

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA  
JUVENILE COURT

FILED

2011 OCT 25 A 8:20

STANDING ORDER

David H. Yamamoto, Clerk of the Superior Court  
County of Santa Clara, California  
By: E.L. Ibarra  
E.L. IBARRA Deputy Clerk

The Santa Clara County Juvenile Court judicially notices that the County of Santa Clara's Child Death Review Team ("CDRT") was established pursuant to the authority of Penal Code section 11174.32, et seq. The CDRT is mandated to confidentially investigate the deaths of all minor children occurring in the County of Santa Clara with the goal of determining the cause of death and making recommendations to various agencies and departments that provide services to parents, or care for children, that would serve to eliminate, or at least, minimize the numbers of these deaths.

The court further judicially notices that the CDRT is staffed by experts in child welfare and care, such as physicians, psychiatrists, law enforcement personnel, probation officers, District Attorneys, social workers, school teachers and other school administrators and that other experts are called upon when appropriate. Child death cases are generally presented to the CDRT by the County Medical Examiner, who is a principal member of the CDRT.

The court finds that, in order for the CDRT to complete its statutorily mandated investigation and review of child deaths, it may be necessary that the CDRT have access to pupil information regarding a decedent child and, in some cases, the child's siblings, and other minors who lived in the same household as the decedent child.

The court also finds that such information may lead to criminal charges being filed against the parents or other caretakers of the minor child.

The court further finds that disclosure of the fact that confidential pupil information is being reviewed by the CDRT may interfere with such criminal investigation. Further, the court finds PC 11174.32(d) mandates exempt records accessed by CDRT remain exempt.

Education Code Section 49076(a)(9) and (b)(1) authorizes disclosure of information for purposes of a criminal investigation or to protect the health or safety of a pupil or other persons.

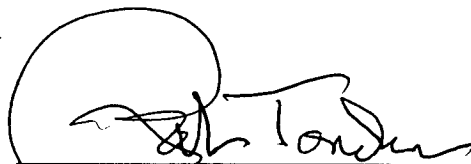
THEREFORE, to enforce the delivery of appropriate child protective services to minors, to continue to develop programs of interagency cooperation in child protection, and to maintain close liaison with school authorities and encourage and facilitate coordination of policies and programs:

THE COURT FINDS GOOD CAUSE that school officials of the Santa Clara County Office of Education ("SCCOE") and each of the Santa Clara County school districts may release, upon written request by the CDRT, to a representative of the CDRT, records relating to any minor who may have attended any school within a particular Santa Clara County school district or associated with the SCCOE.

Any such records received shall be used exclusively for the investigative and reporting duties of the CDRT.

Consistent with the above cited statutes, the disclosed records will continue to be exempt from disclosure. Additionally, neither the CDRT nor the school district/ SCCOE are required to disclose the request to the pupil's parents or legal guardian.

Dated: Oct 25<sup>th</sup>, 2011



The Honorable Patrick Tondreau  
Presiding Judge of the Juvenile Court