

# SCHOOL AND COLLEGE LEGAL SERVICES *of California*

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## LEGAL UPDATE

October 7, 2003

*Of Counsel*  
Ralph D. Stern

**To:** Superintendents, Member School Districts (K-12)

**From:** Robert J. Henry, General Counsel 

**Subject:** Publication of Staff Directory  
Memo No. 19-2003

Many school districts continue to publish a "Staff Directory" that is intended to be used internally by employees of the district.

To the extent these directories use only school telephone numbers and school location addresses these directories are public records.

To the extent these directories use the employees' home addresses and personal telephone numbers (home and cellular) the directories are not public records.

In this regard, Government Code section 6254.3 provides as follows:

(a) The home addresses and home telephone numbers of state employees and employees of a school district or county office of education shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as follows:

(1) To an agent, or a family member of the individual to whom the information pertains.

(2) To an officer or employee of another state agency, school district, or county office of education when necessary for the performance of its official duties.

(3) To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home addresses and home telephone numbers of employees performing law enforcement-related functions shall not be disclosed.

(4) To an agent or employee of a health benefit plan providing health services or administering claims for health services to state, school districts, and county office of education employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents.

(b) Upon written request of any employee, a state agency, school district, or county office of education shall not disclose the employee's home address or home telephone number pursuant to paragraph (3) of subdivision (a) and an agency shall remove the employee's home address and home telephone number from any mailing list maintained by the agency, except if the list is used exclusively by the agency to contact the employee.

Based on the above we recommend that districts obtain written approval from each staff member before including that employee's home address and/or personal telephone numbers (or any other personal information such as birth date, name of spouse, number of children, etc.) in a staff directory, where the staff directory is to be distributed to all members of the staff.

An example of the necessary authorization is as follows:

“This is to authorize the \_\_\_\_\_ District to include my home address and personal telephone number(s) (home and cellular) [if other personal information is to be included in the directory that information should be added here] in a Staff Directory. I understand that when compiled the Staff Directory will be used for the personal use of employees of the District. I also understand that while the Directory will include a disclaimer intended to prevent the Directory from being used for commercial, political, or other unintended purposes, the District may be unable to prevent the Directory from being used for such purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

In addition to the above, we recommend that the Staff Directory include the following notice on its title page.

“This directory is for the personal use of \_\_\_\_\_ staff only, and is not to be used for business, political, or solicitation purposes. Pursuant to Government Code section 6254.3 home addresses and telephone numbers are not public records.”

Note:

This memorandum addresses the issue of a Staff Directory that is published by the school district for use by all staff members of the district. Administrators and other employees of a district may be provided with home addresses and personal telephone numbers of employees of the district without the consent of the employees where the administrator or other employee has a business need to know the information.

In addition, employee organizations and other similar organizations (e.g. PTA, School Foundation) may compile staff directories so long as they use their own resources in doing so and obtain the information from individual employees.

After you have had an opportunity to review this matter please let me know if you have any questions.

RJH:tw