

Regulation 32161. Participation in PERB Proceedings; Recording, Photographing, and Broadcasting of PERB Proceedings

- (a) Observers and participants in any PERB proceeding must identify their full names upon inquiry from a Board agent.
- (b) No photographs, video recordings, or audio recordings may be made of any formal or informal PERB proceeding, whether conducted in-person or over an audio or video platform, absent written permission of a Board agent. Such permission shall be granted only if:
 - (1) The requesting party establishes that it intends to use such a record for a proper purpose;
 - (2) There is no reasonable alternative;
 - (3) The Board agent issues a protective order limiting the use of the record to the intended purpose;
 - (4) The importance of the intended purpose outweighs any likelihood of negatively impacting witnesses or the hearing process; and
 - (5) The proceeding in question is not an informal conference under Section 32650 or any proceeding that constitutes a “mediation” or “mediation consultation” within the definitions set forth in Evidence Code Section 1115.
- (c) A photograph, video recording, or audio recording of a PERB proceeding made by a participant or observer shall not be part of the official record of the proceeding, and no party shall cite it as evidence.
- (d) Participants and observers in PERB proceedings shall not live broadcast to others any video or audio of such proceedings.