

SENATE No. 41

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to educational stability for foster children..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) Notwithstanding the provisions of any general or special law to the
2 contrary, the commissioner of the department of children and families, in consultation with
3 office of the child advocate and the secretary of education, shall develop a statewide plan for the
4 educational stability of children placed in foster care.

5 (b) The plan shall take into account: (i) the number of school aged foster children in the
6 Commonwealth; (ii) the feasibility of extending the McKinney-Vento Homeless Assistance Act
7 (42 U.S.C. 11431 et seq.), as it relates to school stability, to foster children in the
8 Commonwealth, including whether foster children can continue their education for the duration
9 of the academic year in the school they were enrolled in before entering foster care if determined
10 to be in their best interest; (iii) the loss of learning time due to changing schools during the
11 academic year; (iv) procedures for transferring academic and other records expediently when a
12 foster child is placed in a new schools; (v) the need to designate for each child a foster care
13 education advocate to facilitate placement, records transfer, calculation of credits earned, and
14 other transition issues; (vi) funding and transportation issues arising from foster children

15 remaining in their schools of origin, including any issues that have arisen under the McKinney-
16 Vento Homeless Assistance Act; and (vii) federal, state and local funding sources for
17 transportation of students to their school of origin.

18 (c) The plan shall identify strategies for promoting educational stability for foster
19 children and shall include recommendations for administration and legislative actions, including
20 but not limited to legislation that requires local school districts to adhere to different residency
21 requirements for relocated foster children. Not later than 12 months after the effective date of
22 this act, the plan shall be filed with the clerks of the senate and house of representatives, the joint
23 committee on children, families and persons with disabilities, and the joint committee on
24 education.