

BOARD BYLAWS ~~OF THE BOARD~~Disclosure of Confidential/Privileged Information

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

~~(cf. 4112.6/4212.6/4312.6 - Personnel Files)~~

~~(cf. 5125 - Student Records)~~

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. (Education Code 35146; Government Code 3549.1, 6250-6270, 54956.8, 54956.9, 54957-54962)

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.

~~(cf. 9000 - Role of the Board)~~

~~(cf. 9005 - Governance Standards)~~

~~(cf. 9010 - Public Statements)~~

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. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)~~

~~(cf. 9321 - Closed ~~Sessions~~Session Purposes and Agendas)~~

~~(cf. 9321.1 - Closed Session Actions and Reports)~~

~~(cf. 4112.6/4212.6/4312.6 - Personnel Files)~~

~~(cf. 5125 - Student Records)~~

*Legal Reference:-*

*EDUCATION CODE-*

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

*35146 Closed session-*

*EVIDENCE CODE-*

*1040 Privilege for official information*

*GOVERNMENT CODE-*

*1098 Public officials and employees re confidential information-*

*3549.1 -Meeting and negotiating in public educational employment*

*6250-6270 Inspection of public records, especially:*

~~*6254 Public records; exemption of records*~~

~~*54950-54962*~~*54963 -Brown Act, especially:*

54956.8 -Open meeting laws-  
54956.9- Closed meeting for pending litigation  
54957 Closed ~~Session~~session; "employee" defined; exclusion of witnesses-  
54957.1 Subsequent public report and ~~roll call~~rollcall vote; employee matters in closed session-  
54957.5 Public records-  
54957.6 Closed session; representatives with employee organization-  
54957.7 Reasons for closed session-  
54963 Confidential information in closed session  
ATTORNEY GENERAL OPINIONS  
80 Ops.Cal.Atty.Gen. 231 (1997)

*Management Resources:*

*CSBA PUBLICATIONS*

*Professional Governance Standards, November 2000*

*Maximizing School Board Leadership, ~~Boardsmanship~~, 1996*

*WEB SITES*

*CSBA: <http://www.csba.org>*

Bylaw adopted: 2/27/90

Bylaw ~~reviewed~~revised: 8/27/02; pending approval