

ALL PERSONNEL

Unauthorized Release of Confidential/Privileged Information

The Superintendent, administration and staff shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws permit disclosure. Information and records pertaining to closed sessions, negotiations and student records are not subject to public disclosure.

Any employee who willfully releases confidential/privileged information about students, staff, or any topic properly confined to a closed session shall be subject to disciplinary action up to and including dismissal.

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

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the Superintendent or designee may deny the employee access to such information and shall take any steps necessary to prevent any further unauthorized release of such information.

cf: 5125 Student Records; Confidentiality
9321 Closed Sessions

Legal References:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules
35146 Closed sessions (re student suspension)
44932 Grounds for dismissal of permanent employees
44933 Other grounds for dismissal
45113 Rules and regulations for classified services
49060-49078 Pupil records

Policy Adopted:

GOVERNMENT CODE

1098 Public officials and employees: confidential information

3540 et seq. Meeting and negotiating in public employment

6252 et seq. Inspection of public records

54957 Closed session; purposes for holding; definition of "employee" exclusion of witnesses

54957.2 Taking of minutes at closed sessions; clerk; minute book

54957.6 Closed session, representatives to employee organization(s); state conciliator

LABOR CODE

1102.5 Employees: disclosure of information

FEDERAL FAMILY EDUCATION RIGHTS AND PRIVACY ACT of 1974
(20 U.S.C. 1232 (g))