

1 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
2 **FOR THE COUNTY OF RIVERSIDE**

3 **FILED**
4 SUPERIOR COURT OF CALIFORNIA
5 COUNTY OF RIVERSIDE

6 **JUN 09 2016**

7 *X. Magaña*

8) Blanket Order No. 6

9) ORDER RE: RELEASE OF EDUCATION
10) RECORDS OF CHILDREN SUBJECT TO
11) JUVENILE COURT PROCEEDINGS
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11 It is the expressed intent of the California Legislature to improve the education outcomes
12 of children subject to juvenile court proceedings. (Ed. Code, § 48850; Welf. & Inst. Code, §
13 16000(b).) Under federal mandates, juvenile courts are required to ensure these children receive
14 appropriate services to meet their educational needs. (45 C.F.R. §1355.34(b)(1)(iii)(B).) In
15 pursuit of these goals, the Legislature enacted Education Code sections 49069.5, 49076, and
16 49077. These statutes confer joint responsibility on Riverside County Department of Social
17 Services, Riverside County Probation Department, and local educational entities to assure the
18 proper and timely transfer of both students and records. These statutes authorize the release of
19 education records so that the academic achievement of children subject to juvenile court
20 proceedings is not impaired by delayed record transfers. In addition, Court Appointed Special
21 Advocates (CASAs) and children's attorney are afforded this same access to education records to
22 ensure the children they represent are provided appropriate educational opportunities. (Welf. &
23 Inst. Code, §§107, 317.)

24 The court hereby finds that the release of education records held by all public or non-
25 public schools located within California to DPSS, Probation, CASA, district attorney's and their
26 investigators, children's attorneys and their investigators is imperative in meeting the juvenile
27 court's obligation to adequately meet the educational needs of children subject to juvenile court
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1 proceedings. The court further finds that the best interest of children who are the subject of
2 juvenile proceedings necessitates the release of said records and outweighs the confidentiality
3 interests reflected in Civil Code §56 et. seq., Welf. & Inst. Code, §§ 827, 828, 4514, 5328,
4 10850; Ed. Code, §§ 49602, 34 C.F.R. §99.31, and all other provision related to the
5 confidentiality of education records.

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

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9 1. Any public or non-public school that provides educational services to a child subject to
10 Riverside County Juvenile Court proceedings is authorized and directed to release any
11 and all pupil records of such a child upon written request a child's social worker,
12 probation officer, CASA, an attorney representing the child, or the attorney's
13 investigator. Such records include, but are not limited to: attendance records, report cards,
14 special education and individualized education plans ("IEP"), Section 504 plans, test
15 scores, discipline records, behavior plans, progress reports, immunization records, and
16 any other education or pupil records maintained by a school. This order applies to the
17 release of educational records to Probation prior to a minor's adjudication pursuant to 20
18 U.S.C. § 1232(g)(b)(1)(E)(ii); 34 C.F.R. §§ 99.31 (a)(5)(B), 99.38. A school district shall
19 permit access to pupil records without parental consent to a probation officer, district
20 attorney, or counsel of record for a minor for purposes of conducting a criminal
21 investigation or an investigation in regards to declaring a person a ward of the court or
22 involving a violation of a condition of probation. (Ed. Code, § 49076, subd. (a)(I)(i)).
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24 2. These records shall be released without the requirement of parental consent. The
25 individual requesting the above educational records shall provide the school with
26 verification that the child is subject to juvenile court proceedings and will request the
27 records a minimum of 15 days in advance so as to afford the school an opportunity to
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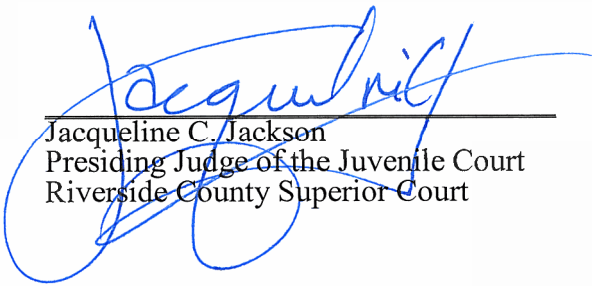
1 notice parents prior to the release of the records. Such notice to parents should advise
2 them of their right to object to the release of the requested educational records by filing
3 an objection with the Presiding Judge of the Juvenile Court prior to the release of the
4 records. Additionally, the requestor shall provide verification of his/her employment with
5 DPSS, Probation or minor's counsel, appointment to the case as a child's attorney or
6 CASA. When the requestor is the child's attorney or attorney's investigator or CASA, a
7 minute order or an appointment order shall constitute sufficient verification.
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10 3. In order to facilitate the release of education records, DPSS, Probation, the child's
11 attorney, or CASA is authorized and directed to provide to the designated foster child
12 educational liaison of any school district, or their designee, information as to the status of
13 a student who is the subject of a juvenile court proceeding.

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

19 This order shall remain in effect until it is revoked or otherwise amended on the motion of the
20 Juvenile Court Presiding Judge or at the request of any interested parties.
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24 Dated: 5/20/16



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