

# SENATE BILL REPORT

## SB 6455

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As of January 29, 2004

**Title:** An act relating to schools and juvenile justice agencies sharing information.

**Brief Description:** Regarding schools and juvenile justice agencies sharing information.

**Sponsors:** Senators McAuliffe, Stevens, Regala, Murray, Doumit, Rasmussen, Fairley, Schmidt, Kohl-Welles, Winsley, Thibaudeau, Eide, Keiser, Parlette and Jacobsen.

**Brief History:**

**Committee Activity:** Education: 2/4/04.

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### SENATE COMMITTEE ON EDUCATION

**Staff:** Heather Lewis-Lechner (786-7448)

**Background:** Under current law, a school's principal must be notified if a student attending that school has been convicted in adult criminal court or adjudicated or entered into a diversion agreement with the juvenile court for certain listed offenses. The principal must, in turn, notify the teachers and other school personnel who should be aware of the record.

Schools are also required to comply with court orders or lawful subpoenas and make student records and information available to law enforcement officials, probation officers, court personnel, and others that are legally entitled to the information to the extent that the exchange is allowed by the Federal Family Educational and Privacy Act of 1974 (FERPA).

FERPA generally requires schools to have written permission from the parent or eligible student before releasing any information from a student's records. However, the law does allow schools to disclose records without consent to persons who have obtained court orders or subpoenas and state and local authorities, within a juvenile justice system, pursuant to a specific state law.

**Summary of Bill:** Immunity from civil liability is provided to any person or entity that releases or receives information as allowed by state or federal law concerning a student's criminal record or concerning information requested under a court order or subpoena unless it is shown that the person or entity acted with gross negligence or in bad faith.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.