

AMENDED IN SENATE AUGUST 15, 2012
AMENDED IN SENATE JUNE 16, 2011
AMENDED IN ASSEMBLY MARCH 25, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 733

Introduced by Assembly Member Ma

February 17, 2011

An act to amend Sections 49076 and 49076.5 of the Education Code, relating to pupil records.

LEGISLATIVE COUNSEL'S DIGEST

AB 733, as amended, Ma. Pupil records: privacy rights.

Existing law prohibits a school district from permitting access to pupil records to any person without written parental consent or judicial order, except as provided.

This bill would make various changes to these pupil record provisions to conform them to federal law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 49076 of the Education Code is amended~~
2 ~~to read:~~
3 ~~49076. A school district shall not permit access to pupil records~~
4 ~~to a person without written parental consent or unless pursuant to~~
5 ~~judicial order except as set forth in this section and as permitted~~

1 by Part 99 (commencing with Section 99.1) of Title 34 of the Code
2 of Federal Regulations.

3 (a) ~~Access to those particular records relevant to the legitimate
4 educational interests of the requester shall be permitted to the
5 following:~~

6 (1) ~~School officials and employees of the district, members of
7 a school attendance review board appointed pursuant to Section
8 48321, and a volunteer aide, 18 years of age or older, who has
9 been investigated, selected, and trained by a school attendance
10 review board for the purpose of providing followup services to
11 pupils referred to the school attendance review board, provided
12 that the person has a legitimate educational interest to inspect a
13 record.~~

14 (2) ~~Officials and employees of other public schools or school
15 systems, including local, county, or state correctional facilities
16 where educational programs leading to high school graduation are
17 provided or where the pupil intends to or is directed to enroll,
18 subject to the rights of parents as provided in Section 49068.~~

19 (3) ~~Authorized representatives of the Comptroller General of
20 the United States, the Secretary of Education, and state education
21 officials, or their respective designees, or the United States Office
22 of Civil Rights, where the information is necessary to audit or
23 evaluate a state or federally supported education program or
24 pursuant to a federal or state law, provided that except when
25 collection of personally identifiable information is specifically
26 authorized by federal law, data collected by those officials shall
27 be protected in a manner that will not permit the personal
28 identification of pupils or their parents by other than those officials,
29 and personally identifiable data shall be destroyed when no longer
30 needed for the audit, evaluation, and enforcement of federal legal
31 requirements.~~

32 (4) ~~In accordance with the federal Family Educational Rights
33 Privacy Act (20 U.S.C. 1232g), state and local officials or
34 authorities to whom the information is specifically allowed to be
35 reported or disclosed pursuant to state law adopted prior to
36 November 19, 1974, and state and local officials or authorities to
37 whom the information is specifically allowed to be reported or
38 disclosed pursuant to state law adopted after November 19, 1974,
39 if the reporting or disclosure concerns the juvenile justice system
40 and the system's ability to effectively serve, prior to adjudication,~~

1 the pupil whose records are released, and the disclosure of those
2 records is permitted pursuant to, and consistent with, Section 99.38
3 of Title 34 of the Code of Federal Regulations as that section read
4 on January 1, 2009.

5 (5) Parents of a pupil 18 years of age or older who is a dependent
6 as defined in Section 152 of the Internal Revenue Code of 1986.

7 (6) A pupil 16 years of age or older, or who has completed grade
8 10, and who requests access.

9 (7) A district attorney's office that is participating in or
10 conducting a truancy mediation program pursuant to Section
11 48263.5, or Section 601.3 of the Welfare and Institutions Code,
12 or participating in the presentation of evidence in a truancy petition
13 pursuant to Section 681 of the Welfare and Institutions Code. For
14 purposes of this paragraph, a truancy mediation program under
15 Section 48263.5 concerns the juvenile justice system and the
16 system's ability to effectively serve, prior to adjudication, the pupil
17 whose records are released, and the disclosure of those records is
18 permitted pursuant to, and consistent with, Section 99.38 of Title
19 34 of the Code of Federal Regulations as that section read on
20 January 1, 2009.

21 (8) A district attorney's office for consideration against a parent
22 or guardian for failure to comply with the Compulsory Education
23 Law (Chapter 2 (commencing with Section 48200)) or with
24 Compulsory Continuation Education (Chapter 3 (commencing
25 with Section 48400)) if the reporting or disclosure concerns the
26 juvenile justice system and the system's ability to effectively serve,
27 prior to adjudication, the pupil whose records are released, and the
28 disclosure of those records is permitted pursuant to, and consistent
29 with, Section 99.38 of Title 34 of the Code of Federal Regulations
30 as that section read on January 1, 2009.

31 (9) A probation officer or district attorney's office for the
32 purposes of conducting an investigation for juvenile adjudication,
33 declaring a person a ward of the court, or involving a violation of
34 a condition of probation, where the records are relevant to the
35 legitimate educational interests of the pupil, as these investigations
36 concern the juvenile justice system and the system's ability to
37 effectively serve, prior to adjudication, the pupil whose records
38 are released, and disclosure of those records is permitted pursuant
39 to, and consistent with, Section 99.38 of Title 34 of the Code of
40 Federal Regulations as that section read on January 1, 2009. Law

1 enforcement records may be released without consent, a subpoena,
2 or a court order.

3 ~~(10) A judge or probation officer for the purpose of conducting
4 a truancy mediation program for a pupil, or for purposes of
5 presenting evidence in a truancy petition pursuant to Section 681
6 of the Welfare and Institutions Code. For purposes of this
7 paragraph, a truancy mediation program under Section 48263.5
8 concerns the juvenile justice system and the system's ability to
9 effectively serve, prior to adjudication, the pupil whose records
10 are released, and the disclosure of those records is permitted
11 pursuant to, and consistent with Section 99.38 of Title 34 of the
12 Code of Federal Regulations as that section read on January 1,
13 2009. The judge or probation officer shall certify in writing to the
14 school district that the information will be used only for truancy
15 purposes. A school district releasing pupil information to a judge
16 or probation officer pursuant to this paragraph shall inform, or
17 provide written notification to, the parent or guardian of the pupil
18 within 24 hours of the release of the information.~~

19 ~~(11) A county placing agency for the purpose of fulfilling the
20 requirements of the health and education summary required
21 pursuant to Section 16010 of the Welfare and Institutions Code or
22 for the purpose of fulfilling educational case management
23 responsibilities required by the juvenile court or by law and to
24 assist with the school transfer or enrollment of a pupil. School
25 districts, county offices of education, and county placing agencies
26 may develop cooperative agreements to facilitate confidential
27 access to and exchange of the pupil information by e-mail,
28 facsimile, electronic format, or other secure means.~~

29 ~~(b) School districts may release information from pupil records
30 to the following:~~

31 ~~(1) Appropriate persons in connection with an emergency if the
32 knowledge of the information is necessary to protect the health or
33 safety of a pupil or other persons.~~

34 ~~(2) Agencies or organizations in connection with the application
35 of a pupil for, or receipt of, financial aid. However, information
36 permitting the personal identification of a pupil or his or her parents
37 may be disclosed only as may be necessary for purposes as to
38 determine the eligibility of the pupil for financial aid, to determine
39 the amount of the financial aid, to determine the conditions that~~

1 will be imposed regarding the financial aid, or to enforce the terms
2 or conditions of the financial aid.

3 ~~(3) A county elections official pursuant to Section 99.37 of Title~~
4 ~~34 of the Code of Federal Regulations, if the information is~~
5 ~~directory information as defined in this paragraph, for the purpose~~
6 ~~of identifying pupils eligible to register to vote, and for conducting~~
7 ~~programs to offer pupils an opportunity to register to vote if the~~
8 ~~pupil's parent's, or pupils who are 18 years of age or older, have~~
9 ~~not opted out of participation in this voter registration activity.~~
10 ~~The directory information that may be disclosed pursuant to this~~
11 ~~paragraph shall be limited to a pupil's name, address, telephone~~
12 ~~number, e-mail address, and date of birth, and shall not be used~~
13 ~~for any other purpose or given or transferred to any other person~~
14 ~~or agency.~~

15 ~~(4) Accrediting associations in order to carry out their~~
16 ~~accrediting functions.~~

17 ~~(5) Organizations conducting studies for, or on behalf of,~~
18 ~~educational agencies or institutions for the purpose of developing,~~
19 ~~validating, or administering predictive tests, administering student~~
20 ~~aid programs, and improving instruction, if the studies are~~
21 ~~conducted in a manner that will not permit the personal~~
22 ~~identification of pupils or their parents by persons other than~~
23 ~~representatives of the organizations and the information will be~~
24 ~~destroyed when no longer needed for the purpose for which it is~~
25 ~~obtained.~~

26 ~~(6) (A) Officials and employees of private schools or school~~
27 ~~systems where the pupil is enrolled or intends to enroll, subject to~~
28 ~~the rights of parents as provided in Section 49068. This information~~
29 ~~shall be in addition to the pupil's permanent record transferred~~
30 ~~pursuant to Section 49068.~~

31 ~~(B) A person, persons, agency, or organization permitted access~~
32 ~~to pupil records pursuant to this section shall not permit access to~~
33 ~~any information obtained from those records by any other person,~~
34 ~~persons, agency, or organization, except for allowable exceptions~~
35 ~~contained within the Family Educational Rights and Privacy Act~~
36 ~~of 2001 (20 U.S.C. Sec. 1232g) and state law, without the written~~
37 ~~consent of the pupil's parent. This paragraph does not require prior~~
38 ~~parental consent when information obtained pursuant to this section~~
39 ~~is shared with other persons within the educational institution,~~
40 ~~agency, or organization obtaining access, so long as those persons~~

1 have a legitimate educational interest in the information pursuant
2 to Section 99.31 of Title 34 of the Code of Federal Regulations.

3 ~~(7) As permitted by Part 99 (commencing with Section 99.1)~~
4 ~~of Title 34 of the Code of Federal Regulations, a public school~~
5 ~~district may release pupil records without the consent of a parent~~
6 ~~or guardian if all personally identifiable information has been~~
7 ~~removed, provided the school district has made a reasonable~~
8 ~~determination that a pupil's identity is not personally identifiable,~~
9 ~~whether through single or multiple releases, and has taken into~~
10 ~~account other reasonably available information.~~

11 ~~(e) Notwithstanding any other law, a school district, including~~
12 ~~any county office of education or superintendent of schools, may~~
13 ~~participate in an interagency data information system that permits~~
14 ~~access by authorized school officials to a computerized database~~
15 ~~maintained by a noneducational governmental agency to~~
16 ~~information or records that are nonprivileged, and where release~~
17 ~~is authorized as to the requesting agency under state or federal law~~
18 ~~or regulation, if each of the following requirements is met:~~

19 ~~(1) Each agency and school district shall develop security~~
20 ~~procedures or devices by which unauthorized personnel cannot~~
21 ~~access data contained in the system.~~

22 ~~(2) Each agency and school district shall develop procedures~~
23 ~~or devices to secure privileged or confidential data from~~
24 ~~unauthorized disclosure.~~

25 ~~(3) Each school district shall comply with the access log~~
26 ~~requirements of Section 49064.~~

27 ~~(4) The right of access granted shall not include the right to add,~~
28 ~~delete, or alter data without the written permission of the agency~~
29 ~~holding the data.~~

30 ~~(5) An agency or school district shall not make public or~~
31 ~~otherwise release information on an individual contained in the~~
32 ~~database where the information is protected from disclosure or~~
33 ~~release as to the requesting agency by state or federal law or~~
34 ~~regulation.~~

35 ~~(6) A school district, including a county office of education or~~
36 ~~superintendent of schools, shall not disclose personally identifiable~~
37 ~~pupil information from educational records into this interagency~~
38 ~~data information system unless permitted by Part 99 (commencing~~
39 ~~with Section 99.1) of Title 34 of the Code of Federal Regulations.~~

1 SECTION 1. *Section 49076 of the Education Code is amended*
2 *to read:*

3 49076. (a) A school district ~~is not authorized to~~ *shall not permit*
4 *access to pupil records to a person without written parental consent*
5 *or under judicial order except that: as set forth in this section and*
6 *as permitted by Part 99 (commencing with Section 99.1) of Title*
7 *34 of the Code of Federal Regulations.*

8 (1) Access to those particular records relevant to the legitimate
9 educational interests of the requester shall be permitted to the
10 following:

11 (A) School officials and employees of the *school* district,
12 members of a school attendance review board appointed pursuant
13 to Section 48321 *who are authorized representatives of the school*
14 *district*, and any volunteer aide, 18 years of age or older, who has
15 been investigated, selected, and trained by a school attendance
16 review board for the purpose of providing followup services to
17 pupils referred to the school attendance review board, provided
18 that the person has a legitimate educational interest to inspect a
19 record.

20 (B) Officials and employees of other public schools or school
21 systems, including local, county, or state correctional facilities
22 where educational programs leading to high school graduation are
23 provided or where the pupil intends to or is directed to enroll,
24 subject to the rights of parents as provided in Section 49068.

25 (C) ~~Authorized representatives of the Comptroller General of~~
26 ~~the United States, the Secretary of Education, and administrative~~
27 ~~head of an education agency, state education officials, or their~~
28 ~~respective designees state and local educational authorities, or~~
29 ~~the United States Department of Education's Office of for Civil~~
30 ~~Rights, where if the information is necessary to audit or evaluate~~
31 ~~a state or federally supported education program or pursuant to a~~
32 ~~federal or state law, provided that except when collection of~~
33 ~~personally identifiable information is specifically authorized by~~
34 ~~federal law, data collected by those officials shall be protected in~~
35 ~~a manner that will not permit the personal identification of pupils~~
36 ~~or their parents by other than those officials, and personally~~
37 ~~identifiable data shall be destroyed when no longer needed for the~~
38 ~~audit, evaluation, and enforcement of federal legal requirements,~~
39 ~~or in connection with the enforcement of, or compliance with, the~~
40 ~~federal legal requirements that relate to such a program. Records~~

1 *released pursuant to this section shall comply with the*
2 *requirements of Section 99.35 of Title 34 of the Code of Federal*
3 *Regulations.*

4 (D) Other state and local officials to the extent that information
5 is specifically required to be reported pursuant to state law adopted
6 ~~prior to~~ *before* November 19, 1974.

7 (E) Parents of a pupil 18 years of age or older who is a
8 dependent as defined in Section 152 of Title 26 of the United States
9 Code.

10 (F) A pupil 16 years of age or older or having completed the
11 10th grade who requests access.

12 (G) A district attorney who is participating in or conducting a
13 truancy mediation program pursuant to Section 48263.5, or Section
14 601.3 of the Welfare and Institutions Code, or participating in the
15 presentation of evidence in a truancy petition pursuant to Section
16 681 of the Welfare and Institutions Code.

17 (H) A ~~prosecuting agency~~ *district attorney's office* for
18 consideration against a parent or guardian for failure to comply
19 with the Compulsory Education Law (Chapter 2 (commencing
20 with Section ~~48200~~ of Part 27), 48200)) or with Compulsory
21 Continuation Education (Chapter 3 (commencing with Section
22 ~~48400~~ of Part 27) 48400)).

23 (I) (i) A probation officer, district attorney, or counsel of record
24 for a minor for the purposes of conducting a criminal investigation
25 or an investigation in regards to declaring a person a ward of the
26 court or involving a violation of a condition of probation.

27 (ii) For purposes of this subparagraph, a probation officer,
28 district attorney, and counsel of record for a minor shall be deemed
29 to be local officials for purposes of Section 99.31(a)(5)(i) of Title
30 34 of the Code of Federal Regulations.

31 (iii) Pupil records obtained pursuant to this subparagraph shall
32 be subject to the evidentiary rules described in Section 701 of the
33 Welfare and Institutions Code.

34 (J) A judge or probation officer for the purpose of conducting
35 a truancy mediation program for a pupil, or for purposes of
36 presenting evidence in a truancy petition pursuant to Section 681
37 of the Welfare and Institutions Code. The judge or probation officer
38 shall certify in writing to the school district that the information
39 will be used only for truancy purposes. A school district releasing
40 pupil information to a judge or probation officer pursuant to this

1 subparagraph shall inform, or provide written notification to, the
2 parent or guardian of the pupil within 24 hours of the release of
3 the information.

4 (K) ~~A county placing agency for the purpose of fulfilling the~~
5 ~~requirements of the health and education summary required~~
6 ~~pursuant to Section 16010 of the Welfare and Institutions Code or~~
7 ~~for the purpose of fulfilling educational case management~~
8 ~~responsibilities required by the juvenile court or by law and to~~
9 ~~assist with the school transfer or enrollment of a pupil when acting~~
10 ~~as an authorized representative of a state or local educational~~
11 ~~agency pursuant to subparagraph (C).~~ School districts, county
12 offices of education, and county placing agencies may develop
13 cooperative agreements to facilitate confidential access to and
14 exchange of the pupil information by ~~electronic mail e-mail,~~
15 facsimile, electronic format, or other secure means, *provided the*
16 *agreement complies with the requirements set forth in Section*
17 *99.35 of Title 34 of the Code of Federal Regulations.*

18 (2) School districts may release information from pupil records
19 to the following:

20 (A) Appropriate persons in connection with an emergency if
21 the knowledge of the information is necessary to protect the health
22 or safety of a pupil or other persons. *Schools or school districts*
23 *releasing information pursuant to this section shall comply with*
24 *the requirements set forth in Section 99.32(a)(5) of Title 34 of the*
25 *Code of Federal Regulations.*

26 (B) Agencies or organizations in connection with the application
27 of a pupil for, or receipt of, financial aid. However, information
28 permitting the personal identification of a pupil or his or her parents
29 may be disclosed only as may be necessary for purposes as to
30 determine the eligibility of the pupil for financial aid, to determine
31 the amount of the financial aid, to determine the conditions which
32 will be imposed regarding the financial aid, or to enforce the terms
33 or conditions of the financial aid.

34 (C) ~~The Pursuant to Section 99.37 of Title 34 of the Code of~~
35 *Federal Regulations, a county elections official, for the purpose*
36 *of identifying pupils eligible to register to vote, and or for*
37 *conducting programs to offer pupils an opportunity to register to*
38 *vote. The information shall not be used for any other purpose or*
39 *given or transferred to any other person or agency.*

1 (D) Accrediting associations in order to carry out their
2 accrediting functions.

3 (E) Organizations conducting studies for, or on behalf of,
4 educational agencies or institutions for the purpose of developing,
5 validating, or administering predictive tests, administering student
6 aid programs, and improving instruction, if the studies are
7 conducted in a manner that will not permit the personal
8 identification of pupils or their parents by persons other than
9 representatives of the organizations—and, the information will be
10 destroyed when no longer needed for the purpose for which it is
11 obtained, *and the organization enters into a written agreement*
12 *with the educational agency or institution that complies with*
13 *Section 99.31(a)(6) of Title 34 of the Code of Federal Regulations.*

14 (F) Officials and employees of private schools or school systems
15 where the pupil is enrolled or intends to enroll, subject to the rights
16 of parents as provided in Section 49068 *and in compliance with*
17 *the requirements in Section 99.34 of Title 34 of the Code of Federal*
18 *Regulations.* This information shall be in addition to the pupil's
19 permanent record transferred pursuant to Section 49068.

20 (3) A person, persons, agency, or organization permitted access
21 to pupil records pursuant to this section shall not permit access to
22 any information obtained from those records by another person,
23 persons, agency, or organization, except for allowable exceptions
24 contained within the federal Family Educational Rights and Privacy
25 Act of 2001 (20 U.S.C. Sec. 1232g) and state law, without the
26 written consent of the pupil's parent. This paragraph does not
27 require prior parental consent when information obtained pursuant
28 to this section is shared with other persons within the educational
29 institution, agency, or organization obtaining access, so long as
30 those persons have a legitimate *educational* interest in the
31 information *pursuant to Section 99.31(a)(1)(i)(A) of Title 34 of*
32 *the Code of Federal Regulations.*

33 (4) Notwithstanding any other provision of law, a school district,
34 including a county office of education or *county* superintendent
35 of schools, may participate in an interagency data information
36 system that permits access to a computerized database system
37 within and between governmental agencies or *school* districts as
38 to information or records that are nonprivileged, and where release
39 is authorized as to the requesting agency under state or federal law
40 or regulation, if each of the following requirements are met:

1 (A) Each agency and school district shall develop security
2 procedures or devices by which unauthorized personnel cannot
3 access data contained in the system.

4 (B) Each agency and school district shall develop procedures
5 or devices to secure privileged or confidential data from
6 unauthorized disclosure.

7 (C) Each school district shall comply with the access log
8 requirements of Section 49064.

9 (D) The right of access granted shall not include the right to
10 add, delete, or alter data without the written permission of the
11 agency holding the data.

12 (E) An agency or school district shall not make public or
13 otherwise release information on an individual contained in the
14 database ~~where~~ *if* the information is protected from disclosure or
15 release as to the requesting agency by state or federal law or
16 regulation.

17 (b) The officials and authorities to whom pupil records are
18 disclosed pursuant to subdivision (f) of Section 48902 and
19 subparagraph (I) of paragraph (1) of subdivision (a) shall certify
20 in writing to the disclosing school district that the information
21 shall not be disclosed to another party, except as provided under
22 the federal Family Educational Rights and Privacy Act of 2001
23 (20 U.S.C. Sec. 1232g) and state law, without the prior written
24 consent of the parent of the pupil or the person identified as the
25 holder of the pupil's educational rights.

26 (c) (1) Any person or party who is not permitted access to pupil
27 records pursuant to subdivision (a) or (b) may request access to
28 pupil records as provided for in paragraph (2).

29 (2) A local educational agency or other person or party who has
30 received pupil records, or information from pupil records, may
31 release the records or information to a person or party identified
32 in paragraph (1) without the consent of the pupil's parent or
33 guardian pursuant to Section 99.31(b) of Title 34 of the Code of
34 Federal Regulations, if the records or information are deidentified,
35 which requires the removal of all personally identifiable
36 information, provided that the disclosing local educational agency
37 or other person or party has made a reasonable determination that
38 a pupil's identity is not personally identifiable, whether through
39 single or multiple releases, and has taken into account other
40 pertinent reasonably available information.

1 SEC. 2. Section 49076.5 of the Education Code is amended to
2 read:

3 49076.5. (a) Notwithstanding Section 49076, each school
4 district shall release the information it has specific to a particular
5 pupil’s identity and location that relates to the transfer of that
6 pupil’s records to another school district within this state or any
7 other state or to a private school in this state to a designated peace
8 officer, upon his or her request, when a proper police purpose
9 exists for the use of that information. As permitted by Part 99
10 (commencing with Section 99.1) of Title 34 of the Code of Federal
11 Regulations, the designated peace officer, or law enforcement
12 agency, shall show the school district that the peace officer or law
13 enforcement agency has obtained prior written consent from one
14 parent, or provide information indicating that there is an emergency
15 in which the information is necessary to protect the health or safety
16 of the pupil or other individuals, or that the peace officer or law
17 enforcement agency has obtained a lawfully issued subpoena or a
18 court order.

19 (b) In order to protect the privacy interests of the pupil, a request
20 to a school district for pupil record information pursuant to this
21 section shall meet the following requirements:

22 (1) For purposes of this section, “proper police purpose” means
23 that probable cause exists that the pupil has been kidnapped and
24 that his or her abductor may have enrolled the pupil in a school
25 and that the agency has begun an active investigation.

26 (2) Only designated peace officers and federal criminal
27 investigators and federal law enforcement officers, as defined in
28 Section 830.1 of the Penal Code, whose names have been submitted
29 to the school district in writing by a law enforcement agency, may
30 request and receive the information specified in subdivision (a).
31 Each law enforcement agency shall ensure that each school district
32 has at all times a current list of the names of designated peace
33 officers authorized to request pupil record information.

34 (3) This section does not authorize designated peace officers to
35 obtain any pupil record information other than that authorized by
36 this section.

37 (4) The law enforcement agency requesting the information
38 shall ensure that at no time shall information obtained pursuant to
39 this section be disclosed or used for a purpose other than to assist

1 in the investigation of suspected criminal conduct or kidnapping.

2 A violation of this paragraph shall be punishable as a misdemeanor.

3 (5) The designated peace officer requesting information
4 authorized for release by this section shall make a record on a form
5 created and maintained by the law enforcement agency that shall
6 include the name of the pupil about whom the inquiry was made,
7 the consent of a parent having legal custody of the pupil or a legal
8 guardian, the name of the officer making the inquiry, the date of
9 the inquiry, the name of the school district, the school district
10 employee to whom the request was made, and the information that
11 was requested.

12 (6) Whenever the designated peace officer requesting
13 information authorized for release by this section does so in person,
14 by telephone, or by some means other than in writing, the officer
15 shall provide the school district with a letter confirming the request
16 for pupil record information—~~prior to~~ *before* any release of
17 information.

18 (7) ~~No~~ A school district, or officer or employee of the school
19 district, shall *not* be subject to criminal or civil liability for the
20 release of pupil record information in good faith as authorized by
21 this section.