

HOUSE No. 4280

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating an electronic backpack for foster children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>12/4/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>12/10/2019</i>

HOUSE No. 4280

By Ms. Khan of Newton, a petition (subject to Joint Rule 12) of Kay Khan and Rebecca L. Rausch for legislation to authorize the Department of Children and Families to establish an electronic repository of foster youths educational records. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act creating an electronic backpack 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. Chapter 71 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting at the end thereof the following section:-

3 Section 98. (a) As used in this section, the following terms shall, unless the context
4 requires otherwise, have the following meanings:-

5 “Department”, shall mean the department of children and families.

6 “Foster youth”, shall mean a child under the care or custody of the department of children
7 and families or a young adult who has signed a voluntary placement agreement with the
8 department of children and families.

9 “Electronic backpack”, shall mean an electronic repository of a foster youth’s educational
10 records.

11 (b) Notwithstanding any general or special law to the contrary, the commissioner of the
12 department, in consultation with the office of the child advocate and the secretary of education,
13 shall develop and implement an electronic backpack program for the educational stability of
14 foster youth.

15 (b) The department shall create an electronic backpack for each foster youth. The
16 department, in conjunction with the department of education, shall determine the format of the
17 electronic backpack. Each electronic backpack must contain the educational records of the foster
18 youth, including the names and addresses of educational providers, the foster youth's grade-level
19 performance, and any other educational information that the department requires. The
20 department shall maintain the electronic backpack as part of the department's records for the
21 foster youth as long as the foster youth remains in foster care.

22 (c) The department shall make the electronic backpack available to:

23 (i) Any person authorized by law to make educational decisions for the foster youth;

24 (ii) Any person authorized to consent to medical care for the foster youth; and

25 (iii) Any provider of medical care to the foster youth if access to the foster youth's
26 educational information is necessary for the provision of medical care and is not prohibited by
27 law.

28 (d) The department shall collaborate with the department of education to develop policies
29 and procedures to ensure that the needs of foster youths are met in every school district.

30 SECTION 2. The department shall implement the electronic backpack program within
31 one year of the passage of this act.