

PUBLIC INFORMATION

Pursuant to state law, the District must respond to all requests for information submitted by members of the public. Public information requests can be submitted for any record that is not exempt from disclosure by the District, or for criminal records information pertaining to incidents of crime that have occurred on any District site. The following procedure outlines how public information requests for either of these types of records are to be received and responded to by District staff.

1. Public Records

- a. Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail, facsimile, email, over the telephone, or in person to the Chief Administrative Services Officer. The District shall charge an amount that reflects the direct cost of duplication (10 cents per page). The direct cost of duplication includes the pro rata expense of the duplicating equipment and the staff (salary/benefits) required to make a copy of the record. Direct cost of duplication does not include the staff person's time in researching, retrieving, redacting and mailing the record.
- b. Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Chief Administrative Services Officer may request it be provided in writing.
- c. Records or portions thereof that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected or copied by members of the public. Social security numbers and other information exempt from disclosure must be redacted from records before they are disclosed to the public.
- d. Members of the public shall be assisted in identifying records or information that may respond to their request. Assistance that will be provided includes: the information technology and physical location in which the records exist; practical suggestions for overcoming denial of access to the records or information; and the estimated date and time when the records will be made available.
- e. Within ten days of a request to copy public records, the Chief Administrative Services Officer will determine whether or not the records can be produced and will communicate the determination to the member of the public requesting the record(s).

Government Code Section 6250, et seq.

2. Release of Information Involving a Crime

Government Code generally exempts records of complaints to or investigations conducted by a law enforcement agency and intelligence information or security procedures from mandatory release as public records. There are significant exceptions to this exemption.

- a. Certain information must be made available to victims of specified crimes unless release of the information would endanger the safety of a person or the successful completion of an investigation.
 - (1) What information has to be released in the case of arson, burglary, fire, explosion, robbery, vehicle theft, crimes of violence, vandalism, and larceny?

(over)

- (a) Names and addresses of persons involved in the incident (except confidential informants).
 - (b) Description of any property involved.
 - (c) Date, time, and location of the incident.
 - (d) All diagrams.
 - (e) Statements of parties involved in the incident.
 - (f) Statements of all witnesses (except confidential informants).
- (2) To whom shall this information be provided?
- (a) To the victim.
 - (b) To an authorized representative of the victim.
 - (c) To an insurance carrier against which a claim has been or might be made.
 - (d) To any person suffering bodily injury or property damage as a result of the incident.
- b. Certain information must be made public unless release of the information would endanger the safety of a person or the successful completion of an investigation. The following information has to be made public:
- (1) Arrestee information.
- (a) The full name, current address, and occupation of every person arrested by the agency.
 - (b) The arrestee's physical description including: Date of birth, color of eyes and hair, sex, height, and weight.
 - (c) Date and time of arrest.
 - (d) Date and time of booking.
 - (e) Location of arrest.
 - (f) Factual circumstances surrounding arrest.
 - (g) Amount of bail set.
 - (h) Time and manner of release or location where the arrestee is being held.
 - (i) All charges subject is being held on including outstanding warrants and probation/parole holds.
- (2) Incident information.
- (a) Time, substance, and location of all complaints or requests for assistance.
 - (b) Time and nature of response thereto, including, to the extent that such information is recorded.
 - 1) Time, date, and location of occurrence.
 - 2) Time and date of the report.
 - 3) Name and age of the victim.
 - 4) The factual circumstances surrounding the crime or incident
 - 5) General description of any injuries involved, weapons involved, and property involved.

The above information is considered to be public information and shall be released to the public, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in investigation or a related investigation. Also, the name of the victim of any crime defined by Section 220, 261, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75 or 646.9 of the Penal Code may be withheld at the victim's request or request of the victim's

parent or guardian if the victim is a juvenile.

3. Regulation/Procedures for Public Notice implementation. Office of Primary Responsibility: District Human Resources Office.

This regulation implements Governing Board Policy 1005 with respect to public notice and comment on all initial proposals for negotiations with exclusive representatives.

- a. The exclusive representative's initial proposal for a successor agreement shall be made available for public review in the District Human Resources Office and the office of each college president. Copies of the initial proposal shall be posted by reference only upon bulletin boards to which the public has access in the District Human Resources Office and at major college facilities.
- b. At the next Governing Board meeting which takes place not less than ten (10) working days following the presentation of the exclusive representative's initial proposal, a public hearing shall be held to invite public comment upon the proposal.

After the public has had the opportunity to express itself, the Governing Board shall, at a meeting which is open to the public, adopt its initial proposal.

- c. The District's initial proposal shall be made available for public review in the District Human Resources Office and the office of each college president. Copies of the initial proposal shall be posted for reference only upon bulletin boards to which the public has access in the District Human Resources Office and at major college facilities.
- d. New subjects for negotiations, other than those contained in the initial proposals of the parties shall be distributed for posting by reference only and public review within 24 hours of their submittal to the other party in negotiations.
- e. When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in this procedure shall be followed.
- f. When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:
 - (1) The amendment shall appear on the agenda as a notice item, for action at a subsequent Board meeting.
 - (2) The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the agenda.