



Subject: **Resolution to Address Copyright Loophole in Public Records Request Denials**

WHEREAS, the [Your School District Name] is committed to transparency and open access to public records under the California Public Records Act (CPRA);

WHEREAS, the [Your School District Name] is committed to upholding the people's right of access to information concerning the conduct of the people's business under Article I, Section 3, subparagraph (b)(1) of the California Constitution;

WHEREAS, the district has observed a pattern of withholding of requested documents subject to disclosure under the CPRA by other government agencies;

WHEREAS, concerns have arisen regarding the withholding of certain records by the school district, citing copyright protection as a reason for disallowing public inspection;

NOW, THEREFORE, BE IT RESOLVED that the [Your School District Name] recognizes the importance of balancing copyright protection with the public's right to access information;

BE IT FURTHER RESOLVED that the school district shall work collaboratively with legal counsel and relevant stakeholders to review and amend existing policies to ensure compliance with the California Constitution and CPRA while respecting copyright laws;

BE IT FURTHER RESOLVED that the school district shall establish clear guidelines and procedures for handling public records that may be subject to copyright claims, ensuring maximum transparency and access to information;

BE IT FURTHER RESOLVED that the school district shall periodically review and update its policies to adapt to changes in copyright laws and ensure ongoing alignment with the principles of transparency and public access.

BE IT FURTHER RESOLVED that the district shall exercise due diligence when entering into contracts with organizations for teacher training or curriculum production, and only enter

into agreements with entities that provide full copies of written materials and transcripts of oral presentations to keep on file at the district office for public inspection, ensuring maximum transparency and accessibility.

BE IT FURTHER RESOLVED that instead of denying a public records request on copyright grounds, the district will allow members of the public to review the records in the same manner set forth in Government Code section 65103.5, and the district will not allow such materials to be copied without the permission of the copyright owner.

BE IT FURTHER RESOLVED that any future contracts or agreements entered into by the school district with organizations providing teacher training or curriculum production services shall explicitly include clauses requiring full copies of written materials and transcripts of oral presentations be kept on file at the district office for public inspection of materials produced or provided, allowing for compliance with the California Constitution and California Public Records Act.

BE IT FURTHER RESOLVED that the school district shall review and, if necessary, renegotiate existing contracts with organizations involved in teacher training or curriculum production to include provisions for providing full copies of written materials and transcripts of oral presentations to be kept on file at the district office for public inspection, thereby facilitating the release of information in response to public records requests.

This resolution is effective immediately upon adoption.

[Your Name]

[Your Contact Information]

[Date]