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Initiating Dept./Div.: Secretary of the District's Office



## BOARD POLICY

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### CONDUCTING DISTRICT BUSINESS USING PERSONAL ACCOUNTS AND DEVICES (PUBLIC RECORDS)

#### PURPOSE

To establish a policy to maintain compliance with the California Public Records Act.

#### POLICY

It is the policy of the Board of Directors to ensure that all substantive communications that are prepared, owned, used or retained by the District relating to the conduct of the public's business, regardless of physical form or characteristics, are open to inspection by any person at all times. This includes all electronic and analog formats. (Refer to Gov. Codes § 6252 and 6253).

In addition, certain communications relating to District business retained by a District employee or Board Member in their personal email or social media accounts, and/or on personal devices (i.e., cell phones, tablets, laptops and computers), may also be considered Public Records and be subject to public review. Such records shall also be made available to the public consistent with adherence to proper procedures under prevailing law, including the application of legally recognized confidentiality privileges.

All District personnel including Board Members, regular employees, temporary employees, co-ops, summer students and selected long-term contractors shall be subject to this Policy and District procedures adopted to implement this Policy.

District employees and officials are encouraged to avoid conducting District business using personal mobile devices or on non-District accounts since this is the best way to ensure both that the District has access to Public Records and protection of employees' and officials' privacy.

To protect individual privacy, District employees and officials should endeavor to:

- Avoid conducting District business using personal mobile devices or on non-District accounts.
- Use a District email account for District business.
- Conduct calls and texts/chats via their District Microsoft Teams account.
- Promptly forward or copy any communication (writings)<sup>1</sup> related to District business conducted on a personal device or non-District to a District account.

District IT staff can assist individuals with this process as needed.

*[Original retained by the Secretary of the District]*

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<sup>1</sup> Gov. Code Section 6252 (g) defines "Writing" to mean: "...any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."