

Coast Community College District
ADMINISTRATIVE PROCEDURE
Chapter 3
General Institution

AP 3300 Inspection and Copying of Public Records

Reference:

BP 3300 Inspection and Copying of Public Records

- A. A request to inspect or copy public records should be in writing, if possible, and requesters should be encouraged to use the District's standard Public Records Request form, although use of this form is not mandatory. The request should identify with reasonable particularity the records in question.
- B. Public records requests may be delivered by mail, email, facsimile, or in person to the Office of the Board Secretary. Except as otherwise noted herein, requests received by other offices, departments, or employees should be forwarded promptly to the Office of the Board Secretary. In the event that College or District Office staff receives a request for public records, they shall forward the request, through the College President or District Office, to the Office of the Board Secretary for appropriate response.
- C. If there are questions about the meaning of the request, the Board Secretary will contact the requester to clarify the request, and, where applicable, will assist the requester to make a focused and effective request by doing the following, to the extent reasonable under the circumstances: (i) assist the requester to identify records that are responsive to the request; (ii) describe the information technology and physical location in which the records exist; and (iii) provide suggestions for overcoming any practical basis for denying access to the records sought. After reviewing the request, the Board Secretary shall, in consultation with the Chancellor or designee, contact the appropriate District Vice Chancellor or College President regarding the existence and location of requested records. Consultation includes not only direct contact, but also written or telephonic methods.
- D. The District General Counsel should be consulted whenever legal questions arise regarding compliance with a request.
- E. The Board Secretary shall develop and provide standardized responses to requests for public records, and will provide a written response within the time frames set forth in the California Public Records Act ("CPRA"), usually within 10 days. Templates for legally required responses shall be kept on file in the Office of the Board Secretary. The Board Secretary shall maintain a record of all CPRA requests and responses that are handled through the Office of the Board Secretary.
- F. The Board Secretary will determine a reasonable time and place for the inspection of requested public records during normal business hours, and will advise the person requesting to inspect the public records of such time and place.

- G. A request to copy a public record will be subject to an advance fee or deposit of 20 cents per page. This fee is deemed sufficient to reimburse the District for the direct costs of duplication. If records are requested in an electronic format, the requester must pay the cost of producing a copy of the record, including the cost to construct the record and the cost of programming and computer services necessary to produce a copy of the record.
- H. Records that are exempt from public disclosure may not be inspected or copied, and if only a portion of a record is exempt from disclosure, such portion will be redacted prior to inspection or copying. Examples of records are those that are exempt from public disclosure by state or federal law and include certain student records, certain preliminary drafts not retained by the District in the ordinary course of business, records pertaining to litigation, records protected by attorney-client privilege, personnel or medical files (the disclosure of which would amount to an unwarranted invasion of privacy), test questions, certain information provided to the District on a confidential basis, and trade secret and certain other proprietary information of the District. If a request for records is denied, in whole or in part, the notification of such denial will include the name and title of the District official responsible for denying access. In some circumstances involving personnel matters, such as with certain personnel investigations, the District's obligation to provide public access to records may outweigh the privacy rights of individuals.
- I. The District is not required to generate information that does not exist in an existing public record or to create a record that does not already exist. In the event that a record requested by a member of the public does not exist, the Board Secretary shall consult with the District General Counsel prior to finalizing a response to the initiator of the public records request. The District shall not create any new record or document in responding to a public records request without first consulting with the District General Counsel.
- J. For requests for public records that are readily accessible, and which have previously been made available to the public or which are clearly not exempt from disclosure under the CPRA, the Board Secretary need not be involved in the process, as outlined in this Procedure, and the District will provide copies of the requested public records, or will allow inspection of the records, as soon as possible. Examples include requests for Board agendas, Board resolutions, Board minutes, District budgets, contracts approved or ratified by the Board, collective bargaining agreements, College catalogues, class schedules, scores of sport events, and schedules for various events. In these cases, the provisions of this Procedure are inapplicable. However, as directed by the Chancellor or designee, the Board Secretary may be involved with, and the provisions of this Procedure shall apply in full, to any written request for public records that expressly cites the CPRA, for any request for voluminous records, or for any request for public records involving the Board of Trustees.
- K. Notwithstanding any other provision of this Procedure, requests for personnel records shall be handled exclusively by the District's Department of Human Resources.

Ratified October 20, 2015
Ratified March 15, 2017