



# Huntington Beach Union High School District Board Policies and Administrative Regulations

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## Business and Non-Instructional Operations

### District Records

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

If the district discovers or is notified that a breach of security of district records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

### Safe at Home Program

District public records shall not include the actual email address and/or physical addresses

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of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

Legal Reference:

**EDUCATION CODE**

- 35145 Public meetings
- 35163 Official actions, minutes and journal
- 35250-35255 Records and reports
- 44031 Personnel file contents and inspection
- 49065 Reasonable charge for transcripts
- 49069 Absolute right to access

**CIVIL CODE**

- 1798.29 Breach of security involving personal information

**CODE OF CIVIL PROCEDURE**

- 1985.8 Electronic Discovery Act
- 2031.010-2031.060 Civil Discovery Act, scope of discovery demand
- 2031.210-2031.320 Civil Discovery Act, response to inspection demand

**GOVERNMENT CODE**

- 6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
- 6252-6265 Inspection of public records
- 12946 Retention of employment applications and records for two years

**PENAL CODE**

- 11170 Retention of child abuse reports

**CODE OF REGULATIONS, TITLE 5**

- 430 Individual student records; definition
- 432 Varieties of student records
- 16020-16022 Records, general provisions
- 16023-16027 Retention of records

**UNITED STATES CODE, TITLE 20**

- 1232g Family Educational Rights and Privacy Act

**CODE OF FEDERAL REGULATIONS, TITLE 34**

- 99.1-99.8 Family Educational Rights and Privacy Act

Management Resources:

**WEB SITES**

California Secretary of State: <http://www.sos.ca.gov/safeathome>

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