

SENATE No. 46

The Commonwealth of Massachusetts

PRESENTED BY:

Ryan C. Fattman

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:	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/31/2019</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/1/2019</i>

SENATE No. 46

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 46) of Ryan C. Fattman, Joseph D. McKenna and Michael J. Soter for legislation to create an electronic backpack for foster children. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 40 OF 2017-2018.]

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 2016 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 “Free 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.