

JUN 02 2015

V. Magaña

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF RIVERSIDE

) Blanket Order No. 6

) ORDER RE: RELEASE OF EDUCATION  
) RECORDS OF CHILDREN SUBJECT TO  
) JUVENILE COURT PROCEEDINGS

It is the expressed intent of the California Legislature to improve the education outcomes of children subject to juvenile court proceedings. (Ed. Code, § 48850; Welf. & Inst. Code, § 16000(b).) Under federal mandates, juvenile courts are required to ensure these children receive appropriate services to meet their educational needs. (45 C.F.R. §1355.34(b)(1)(iii)(B).) In pursuit of these goals, the Legislature enacted Education Code sections 49069.5, 49076, and 49077. These statutes confer joint responsibility on Riverside County Department of Social Services, Riverside County Probation Department, and local educational entities to assure the proper and timely transfer of both students and records. These statutes authorize the release of education records so that the academic achievement of children subject to juvenile court proceedings is not impaired by delayed record transfers. In addition, Court Appointed Special Advocates (CASAs) and children's attorney are afforded this same access to education records to ensure the children they represent are provided appropriate educational opportunities. (Welf. & Inst. Code, §§107, 317.)

The court hereby finds that the release of education records held by all public or non-public schools located within California to DPSS, Probation, CASA, district attorney's and their investigators, children's attorneys and their investigators is imperative in meeting the juvenile court's obligation to adequately meet the educational needs of children subject to juvenile court proceedings. The court further finds that the best interest of children who are the subject of

1 juvenile proceedings necessitates the release of said records and outweighs the confidentiality  
2 interests reflected in Civil Code §56 et. seq., Welf. & Inst. Code, §§ 827, 828, 4514, 5328,  
3 10850; Ed. Code, §§ 49602, 34 C.F.R. §99.31, and all other provision related to the  
4 confidentiality of education records.

5 Finding good cause, the court hereby makes the following order which shall apply to any  
6 child who is the subject of juvenile court proceedings:

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8 1. Any public or non-public school that provides educational services to a child subject to  
9 Riverside County Juvenile Court proceedings is authorized and directed to release any and all  
10 pupil records of such a child upon the request of a child's social worker, probation officer,  
11 CASA, an attorney representing the child, or the attorney's investigator. Such records include,  
12 but are not limited to: attendance records, report cards, special education and individualized  
13 education plans ("IEP"), Section 504 plans, test scores, discipline records, behavior plans,  
14 progress reports, immunization records, and any other education or pupil records maintained by a  
15 school. This order does not apply to the release of educational records to Probation prior to a  
16 minor's adjudication pursuant to 20 U.S.C. § 1232(g)(b)(1)(E)(ii); 34 C.F.R. §§ 99.31 (a)(5)(B),  
17 99.38.

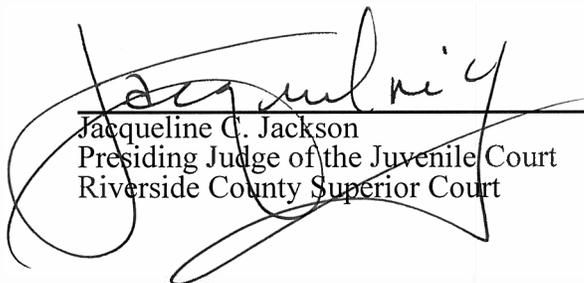
18 2. These records shall be released without the requirement of parental consent. The individual  
19 requesting the above educational records shall provide the school with verification that the child  
20 is subject to juvenile court proceedings and will request the records a minimum of 15 days in  
21 advance so as to afford the school an opportunity to notice parents prior to the release of the  
22 records. Such notice to parents should advise them of their right to object to the release of the  
23 requested educational records by filing an objection with the Presiding Judge of the Juvenile  
24 Court prior to the release of the records. Additionally, the requestor shall provide verification of  
25 his/her employment with DPSS, Probation or minor's counsel, appointment to the case as a  
26 child's attorney or CASA. When the requestor is the child's attorney or CASA, a minute order or  
27 an appointment order shall constitute sufficient verification.

1 3. In order to facilitate the release of education records, DPSS, Probation, the child's attorney, or  
2 CASA is authorized and directed to provide to the designated foster child educational liaison of  
3 any school district, or their designee, information as to the status of a student who is the subject  
4 of a juvenile court proceeding.

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6 4. Records received pursuant to this Blanket Order shall remain confidential and shall only be  
7 disclosed within the framework of the juvenile court proceedings or in the course advocating for  
8 the child's interests. The information regarding a child's juvenile court involvement shall be kept  
9 strictly confidential.

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11 This order shall remain in effect until it is revoked or otherwise amended on the motion of the  
12 Juvenile Court Presiding Judge or at the request of any interested parties.

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15 Dated: 5/21/15

  
16 Jacqueline C. Jackson  
17 Presiding Judge of the Juvenile Court  
18 Riverside County Superior Court  
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