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

Bylaw  CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Adopted:  11/13/1990  Chula Vista, California
Adopted:  7/13/2022