



Finance and Administrative Services

CALIFORNIA PUBLIC RECORDS ACT – FREQUENTLY ASKED QUESTIONS

What is the California Public Records Act (CPRA)?

The California Constitution expressly provides that “[t]he people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and *the writings of public officials and agencies shall be open to public scrutiny.*” Art. I, § 3. This right is reflected in several legislative enactments, including the California Public Records Act (CPRA) located at Government Code sections 6250 *et seq.*

What should I do if I receive a CPRA request?

All public records requests should be promptly forwarded to Stephanie Jarrett, Director of Purchasing and Risk Management at sjarrett@santarosa.edu, so that the a response can be provided to the requestor within 10 days of receipt, as the law requires.

Once a request has been received, it is important that all potentially responsive records be preserved and not deleted or destroyed.

What is a public record?

Government Code §6252 (e) defines a public record as “any writing containing information relating to the conduct of the public’s business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.” This includes handwritings, computer data, photographs, films, sound recordings, maps, magnetic tape, computer disks – virtually any means of recording any form of communication. This also includes information on officials’ personal devices, cell phones and social media accounts if it relates to the public’s business.

Can anyone request public records?

Any member of the public may request public records and there is no requirement for a requester to specify the reason for making the request. A requester may submit a request anonymously so long as contact information (e.g., an e-mail address) is provided for correspondence and record disclosure.

Does a CPRA request have to be in writing?

No. Although we recommend a request be submitted through the [portal](#) because it helps to create a record of the request, a request may be oral or written through any avenue.

What are the District's obligations to respond to a CPRA request?

Upon request, the District must search for and disclose requested public records unless a specific exemption from disclosure applies. A determination that a record is exempt and not subject to disclosure should only be made by the Vice President of Finance and Administrative Services, or designee, in consultation with legal counsel.

The District must provide an initial written response to a public records request within 10 days of receipt. A determination regarding whether documents will be provided may require up to an additional 14 days, depending on the complexity of the request and the availability of responsive documents. The production of responsive records may follow these determinations on a rolling basis, depending on the volume of records to be produced.

Failure to comply with the CPRA may subject the District to a lawsuit and obligate the District to pay the requester's attorneys' fees if a determination is made that the District failed to disclose non-exempt public records.

How long does the District have to respond to a CPRA request?

The District is required to determine within 10 days after receipt of a request whether the requested records are subject to disclosure, and to notify the individual making the request of the reasons for that determination. The records themselves are not required to be released in 10 days. At the time of making a determination, the District will provide a good faith estimate of when the records will be available based on the volume of the records requested and the necessary review process.

What happens if a CPRA request is vague?

The CPRA obligates the District to conduct a reasonable search for responsive records and if necessary, assist a requester to the extent reasonable under the circumstances to narrow the scope of their request to more effectively identify the requested documents.

What records are exempt from disclosure?

When a document is identified as potentially responsive to a public records request, yet contains personal or other exempt information as protected under the law, it will be redacted prior to production.

Exemptions from disclosure generally include: personnel, medical, or similar records, the disclosure of which would constitute an unwarranted invasion of personal privacy; records related to pending litigation; investigative records; preliminary drafts that typically are not retained; attorney-client privileged records; and other material made confidential by state and federal statutes.

All decisions about exemptions must be determined by Finance and Administrative Services.

Is the District required to create records that do not exist in order to comply with the CPRA?

No. The District only responsible for providing existing documents and records that are maintained in the normal course of business by the District.

Information that should be included in the request

Pursuant to Government Code §6253.1, in order to make a focused and effective request, please include the following applicable information to ensure the scope of the request is narrow and clear enough for the District to determine if it has the records you are requesting:

- The subject of the record
- A clear, concise, and specific description of the record(s) being requested
- The date(s) of the record(s), or a time period for your request (e.g.: calendar year 2020)
- Any additional information that helps us identify the record(s) being requested
- Your contact information for response to your request, preferably an email address

Who should I contact if I have additional questions?

If you have questions about a California Public Records Act request, please contact Stephanie Jarrett at sjarrett@santarosa.edu or call (707) 527-4822 during business hours.