

State of California

EDUCATION CODE

Section 49558

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 may 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 school district employees, who are authorized by the governing board of the school district, to disclose from the individual meal records only the pupil's name and school meal eligibility status, solely for purposes of disaggregation of academic achievement data or to identify pupils eligible for public school choice and supplemental educational services pursuant to the federal No Child Left Behind Act of 2001 (Public Law 107-110), if the public agency ensures the following:

(1) The public agency has adopted a policy that 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, unless 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.

(5) The information collected regarding individual pupils certified to participate in the free or reduced-price meal program is destroyed when it is no longer needed for its intended purpose.

(c) Notwithstanding subdivision (a), the school districts and county superintendents of schools may release information on the School Lunch Program application to the local agency that determines eligibility under the Medi-Cal program if the child is approved for free meals and if the applicant consents to the sharing of information pursuant to Section 49557.2.

(d) Notwithstanding subdivision (a), the school districts and county superintendents of schools may release information on the School Lunch Program application to the local agency that determines eligibility under the CalFresh program or to an agency that determines eligibility for nutrition assistance programs authorized by Chapter 2 (commencing with Section 210.1) of Subtitle B of Title 7 of the Code of Federal

Regulations, if the child is approved for free or reduced-price meals and if the applicant consents to the sharing of information pursuant to Section 49557.3.

(e) Notwithstanding subdivision (a), a school district, charter school, or county office of education may release the name and eligibility status of a pupil participating in the free or reduced-price meal program as follows:

(1) To the Superintendent for purposes of determining funding allocations under the local control funding formula and for assessing the accountability of that funding.

(2) Upon request, to another school district, charter school, or county office of education that is serving a pupil living in the same household as an enrolled pupil for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations.

(f) Information released pursuant to subdivision (c), (d), or (e) shall adhere to all of the following requirements:

(1) Individual indicators of participation in a free or reduced-price meal program shall not be maintained in the permanent record of any pupil, unless otherwise authorized by law.

(2) The public release of information regarding individual pupil participation in a free or reduced-price meal program is not permitted.

(3) All other confidentiality requirements imposed by law or regulation are met.

(Amended by Stats. 2014, Ch. 327, Sec. 10. (AB 1599) Effective January 1, 2015.)