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JOHN A. CLARKE, CLERK

*[Signature]*  
BY SHELIA SOLOMON, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
JUVENILE DIVISION

BLANKET 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 educational outcomes of children subject to juvenile court proceedings.<sup>1</sup> Moreover, pursuant to Child and Family Service Review standards, juvenile courts are federally mandated to ensure these children receive the appropriate services to meet their educational needs.<sup>2</sup> In pursuit of these goals, the California Legislature enacted California Education Code §§ 49069.5, 49076, and 49077. These statutes confer joint responsibility on Los Angeles County's child placing agencies (including the Los

<sup>1</sup> Cal. Ed. Code § 48850 ("It is the intent of the Legislature to ensure that all pupils in foster care... have a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. In fulfilling their responsibilities to these pupils, educators, county placing agencies, care providers, advocates, and the juvenile courts shall work together to maintain stable school placements and to ensure that each pupil is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions must be based on the best interests of the child.") See also Cal. Welf. and Inst. Code § 16000(b).

<sup>2</sup> 45 CFR § 1355.34(b)(1)(iii)(B).

1 Angeles County Department of Children and Family Services ("DCFS") and the Los Angeles  
2 County Probation Department ("Probation")) and local educational entities to assure the proper  
3 and timely transfer of both students and records. Hence, the above-noted statutes specifically  
4 authorize the release of education records to county placing agencies such as DCFS and  
5 Probation so that the academic achievement of children subject to juvenile court proceedings is  
6 not impaired by delayed record transfers. In addition, Court Appointed Special Advocates  
7 ("CASAs") and children's attorneys are afforded this same access to education records to ensure  
8 the children they represent are provided appropriate educational opportunities.<sup>3</sup>

9 Findings

10 The court hereby finds the release of education records held by the attached list of Los  
11 Angeles County school districts to DCFS, Probation, CASAs and children's attorneys is  
12 imperative in meeting the juvenile court's obligation to adequately meet the educational needs of  
13 children subject to juvenile court proceedings. The court further finds that the best interest of  
14 children who are the subject of juvenile court proceedings necessitates the release of said records  
15 and outweighs the confidentiality interests reflected in California Civil Code § 56 et seq.,  
16 Welfare and Institutions Code §§ 827, 828, 4514, 5328 and 10850, Education Code § 49602, 34  
17 CFR 99.31, and all other provisions related to the confidentiality of education records.

18 Order

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

- 21
- 22 1. Any public or non-public school that provides educational services to a child subject to Los  
23 Angeles juvenile court proceedings is authorized and directed to release any and all pupil  
24

25 <sup>3</sup> See Cal. Welf. and Inst. Code §§ 107 and 317.

1 records of such a child upon the request of a child's social worker, probation officer, CASA  
2 or attorney representing the child. Such records include, but are not limited to: attendance  
3 records, report cards, special education and individualized education plan ("IEP") records,  
4 Section 504 plans, test scores, discipline records, behavior plans, progress reports,  
5 immunization records and any other education or pupil records maintained by a school.<sup>4</sup>  
6

7 2. These records shall be released without the requirement of parental consent. The individual  
8 requesting the above-noted records shall provide the school with verification that the child is  
9 subject to juvenile court proceedings and will request the records a minimum of fifteen days  
10 in advance so as to afford the school an opportunity to notice parents prior to the release of  
11 the records. Such notice to parents should advise them of their right to object to the release  
12 of the requested educational records by filing an objection with the Presiding Judge of the  
13 Juvenile Court prior to the release of the records. Additionally, the requestor shall provide  
14 verification of his/her employment with either DCFS or Probation, or appointment to the case  
15 as the child's attorney or CASA. When the requestor is the child's attorney or CASA, a  
16 minute order or an appointment order shall constitute sufficient verification.  
17

18 3. In order to facilitate the release of education records, DCFS, Probation, the child's attorney,  
19 or CASA is authorized and directed to provide to the designated foster child educational  
20 liaison of any school district, or their designee, information as to the legal status of a student  
21 who is the subject of a juvenile court proceeding.  
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23 4. Records received pursuant to this Blanket Order shall remain confidential and shall only be  
24 disclosed within the framework of the juvenile court proceedings or in the course of  
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<sup>4</sup> This order does not apply to the release of educational records to Probation prior to a minor's adjudication pursuant to 20 U.S.C. § 1232(g)(b)(1)(E)(ii); 34 C.F.R. § 99.31(a)(5)(B); 34 C.F.R. § 99.38.

1 advocating for the child's educational interests. The information regarding a child's juvenile  
2 court involvement shall be kept strictly confidential.

3  
4 This order shall become effective July 15, 2006 and shall remain in effect until or unless it is  
5 revoked or otherwise amended on the motion of the Juvenile Court Presiding Judge or at the  
6 request of any interested parties.

7  
8 IT IS SO ORDERED.

9 DATE: June 19, 2006



10  
11 Michael Nash  
12 Presiding Judge of the Juvenile Court