

**SENATE . . . . . No. 103**

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**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>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>4/14/2021</i>

**SENATE . . . . . No. 103**

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By Mr. Fattman, a petition (accompanied by bill, Senate, No. 103) of Ryan C. Fattman for legislation to create an electronic backpack for foster children. Children, Families and Persons with Disabilities.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 46 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

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           "Free youth", mean a child under the care or custody of the department of children and  
7 families or a young adult who has signed a voluntary placement agreement with the department  
8 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.