

**California Institute for Regenerative Medicine (“CIRM”)  
PUBLIC RECORDS ACCESS GUIDELINES**

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The California Legislature has declared that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state. The California Public Records Act (Government Code section 6250 *et seq.*) requires that public records be available to the public upon request.

The CIRM has established the following guidelines to ensure that members of the public fully understand and are afforded the opportunity to use their right to inspect and obtain copies of public records. A copy of these guidelines is posted on the CIRM website ([www.cirm.ca.gov](http://www.cirm.ca.gov)) and will be provided free of charge upon request.

**WHAT ARE ‘PUBLIC RECORDS’?**

“Public records” include any writing containing information relating to the conduct of the public’s business prepared, owned, used or retained by the CIRM regardless of physical form or characteristics.

“Member of the public” means any person, except a member, agent, officer or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.

**HOW MAY THE PUBLIC OBTAIN ACCESS TO A PUBLIC RECORD?**

A written request to inspect or to obtain a copy of a public record should be addressed to: California Institute for Regenerative Medicine, Public Records Requests, 210 King Street, San Francisco, CA 94107. Alternatively, you may email your request to [prrequest@cirm.ca.gov](mailto:prrequest@cirm.ca.gov). The written request should describe the records with sufficient specificity to enable CIRM staff to identify and locate the information requested.

To assist the CIRM in responding to record requests quickly, efficiently and completely, the requester is asked to provide as much of the following information as possible:

- Name of requester,
- Organization,
- Telephone number at which requester can be reached to clarify the request,
- Email address,
- Mailing address,
- Name of requested record,
- Short description of requested record,
- Additional information to assist CIRM staff in locating requested record.

**WHEN WILL THE CIRM RESPOND?**

Within 10 working days from the date the request is received, the CIRM will determine whether it is able to comply with the request and will notify the requester of its determination. If the determination will not be made within 10 working days due to unusual circumstances as defined in Government Code section 6253.1, the CIRM will notify the requesting person of the reasons for the delay and the date when the

determination will be issued. This notice will not specify a date that results in an extension of more than 14 working days.

The CIRM may ask for additional information if the request for records is not specific enough to permit identification of the requested records. If the CIRM determines to comply with the request, the records will be made available as promptly as is reasonably practicable. While the CIRM will disclose identifiable and existing records, the CIRM is not required to synthesize, manufacture, or summarize records, (e.g., develop new records in response to a request).

### **WHAT WILL THE CIRM'S RESPONSE TO A RECORDS REQUEST INCLUDE?**

In responding to information requests, the CIRM will advise the person submitting the request, by email or mail as appropriate, of:

- (1) the location, approximate date, and time at which the requested public records will be available;
- (2) if copies of records are requested, the cost of providing such copies;
- (3) those records that are exempt from disclosure pursuant to applicable provisions of the Public Records Act.

### **WHEN MAY PUBLIC RECORDS BE INSPECTED?**

Pursuant to the policy outlined above, requested public records may be open to inspection during CIRM office hours. The inspection of public records is subject to a rule of reason as to time and duration and must be consistent with the efficient functioning of the CIRM offices. **Any person who wishes to inspect requested public records is asked to please telephone the CIRM office to schedule an appointment.**

### **IS THERE A FEE INVOLVED FOR COPIES?**

A request for a copy of an identifiable public record or information produced therefrom must be accompanied by payment of fees to cover the direct costs of duplication, which will be based on a fee of \$0.10 per standard reproduced page. Duplication of information transferred to a compact disk costs \$0.65 per CD. If electronic data is extracted, compiled or reprogrammed in order to satisfy a request for records, the full cost of performing these transactions may be charged by the CIRM pursuant to Government Code section 6253.9.

Copying costs may be waived when the total copying cost for the records requested is less than ten dollars (\$10) per quarter.

Other external services, such as copying video and audio cassettes will be made at the direct cost to the requester.

### **WHAT RECORDS ARE NOT OPEN FOR INSPECTION?**

In balancing the public's right to access public records with the recognized individual right of privacy and the need for the CIRM to be able to competently perform its duties,

the Legislature has established certain categories of records which may be exempt from public disclosure.

A complete list of statutory exemptions is found in the California Public Records Act. Records exempt from disclosure that pertain to the CIRM include, but are not limited to, the following:

1. Records covered by the attorney client privilege or attorney work product rule (Gov. Code section 6254(k));
2. Records pertaining to pending litigation to which the CIRM is a party, or to claims made pursuant to Division 3.6 (commencing with section 810), until the pending litigation or claim has been finally adjudicated or otherwise settled (Gov. Code section 6254(b));
3. Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Gov. Code section 6254(c));
4. Records containing or reflecting confidential intellectual property or work product, whether patentable or not, including, but not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information, which is not patented, which is known only to certain individuals who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know it or use it. (Health & Saf. Code section 125290.30(e)(2)(B));
5. Pre-publication scientific working papers or research data (Health & Saf. Code section 125290.30(e)(2)(C)).

The CIRM may also claim an exemption from public disclosure for records which do not qualify for a specific exemption under the California Public Records Act but with regards to which it determines that the public interest served by not making the record public clearly outweighs the public interest served by disclosure, pursuant to Government Code section 6255.

#### **WHAT IF A MEMBER OF THE PUBLIC WISHES TO CHALLENGE THE CIRM'S DETERMINATION NOT TO DISCLOSE RECORDS?**

Under the California Public Records Act, Government Code section 6258, any person may seek injunctive or declarative relief in any court of competent jurisdiction to enforce the right to inspect or to receive a copy of any public record.