

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 677 (Bryan)
Version: June 12, 2025
Hearing Date: June 24, 2025
Fiscal: No
Urgency: No
AWM

SUBJECT

Pupil records: directory information

DIGEST

This bill authorizes directory information of a student identified as a homeless child or youth to be disclosed to facilitate an eye examination by a nonprofit eye examination provider or a free oral health assessment hosted by their school, unless the parent or student accorded parental rights has provided written notice to the school that they do not consent to the examination.

EXECUTIVE SUMMARY

Under current law, California has a two-pronged approach to the privacy of students' directory information—information relating to the pupil but separate from their academic performance, such as their name, address, phone number, and email address. With respect to housed students, the school district may release their directory information unless their parents have specifically notified the district that the information should not be released, i.e., opted out of disclosure. With respect to unhoused students, however, the school district may not release their directory information unless their parents, or the student if they have been accorded parental rights, specifically opt into disclosure. This opt-in requirement was put in place to protect unhoused students' privacy and protect their temporary housing arrangements. As a result, however, schools are unable to pass unhoused students' information on to providers of free eye examinations and oral health assessments provided by schools.

This bill is intended to allow unhoused students to more easily access free eye exams and oral health assessments by creating a narrow exception to the opt-in requirement for sharing directory information. Specifically, the bill permits a school to share an unhoused student's directory information with authorized eye examination and oral health assessment providers performing examinations at the school for the purpose of conducting the examination or assessment unless the parent, or the student if they have

been afforded parental rights, opts out. The bill is clear that the information can be shared only for the purposes of the examination or assessment, and requires any reports from the examination or assessment to be transmitted by means other than mail, if possible, to protect the student's temporary housing arrangements.

This bill is sponsored by the Los Angeles Unified School District and is supported by the American Academy of Pediatrics, the Association of California School Administrators, the California Coalition for Youth, California County Superintendents, Health Net, the Riverside County Superintendent of Schools, the Santa Clara County School Boards Association, and The Los Angeles Trust for Children's Health. The Committee has not received timely opposition to this bill. The Senate Education Committee passed this bill with a vote of 6-0.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Defines the following relevant terms:

- a) "Parent" means a pupil's natural parent, an adopted parent, or a legal guardian; however if the parents are divorced or legally separated, specified rights are granted only to a parent having legal custody of the pupil, and if the pupil has attained 18 years of age, the permissions or consent required of, and the rights accorded to, the parent or guardian of the pupil are required of, and accorded to, the pupil.
- b) "Directory information" means one or more of the following items: the pupil's name, address, telephone number, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the pupil.
- c) "School district" means any school district maintaining any kindergarten or any of grades 1 to 12, inclusive, any public school providing instruction in any kindergarten or any of grades 1 to 12, inclusive, the office of the county superintendent of schools, or any special school operated by the State Department of Education. (Ed. Code, § 49061.)

2) Requires a school to adopt a policy identifying the categories of directory information that may be released.

- a) The school district shall determine which individuals, officials, or organizations may receive directory information.
- b) No information may be released to a private profitmaking entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations.

- c) The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment before graduation may be provided to a private school or college or its authorized representative; the recipient school shall not use that information for purposes other than purposes directly related to its academic or professional goals, with a violation of this provision punishable as a misdemeanor and possible loss of the privilege to receive information.
 - d) Any school district may limit or deny the release of specific categories of directory information to any public or probate nonprofit organization based upon a determination of the best interests of pupils. (Ed. Code, § 49073(a).)
- 3) Provides that pupil directory information may be released according to local policy as to any pupil or former pupil; however, notice shall be given at least on an annual basis of the categories of information that the school district plans to release and of the recipients, and the directory information of a pupil shall not be released if the pupil's parent notifies the school that the information shall not be released. (Ed. Code, § 49073(b).)
- 4) Provides, notwithstanding 3), that directory information shall not be released regarding a pupil identified as a homeless child or youth, as defined, unless a parent, or a pupil accorded parental rights, as defined, has provided written consent that directory information may be released. (Ed. Code, § 49073(c).)

This bill:

- 1) Permits directory information of a pupil identified as a homeless child or youth to be disclosed to facilitate an eye examination by a nonprofit eye examination provider or free oral health assessment hosted by schools, as authorized by statute, unless the parent or pupil accorded parental rights has provided written notice to the school that they do not consent to the physical examination.
- 2) Provides that information disclosed pursuant to 1) shall be disclosed only for the purpose of facilitating an eye examination by a nonprofit eye examination provider or free oral health examination hosted by schools, as authorized by statute.
- 3) Provides that reports made to a parent, legal guardian, or caregiver of a pupil experiencing homelessness about a pupil defect identified in an eye examination or free oral health assessment should be made by alternative communication channels rather than mail, when possible.

COMMENTS

1. Author's comment

According to the author:

AB 677 will increase access to on-campus vision and dental screenings for unhoused students by exempting these youth—solely for the purpose of these screenings—from requirements that prohibit the sharing of their directory information. This information is necessary for these screenings to be conducted by providers; however, due to current restrictions in statute, it cannot be released without written parental consent, which is often difficult to obtain in the case of unhoused students. This leads to the underutilization of on-campus vision and dental screenings amongst these vulnerable youth. AB 677 removes a barrier that will allow unhoused students to access the essential vision and dental screenings they need and deserve.

2. Unhoused students' directory information can be released only on an opt-in basis, which protects the students' privacy but makes it more difficult for them to access free health screenings

Under current law, California has a two-pronged approach to the privacy of students' directory information—information relating to the pupil but separate from their academic performance, such as their name, address, phone number, and email address. With respect to housed students, the school district may release their directory information unless their parents have specifically notified the district that the information should not be released, i.e., opted out of disclosure.¹ With respect to unhoused students, however, the school district may not release their directory information unless their parents, or the student if they have been accorded parental rights, specifically opt into disclosure.²

As the California Coalition for Youth notes, the opt-in requirement for the disclosure of unhoused students' directory information was put in place in AB 1068 (Bloom, Ch. 713, Stats. 2013) to protect unhoused students:

AB 1068 was intended to focus on the most common living situation for homeless youth, which is where they are temporarily living with friends by couch surfing. An unfortunate consequence of this arrangement is that it is often in violation of the host's leasing agreement or local zoning codes. Previously, schools had contacted the landlord or outside agency with information on where a youth is staying, and inadvertently, resulted in the eviction of both the host

¹ Ed. Code, § 49073(b).

² *Id.*, § 49073(c).

and the homeless youth. AB 1068 was intended to prevent this unfortunate scenario by preventing schools from calling with directory information unless the school has written consent to do so.

As the author and sponsor note, however, AB 1068's absolute opt-in requirement also prevents a school district from sharing unhoused students' basic information with oral and vision health providers who are providing screenings at the school, which prevents these students from receiving health screenings that they may not be able to obtain otherwise.

3. This bill permits an unhoused student's directory information to be disclosed to facilitate an eye examination or oral health assessment provided by the school, as specified, unless the parent specifically opts out of the disclosure

This bill creates a narrow exception to the requirement that a parent of an unhoused student, or an unhoused student who has been accorded parental rights, opt into the disclosure of their directory information for purposes of allowing these students to obtain eye and oral health assessments provided by the school. Specifically, the bill permits directory information of unhoused students to be disclosed to facilitate an eye examination provided by a nonprofit eye examination provider, or a free oral health assessment hosted by the school, as authorized by statute, unless the parent or student accorded parental rights notifies the school that they do not want that information shared.

For purposes of this Committee's jurisdiction, the question is whether this bill adequately protects unhoused students' privacy. The bill is clear that the students' information may be disclosed only to facilitate the specified health screenings, so it does not appear that the bill puts additional information at risk of disclosure. Additionally, the author took amendments in the Senate Education Committee, suggested by the California Coalition for Youth, which emphasize that directory information can be disclosed only for the purposes of the specified health assessments, and which require any reports following the assessments to be transmitted via channels other than mail; these amendments are intended to further ensure student privacy and avoid the delivery of mail from resulting in an eviction or the student otherwise losing their place to sleep. With the amendments, it appears that this bill adequately balances the interests of unhoused students' health and their unique privacy needs.

4. Arguments in support

According to the Los Angeles Unified School District:

Under current law, students are required to have dental screening before enrolling in kindergarten or first grade, and vision screening upon enrollment and in grades two, five, and eight. Public schools are permitted to contract with

nonprofit service providers to provide these screenings at no cost and at school sites. Current law requires that a local educational agency (LEA) receive affirmative consent (opt in) from the parent/guardian of an unhoused child to allow the LEA to include the child in school wide dental and vision screenings. In contrast, housed students may receive the screening without additional action by the parent. In the cases where affirmative consent is not obtained, unhoused students cannot participate in screenings alongside their peers, widening health disparities for this vulnerable population.

Unhoused families remain one of the most challenging groups for LEAs to contact. The end result is that the vast majority of our most vulnerable students are missing out on critical services that could greatly benefit the child's life and future health outcomes. AB 677 amends Education Code to allow unhoused students the same access to critical health screenings as other students, while maintaining parental right to opt out if desired.

SUPPORT

Los Angeles Unified School District (sponsor)
American Academy of Pediatrics
Association of California School Administrators
California Coalition for Youth
California County Superintendents
Health Net
Riverside County Superintendent of Schools
Santa Clara County School Boards Association
The Los Angeles Trust for Children's Health

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation: None known.

Prior legislation:

SB 457 (Menjivar, Ch. 152, Stats. 2023) clarified that minors aged 15 and older and living separate and apart from their parents or guardians can give consent to vision care without obtaining the consent of their parent or guardian.

AB 2329 (Carrillo, Ch. 911, Stats. 2022) authorized a local educational agency, as defined, to enter into a memorandum of understanding with a nonprofit eye

examination provider, including, but not limited to, a nonprofit mobile eye examination provider, as defined, to provide noninvasive eye examinations consisting of providing eyeglasses to pupils at any schoolsite within the local educational agency; the nonprofit eye examination provider may examine pupils unless their parent affirmatively opted out of the examination.

AB 27 (Luz Rivas, Ch. 27, Stats. 2021) required a local educational agency to ensure that each school within the agency identifies all homeless children and youths and unaccompanied youths, as defined, enrolled at the school, and to post on its website information relating to its liaisons for homeless children and youths and unaccompanied youths, subject to existing pupil data privacy requirements.

AB 1068 (Bloom, Ch. 713, Stats. 2013) established the opt-in requirement for the release of homeless pupils' directory information.

PRIOR VOTES:

Senate Education Committee (Ayes 6, Noes 0)

Assembly Floor (Ayes 74, Noes 0)

Assembly Education Committee (Ayes 9, Noes 0)
