

Certificated Personnel

Unauthorized Release of Confidential/Privileged Information

The Board of Education, administration and staff shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws of this District permit disclosure. Information and records pertaining to closed sessions, negotiations and student records are not subject to public disclosure under Government Code 6252-6260.

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 from District service. Confidential information includes any information relating to the Board's employer-employee strategies on matters in negotiation or matters to be placed in negotiation.

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

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 further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information. (cf. 5125 - Student Records; Confidentiality) (cf. 9321 - Closed Sessions)

Legal References:

EDUCATION CODE

- 35010 Control of District; prescription and enforcement of rules
- 35146 Closed sessions (re student suspension)
- 44031 Personnel file contents and inspection
- 44932 Grounds for dismissal of permanent employees
- 44933 Other grounds for dismissal
- 45113 Rules and regulations for classified service
- 49060-49078 Pupil Records

GOVERNMENT CODE

- 1098 Public officials and employees: confidential information
- 6252 et seq. Inspection of public records
- 54950-54963 Brown Act

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: (7-88 11-93) 6-06