witnesses

54957.1 Subsequent public report and roll call vote; employee matters in closed session

54957.5 Public records

54957.6 Closed session; representatives with employee organization

54957.7 Reasons for closed session

EVIDENCE CODE

1040 Privilege for Official Information