

**CLASSIFICATION: Bylaws of the Board**

**ADOPTED: 6/14/17**

**REVISED:**

**REVIEWED:**

**SUBJECT: Disclosure of Confidential/Privileged  
Information**

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The County Board of Education recognizes the importance of maintaining the confidentiality of information acquired as part of a County Board member's official duties. Confidential information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A County Board member shall not disclose confidential information acquired during a closed session of a board meeting to a person not entitled to receive such information, unless a majority of the County Board has authorized its disclosure.

For these purposes, confidential information means a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session.

The County Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or County Board policy, when the person is:

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of County Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A County Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Such a disclosure may result in criminal prosecution. For these purposes, confidential information also includes information that is not a public record subject to disclosure under the Public Records Act, information

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that by law may not be disclosed, or information that may have a material financial effect on the County Board member.

Disclosures made to law enforcement officials when reporting improper governmental activities are excepted from this prohibition.

**Board Bylaw Nos.: 9005, 9010, 9321**

**Legal Reference:**

**Education Code**

**35146**

**Evidence Code**

**1040**

**Government Code**

**1098, 6250-6270, 54950-54963**

**Attorney General Opinions**

**80 Ops.Cal.Atty.Gen.231 (1997)**

**Management Resources:**

***Professional Governance Standards for County Boards, California School Boards Association, October 2014: [www.csba.org](http://www.csba.org)***