

## Assembly Bill No. 730

### CHAPTER 834

An act to amend Section 49558 of the Education Code, relating to education.

[Approved by Governor October 9, 1997. Filed  
with Secretary of State October 10, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 730, Keeley. Meals for needy pupils: records.

Existing law provides that all applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of the Education Code relating to free or reduced price meal eligibility shall be confidential, and shall not be open to examination for any purpose not directly connected with the administration of any free or reduced price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any free or reduced price meal program.

This bill would authorize a public officer or agency to allow the use by school district employees, who are authorized by the governing board of the school district, of individual records pertaining to pupil participation in any free or reduced price meal program solely for the purpose of disaggregation of academic achievement data if the public agency ensures that it has adopted a policy which allows for the use of individual records for these purposes, no individual indicators of participation in any free or reduced price meal program are maintained in a pupil's permanent record if not otherwise allowed by law, no public release of information regarding individual pupil participation is permitted, and all other confidentiality provisions required by law are met.

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

SECTION 1. Section 49558 of the Education Code is amended to read:

49558. (a) All applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of this code relating to free or reduced price meal eligibility shall be confidential, and shall not be open to examination for any purpose not directly connected with the administration of any free or reduced price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted

in connection with the administration of any free or reduced price meal program.

(b) Notwithstanding subdivision (a), a public officer or agency may allow the use by school district employees, who are authorized by the governing board of the school district, of individual records pertaining to pupil participation in any free or reduced price meal program solely for the purpose of disaggregation of academic achievement data if the public agency ensures the following:

(1) The public agency has adopted a policy which allows for the use of individual records for these purposes.

(2) No individual indicators of participation in any free or reduced price meal program are maintained in the permanent record of any pupil if not otherwise allowed by law.

(3) No public release of information regarding individual pupil participation in any free or reduced price meal program is permitted.

(4) All other confidentiality provisions required by law are met.

