

HOUSE No. 5629

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3121) of the House Bill enhancing child welfare protections (House, No. 4646), reports recommending passage of the accompanying bill (House, No. 5629). July 30, 2026.

Jay D. Livingstone	Joanne M. Comerford
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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act enhancing child welfare protections.

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. Section 172 of chapter 6 of the General Laws, as appearing in the 2024
2 Official Edition, is hereby amended by striking out, in line 133, the words “2A of chapter 38”
3 and inserting in place thereof the following words:- 17 of chapter 18C.

4 SECTION 2. Section 16U of chapter 6A of the General Laws, as so appearing, is hereby
5 amended by striking out subsections (a) to (e), inclusive, and inserting in place thereof the
6 following subsections:-

7 (a) As used in this section, the following words shall, unless the context clearly requires
8 otherwise, have the following meanings:

9 “Child requiring assistance”, as defined in section 21 of chapter 119.

10 “Chronic absenteeism”, missing not less than 10 per cent of days enrolled regardless of
11 whether the absences are considered excused, unexcused or for disciplinary reasons.

“Community-based services”, services, including coordination of services, designed to assist families requiring assistance so that, if appropriate, families may avoid entry or re-entry to the child protective service and child requiring assistance legal systems; and children of the family may continue to reside with their family and attend their community school while enjoying a strengthened relationship with their family.

“Family requiring assistance”, a parent, guardian, custodian, sibling and any relative or caretaker who (i) is at elevated risk of being the subject of a petition under section 24 of chapter 119; or (ii) is responsible for a child at risk of being the subject of a petition under section 39E of said chapter 119.

“Habitually absent without permission”, as defined in section 21 of chapter 119.

“Secretary”, the secretary of health and human services.

(b) Subject to appropriation or third party reimbursement, the secretary shall:

(i) establish a network of child and family service programs and family resource centers throughout the commonwealth to provide community-based services to families requiring assistance under subsection (c);

(ii) develop guidelines and standards necessary to achieve and maintain, on a statewide basis, a comprehensive and integrated network of community-based services and family resource centers for children and families;

(iii) promote efficiency by including in the network of community-based services and family resource centers access to the following services: (A) organizations that are part of the comprehensive community-based behavioral health delivery system coordinated by the secretary

under section 16S; (B) organizations that provide services or have experience in coordinating access to community-based services such as local schools; (C) other local public agencies and private organizations; (D) local medical, behavioral or mental health care providers; and (E) state-funded services the child or family may be eligible for, including services provided by agencies within the executive office of health and human services, the executive office of education, and the executive office of housing and livable communities.

(iv) coordinate the services provided by the network and in the family resource centers including, but not limited to, outreach, intake, screening, assessment and referral to services;

(v) encourage cooperation among local providers and state agencies as needed to provide the full complement of services required under this section;

(vi) monitor and provide technical assistance to family resource centers and providers of community-based services;

(vii) require the use of standard intake screening and assessment tools to evaluate families and children seeking community-based services that shall identify the family's strengths, resources and service needs including, but not limited to, mental health, behavioral health or substance abuse treatment, reasonable accommodations for individuals with disabilities, basic family shelter, clothing and food needs, child care needs, health insurance status, legal issues, education services and placement and child protection; and

(viii) create a data collection system for use by programs within the community-based services network and family resource centers that shall: (A) maintain the privacy of clients served, (B) assist programs and the secretary in identifying and addressing the needs of the population to be served, including gaps in service availability and how long clients are waiting to

55 receive services; (C) collect information including, but not limited to, insurance status and
56 benefit coverage of clients served, income documentation as needed to apply a sliding fee scale
57 for payment or waiver of payment for services; (D) collect data regarding the needs identified
58 and services received by a family; and (E) collect such other information deemed necessary to
59 assist the program and the secretary in providing services, identifying service needs and gaps and
60 evaluating the effectiveness of family resource centers and the community-based services
61 network.

62 Annually, the secretary shall submit a report to the senate and house committees on ways
63 and means, the joint committee on children, families and persons with disabilities and the child
64 advocate detailing: (i) the number of children and families served at each family resource center;
65 (ii) identified service needs; (iii) the types of services offered in-house and those offered by
66 referral; (iv) service outcomes; (v) service gaps, including unavailable services and services with
67 long wait times; (vi) client feedback; (vii) the number of families served by a multidisciplinary
68 team pursuant to subsection (c); and (viii) the number of children referred to a juvenile court for
69 a child requiring assistance petition following a multidisciplinary team process. All data shall be
70 delineated by the child's race, ethnicity, gender, sexual orientation, transgender status, disability,
71 primary language and age.

72 (c) The network of community-based services and family resource centers shall: (i) assist
73 families so that, whenever possible, families may avoid entry or re-entry to the child protective
74 service system and children may continue residing with their families in their home
75 communities; (ii) assist families to enable children to continue as students in their community
76 schools; (iii) strengthen the relationships between children and their families; (iv) assist families
77 in connecting with local, state and federal services to help meet basic family shelter, clothing,

food and health needs; (v) provide coordinated, comprehensive, community-based services for children at risk of chronic absenteeism, dropping out of school, committing delinquent acts or engaging in behaviors that impede the likelihood of leading healthy, productive lives, or for children who have been referred by a school or from the juvenile court pursuant to section 39E of chapter 119.

Services offered through the network shall include, but not be limited to, treatment for or assistance with: (i) eligibility determinations; (ii) applying for state services including MassHealth; (iii) financial assistance programs including Supplemental Security Income and services provided or funded by executive branch agencies; (iv) behavioral, medical and mental health needs; (v) substance use treatment; (vi) special education evaluation; (vii) remedial education services; (viii) assistance with insurance issues; (ix) mentoring; (x) family and parent support; (xi) civic engagement and community service; (xii) after school and out-of-school opportunities; (xiii) residential programs; (xiv) crisis management; and (xv) case management.

Each family resource center shall identify the service needs of each family in accordance with the requirements of clause (vii) of subsection (b). Subject to appropriation, each family resource center shall assign a case manager to any high-needs families who voluntarily accept service. The case manager shall assist the family in identifying and navigating appropriate services in the network. If a case meets the eligibility criteria for an interagency review of complex cases under section 16R, the family resource center shall refer the child to the interagency review team. For cases that do not meet the eligibility requirements under said section 16R, the family resource center may convene a multidisciplinary team to fulfill the functions listed in this subsection. Multidisciplinary teams shall consist of, but not be limited to, the child, the child's parents or caregivers and family resource center staff, and when appropriate

may include family partners, advocates, community-based service providers, educational advocates, representatives from state agencies or school district representatives. Multidisciplinary teams shall work to identify any needs of the child or family with the goal of providing supports to the child and their family outside of the juvenile court process to the extent possible.

A case manager shall not refer a family to the juvenile court for the purpose of filing a child requiring assistance petition unless the family has exhausted all relevant community-based service options that are reasonably available to them. Family resource center staff shall be authorized to report to a probation officer upon request if a child that is the subject of an attempted child requiring assistance petition has met with a case manager pursuant to this section and if all relevant community-based service options reasonably available to them have been exhausted. Any other information about the child or family shall be kept confidential pursuant to subsection (d).

The secretary of health and human services shall issue guidance to effectuate this section. The guidance shall include, but not be limited to: (i) a description of situations in which convening a multidisciplinary team may be appropriate; (ii) the role of family resource center staff in facilitating the work of the multidisciplinary team; (iii) the circumstances under which staff from state health and human service agencies are required to participate and what that participation shall entail; (iv) the process by which disagreements about the case plan shall be resolved; (v) requirements for obtaining client or parental consent; (vi) processes for providing information to the juvenile court about a family's participation in services when the family or a school has filed a child requiring assistance petition; (vii) data gathering and reporting

requirements; and (viii) protocols for when and how a family shall be referred to the juvenile court for a child requiring assistance petition.

(d) Any documentation of services provided to the child and family through the network of community-based services or in the family resource centers shall not be public records under clause Twenty-sixth of section 7 of chapter 4. Except as otherwise required by law, including laws related to the reporting of suspected abuse or neglect under section 51A of chapter 119, statements made by the child and family while receiving services from the network of community-based services shall be treated as confidential and shall not be used in any proceedings without the written consent of the person making the statement. Information about the child and family requiring assistance, including interactions with service providers and protected health information, may be shared among the case team, other providers of community services for families and any agency within the executive office of health and human services providing such services to the child as needed to coordinate treatment and provide appropriate case management, to the extent permitted under applicable federal law, unless the child or family declines in writing to permit such information sharing.

(e) Participation in community-based services and use of the family resource centers shall be under a voluntary agreement of the parent, legal guardian or custodian and the child; provided, however, that provision of community-based services may be contingent upon such parent, legal guardian or custodian agreeing to pay for such services or consenting to allow covered services to be billed to applicable third party payers, including insurance providers.

SECTION 3. Said section 16U of said chapter 6A, as so appearing, is hereby further amended by striking out the second paragraph of subsection (f) and inserting in place thereof the

following paragraph:- A school administrator shall refer a student's caregivers to a family resource center prior to filing a child requiring assistance petition pursuant to section 39E of chapter 119. A school shall make and document efforts to identify and address potential causes of chronic absenteeism, including but not limited to previously unidentified or inadequately addressed special educational needs, behavioral health needs, bullying, and harassment, before referring the child and family to a family resource center for chronic absenteeism or filing a child requiring assistance petition with the juvenile court.

SECTION 4. Section 6A of chapter 18B of the General Laws, as so appearing, is hereby amended by striking out the fifth paragraph.

SECTION 5. Said chapter 18B is hereby further amended by inserting after section 6A the following section:-

Section 6B. (a) The commissioner shall, subject to appropriation, establish and maintain an education unit. The education unit shall: (i) implement and oversee the regional and area offices work on education for children receiving services from the department, consistent with policies created by the department's education director; (ii) monitor student academic progress of children under the care and custody of the area office not less than once per academic quarter; (iii) provide support and assistance to department social workers regarding educational needs of children; (iv) provide detailed training to department social workers on the best practices to monitor a child's education experiences, recognizing any unavailability of resources preventing a child from participating in school courses and developing individual education plans and 504 plans; (v) ensure the timeliness and accuracy of the transfer of education records detailing a child's educational background and needs; and (vi) maintain contact with appropriate local

167 school districts and education organizations to facilitate enrollment, information sharing and
168 placement of children into school districts served by the area office.

169 (b) The commissioner shall, subject to appropriation, appoint an education director. The
170 education director's duties shall include, but shall not be limited to: (i) developing, implementing
171 and overseeing the department's policies on education for children under the care and custody of
172 the department, including policy development and practice guidance; (ii) monitoring state and
173 federal laws, programs and resources that may impact the education of children under the care
174 and custody of the department; (iii) advising the commissioner and all education specialists on
175 all matters relating to education, strategic education initiatives, policy and practice management
176 matters; (iv) coordinating efforts of the education specialists to identify and address systemic
177 barriers to accessing educational services for children under the care and custody of the
178 department, including issues related to transportation for children in department care or custody
179 to attend their school of origin; (v) coordinating with department area and regional offices on
180 education related issues; and (vi) facilitating best practice training for education specialists. The
181 education director shall perform duties pursuant to this section and such other duties as may be
182 assigned by the commissioner.

183 (c) The director shall appoint, subject to appropriation and the approval of the
184 commissioner, education specialists who shall be employees of the department and who shall
185 devote their full time and attention to supporting the department's goal of educational stability
186 and success for all elementary and secondary school students under the care and custody of the
187 department.

(d) An education specialist may accompany social workers to meetings with school personnel, including, but not limited to, meetings relative to a child's individual education plan or 504 plan.

SECTION 6. Section 7 of said chapter 18B, as appearing in the 2024 Official Edition, is hereby amended by striking out subsections (e) through (o), inclusive, and inserting in place thereof the following 11 subsections:-

(e) The commissioner shall develop and implement a plan for the orientation and training of area-based and other staff. The plan shall require all employees to be issued photo identification to be used in the performance of their duties, including for display upon introduction.

(f) The commissioner shall coordinate the overall service planning of the department with planning under Title XX of the Social Security Act, 42 U.S.C. 1397 et seq.

(g) The commissioner may apply for and accept on behalf of the commonwealth federal, local or private grants, bequests, gifts or contributions.

(h) The commissioner, subject to chapter 30A, shall adopt rules and regulations necessary to carry out this chapter and chapter 119.

(i) The commissioner shall include in the budget estimates of the department funds for the development and implementation of said management information system, monitoring and evaluation system, annual needs assessment and staff training plan.

(j) The commissioner shall, subject to appropriation, enter into contracts with nonprofit organizations to provide services for families and individuals in emergency and transitional

209 housing; provided, that the department, in entering into such contracts, shall provide \$3 for each
210 dollar of donated funds which have been committed to such nonprofit organizations from any
211 non-state source. For the purposes of this subsection, a non-state source may include private
212 donations or monies from city, town or county governments but shall not include funds from
213 other state agencies.

214 (k) Prior to undertaking any activity or implementing any policy that would affect
215 expenditures for medical assistance under chapter 118E, including, but not limited to, identifying
216 individuals eligible for such assistance under said chapter 118E, the commissioner shall ensure
217 that such activity or policy is reviewed by the director of Medicaid.

218 (l) Not more than 3 per cent of the department's annual budget shall be appropriated in a
219 separate account and expended for the purposes of subsections (b), (c) and (d).

220 (m) The commissioner shall consult with the commissioner of mental health prior to
221 taking any action substantially affecting the design and implementation of behavioral health
222 services for children under guidelines established by the secretary of health and human services
223 under section 16S of chapter 6A.

224 (n) Upon receipt of a completed review of multiple 51A reports required under
225 subsection (r) of section 51B of chapter 119, the commissioner shall immediately notify: (i) the
226 district attorney for the county in which the child resides and for the county in which the event
227 giving rise to a report occurred; (ii) local law enforcement authorities in the city or town in
228 which the child resides and in the city or town in which the event giving rise to a report occurred;
229 and (iii) the office of the child advocate.

(o) The commissioner shall require social workers employed by the department to obtain a license as a social worker pursuant to section 131 of chapter 112 within the first 9 months of employment. The commissioner shall require social workers employed by the department to participate in not less than 30 hours per year of paid professional development training; provided, however, that such training shall be consistent with applicable collective bargaining agreements. The commissioner may grant a social worker employed by the department a 1-time 6-month hardship waiver from the licensing requirement under this subsection to ensure access for underserved populations.

SECTION 7. Section 20 of said chapter 18B, as so appearing, is hereby amended by striking out the second sentence.

SECTION 8. Said chapter 18B is hereby further amended by striking out section 23, as appearing in section 45 of chapter 176 of the acts of 2008.

SECTION 9. Said chapter 18B is hereby further amended by striking out section 23, inserted by section 8 of chapter 321 of the acts of 2008, and inserting in place thereof the following section:-

Section 23. If the department has care and custody of a child receiving inpatient psychiatric services, the department shall contact the child's parents or guardians, as appropriate, and a member of the child's treatment team within 3 business days of the hospitalization, shall maintain weekly contact with them until the child is discharged, and shall immediately begin discharge planning, with the priority of returning the child to their home or to a community placement. Not later than 5 business days after being notified that continued hospitalization is no longer clinically appropriate, the department shall determine the appropriate type of placement

for the child and shall immediately initiate the placement referrals. The department shall document its activities in assisting with discharge placement, including identification of available resources for home-based, community or alternative residential placements, and the barriers, if any, to discharge the child to the most clinically appropriate setting. If the initial placement shall not be deemed to be the most clinically appropriate setting, the department shall continue to seek an appropriate placement.

SECTION 10. Sections 24 and 25 of said chapter 18B are hereby repealed.

SECTION 11. Said chapter 18B is hereby further amended by adding the following 3 sections:-

Section 26. (a)(1) Annually, not later than October 31, the department shall issue a report that provides an overview of the department's performance during the previous fiscal year. The report shall include comparative departmental information from prior fiscal years. The commissioner or a designee shall file the report with the governor, the child advocate, the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities. The commissioner shall provide the recipients of the report with an opportunity to discuss its contents with the commissioner or a designee. The report shall be made publicly available on the department's website in accordance with section 19 of chapter 66; provided, that any personally identifiable information in the report shall be deidentified or removed prior to the report's publication on the department's website.

(2) The report shall include, but shall not be limited to, narratives, information, data and analysis on:

(i) counts, including, but not limited to: (A) case counts; (B) the number of children served by the department; (C) child demographic information, including age, race, ethnicity, primary language, birth sex, gender identity, sexual orientation and disability; (D) intersectional data; (E) rates of racial disproportionality and disparity at various decision points throughout the life of a case, including, but not limited to: (1) protective intakes and responses; (2) children ages 0 through 17 years, inclusive, with an open case as compared to the proportion of the child population in the commonwealth; (3) the number of children and youth in placement by placement type; (4) permanency plans for children and youth in placement, including plans meeting the federal permanency standard; (5) permanency outcomes as compared to children in placement; (6) the median placement length of stay, in days, for children who exited care as well as for children who were in out-of-home care; (7) placement moves per 1,000 placement days for children who entered care during the specified fiscal year; (8) exits from care to reunification, adoption and guardianship as a rate of all exits from placement; and (9) youth aging out as a rate of all exits from placement; (F) the number of requests for reasonable accommodations, broken down by accommodation type; (G) the total number of disability related complaints filed with the department, broken down by complaint type and region; (H) reports filed pursuant to section 51A of chapter 119; (I) placement metrics, including, but not limited to: (1) placement moves per 1,000 placement days for children who entered care during the specified fiscal year; (2) initial placement with kin; and (3) the median number of placements between a home removal episode and an initial placement review; (J) infants brought into the department's care pursuant to section 39½ of chapter 119; and (K) siblings in placement;

(ii) processes and outcomes, including, but not limited to: (A) protective responses and safety outcomes; (B) the number of fatalities, including the manner of death, of children with a

297 family history with the department; (C) permanency processes and outcomes, including, but not
298 limited to, reunification, adoption, guardianship, kinship adoption, kinship guardianship and
299 aging out; (D) well-being outcomes, including the rates and timeliness of the delivery of medical
300 and behavioral health services; and (E) educational well-being outcomes, including, but not
301 limited to, school placement information, the number of individualized education plans,
302 attendance rates, high school graduation rates and school disciplinary actions; and

303 (iii) operations, including, but not limited to: (A) staffing trends; (B) caseloads; (C) the
304 department's budget, including funding levels; (D) service costs, including, but not limited to,
305 departmental foster care, contracted foster care, complex medical foster care, congregate care,
306 adoption and guardianship subsidies, foster care support services, respite and support and
307 stabilization; (E) medical services and advancements in providing medical services to children
308 and young adults in the department's care; (F) the number of children and young adults in the
309 department's care in emergency departments, inpatient units, psychiatric hospitals or
310 community-based acute treatment programs who are awaiting alternate placements and the
311 average duration of days waiting; (G) the cost of resources and practices in the child welfare
312 system due to over-reporting pursuant to section 51A of chapter 119; and (H) any new or
313 ongoing initiatives to improve practices, procedures and policy of the department; and

314 (iv) support and stabilization services, including, but not limited to: (A) the total number
315 of families who receive support and stabilization services; (B) the total number of service
316 referrals for support and stabilization services; (C) the total number of families who receive more
317 than 1 type of support and stabilization service; (D) the total number of referrals for intact
318 families; (E) the total number of referrals for children in out-of-home placements; (F) the
319 average length of time that support and stabilization services are provided; (G) the total number

of provider agencies with support and stabilization services contracts; and (H) the total dollars expended on an annual basis for support and stabilization services, broken down by region.

(b) Not later than 45 days after the end of each fiscal quarter, the department shall issue a quarterly profile on its website in accordance with section 19 of chapter 66 that shall include, but not be limited to, departmental, regional office and area office data on: (i) the number of children served by the department; (ii) the number of reports filed pursuant to section 51A of chapter 119, including, but not limited to, the number of reports received, screened-in and screened-out in total and by reporter role; (iii) rates and recurrence of maltreatment of children; (iv) department case counts, including the number of clinical and adoption cases; (v) child demographic information, including age, race, ethnicity, primary language, birth sex, gender identity and sexual orientation and disability; (vi) the number of children and youth in placement by type of placement; and (vii) the number of children and youth not in placement.

(c) Annually, not later than October 31, the department shall file a report on services provided to young adults over the age of 18 with the child advocate, the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities. The report shall summarize the process by which a young adult may continue to receive services from the department upon reaching the age of 18. The report shall include, but not be limited to: (i) young adult demographic information detailing age, race, ethnicity, primary language, gender identity, sexual orientation, disability and rates of racial disproportionality and disparity; (ii) the number of young adults who have elected to sustain or reestablish a connection with the department in the previous fiscal year; (iii) the number of young adults who have elected not to remain with the department and have transitioned out of the child welfare system in the previous fiscal year,

including young adults who had previously elected to sustain a connection with the department, if such numbers are available; and (iv) the number of transition-age young adults aging out with: (A) stable and permanent housing; (B) full- or part-time employment or military enlistment; (C) health insurance; or (D) if sought, post-secondary education such as college, job training or a certificate program within 6 months of transition.

(d)(1) Annually, not later than October 31, the department shall file a report on its fair hearing processes and cases with the child advocate, the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities. The report shall be made available to the public electronically in accordance with section 19 of chapter 66. The report shall include, but shall not be limited to, information in a form that shall not include personally identifiable information on the fair hearing requests open at any time during the previous fiscal year. For each fair hearing request, the report shall provide: (i) the subject matter of the appeal; (ii) the outcomes of cases resolved prior to a fair hearing decision; (iii) the number of days between the hearing request and the first day of the hearing; (iv) the number of days between the close of the evidence and the hearing officer's decision; (v) the number of days of continuance granted at the appellant's request; (vi) the number of days of continuance granted at the request of the department or the hearing officer, specifying which party made the request; and (vii) whether the department's decision that was the subject of the appeal was affirmed or reversed.

(2) The department shall maintain and make available to the public, during regular business hours, a record of its fair hearings in a form that shall not include personally identifiable information but shall include, for each hearing request: (i) the date of the request; (ii) the date of the hearing decision; (iii) the decision rendered by the hearing officer; and (iv) the final decision

rendered upon the commissioner's review. For fair hearing requests that are pending for more than 180 days at any time during the fiscal year, except for those requests which have been stayed at the request of the district attorney, the report shall provide the number of such cases, the number of those cases that have been heard but not decided and the number of cases that have been decided by the hearing officer but for which a final agency decision has not yet been issued.

(e) Annually, not later than October 31, the department shall file with the child advocate, the clerks of the house of representatives and the senate and the joint committee on children, families and persons with disabilities a report on the foster care review system and any recommendations for its improvement, including, but not limited to: (i) the population served by the department, including, but not limited to, case counts, child, youth and young adult and parent or caregiver counts and children, youth and young adults in placement; (ii) a foster care review overview, including, but not limited to, foster care review policy, the number of children, youth and young adults in placement with a convened foster care review and the foster care review considerations; (iii) scheduling, including, but not limited to, scheduled and convened foster care review meetings, children, youth and young adults reviewed, duration of meetings and timeliness of foster care review report completion; (iv) attendance, including, but not limited to, foster care review meeting panel composition and mandated participants invited and attended; (v) the review process, including, but not limited to, the department action plan, placement activities, social worker contact, parent-child visitation, health, education and well-being needs, information on youth and young adults and systemic barriers for children, youth and young adults and parents or caregivers; (vi) foster care review determinations; (vii) minority opinions,

including, but not limited to, minority opinions by a panel member; and (viii) foster care review follow-up activities.

(f) If the department is unable to submit the report under subsection (a), issue the profile under subsection (b) or submit any other reports required pursuant to subsections (c), (d) and (e) by the respective deadlines, the commissioner or the commissioner's legal counsel shall notify the governor, the child advocate, the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities in writing and provide an explanation for the delay.

(g) The department may satisfy the reporting requirements of subsections (b) through (e), inclusive, by providing the requested information in the annual report filed pursuant to subsection (a). The department may substitute reports required by this section with data visualization tools that are accessible and compliant with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., as amended.

Section 27. (a) The commissioner or a designee shall notify the joint committee on children, families and persons with disabilities within 1 week of a child or a young adult in the department's custody sleeping in the department's area office overnight. Notice shall include the region, the average length of stay, the age of the child or young adult, any previous placement types and any challenges in finding placement.

(b)(1) The commissioner or a designee shall notify the joint committee on children, families and persons with disabilities when draft regulations are available by the department for public comment. Notice shall be provided not later than the day that draft regulations are made public.

410 (2) Not later than 30 days after the promulgation of regulations or the effective date of
411 adopted or revised departmental policies related to services provided to children and families, the
412 department shall provide copies of the regulations or departmental policies to the joint committee
413 on children, families and persons with disabilities.

414 (c) Not later than 5 days after the end of each fiscal quarter, the commissioner or a
415 designee shall notify the house and senate committees on ways and means and the joint
416 committee on children, families and persons with disabilities when data from a profile issued
417 pursuant to subsection (b) of section 26 significantly departs from trends reported in a previous
418 profile.

419 Section 28. (a) The department shall establish a 5-year plan, on a fiscal year basis, that
420 shall include numerical targets for the department's performance in each fiscal year and in each
421 of its regions in the areas of safety, permanency and well-being. The plan shall include a
422 description of how the department measures its progress toward meeting the numerical targets
423 and may include different performance targets for different regions. In developing the plan, the
424 department may consult with governmental and non-governmental partners, as necessary. The
425 department shall update the plan annually.

426 (b) Annually, the department shall measure its performance in meeting the numerical and
427 performance targets established in the 5-year plan for the commonwealth as a whole and for each
428 of its regions. The department shall publish and maintain on its website the current plan, the
429 numerical and performance targets for previous years and the department's progress in meeting
430 those performance targets.

(c) If, in any fiscal year, the department is unable to develop or update the 5-year plan or measure its performance, the department shall notify, as soon as practicable, the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities and the child advocate.

SECTION 12. Section 1 of chapter 18C of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting after the definition of “Child advocate” the following 2 definitions:-

“Child-serving individual”, an individual who, in their professional role, has consistent access to children and is often alone with children under the age of 18 or responsible for their care; provided, however, that a child-serving individual may be an employee, a contractor or temporary employee at a public or private organization.

“Child-serving volunteer”, a person who, without compensation or expectation of compensation, provides services or supports in a capacity that involves direct contact with, supervision of or responsibility for the care, education, treatment or welfare of children under the age of 18 at a public or private organization, including, but not limited to, volunteers in schools, childcare programs, youth-serving organizations, recreational or athletic programs, faith-based programs, mentoring or tutoring services and residential or congregate care settings.

SECTION 13. Said section 1 of said chapter 18C, as so appearing, is hereby further amended by striking out the definition of “Critical incident” and inserting in place thereof the following definition:-

“Critical incident”, (i) a fatality, near fatality or serious bodily injury or emotional injury of a child or the indecent assault and battery of a child pursuant to sections 13B to 13B¾,

inclusive, of chapter 265 or the kidnapping or enticement of a child pursuant to sections 26 to 26D, inclusive, of said chapter 265 or the rape and abuse of a child pursuant to sections 23 to 23B, inclusive, of said chapter 265, who is in the custody of, or receiving services from, an executive agency; or (ii) circumstances that result in a reasonable belief that an executive agency failed in its duty to protect or adequately serve a child and, as a result, the child suffered or was at imminent risk of suffering serious bodily injury or emotional injury or death.

SECTION 14. Said section 1 of said chapter 18C, as so appearing, is hereby further amended by inserting after the definition of “Department” the following definition:-

“Emotional injury”, an injury or harm that occurs when a child of any age witnesses the fatality or life-threatening incident of an individual related to an unexpected medical event, overdose, violent act or accident, suicide or attempted suicide.

SECTION 15. Said section 1 of said chapter 18C, as so appearing, is hereby further amended by striking out the definition of “Executive agency” and inserting in place thereof the following 2 definitions:-

“Executive agency”, a state agency within the office of the governor that provides services to children, through direct services, guidance, oversight, contracted services and licensing functions; provided, however, that executive agencies shall include the executive office of education, the executive office of public safety and security, the executive office of health and human services, and their constituent agencies, the Massachusetts interagency council on housing and homelessness and the executive office of housing and livable communities; and provided further, that constituent agencies shall include, but not be limited to, the department of children and families, the department of youth services, the department of public health, the

department of mental health, the department of developmental services, the department of early education and care and the department of elementary and secondary education.

“Near fatality”, an injury that is: (i) accidental or the result of a medical condition, attempted suicide or abuse or neglect; and (ii) certified by a physician to be life threatening.

SECTION 16. Said section 1 of said chapter 18C, as so appearing, is hereby further amended by striking out, in line 21, the words “or emotional”.

SECTION 17 . Said section 1 of said chapter 18C, as so appearing, is hereby further amended by striking out, in line 24, the words “or emotional distress”.

SECTION 18. Said section 1 of said chapter 18C, as so appearing, is hereby further amended by adding the following definition:-

“Sudden unexplained pediatric death”, the sudden and unexpected death of a child under the age of 3 where the cause of death cannot be determined before an investigation.

SECTION 19. Section 2 of said chapter 18C, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “independent of any supervision or control by any executive agency” and inserting in place thereof the following words:- an independent state agency that shall not be subject to the supervision or control of any other executive office, executive agency, commission, board, bureau or political subdivision of the commonwealth. The office shall oversee the services that executive agencies provide to children in the commonwealth.

SECTION 20. The first paragraph of said section 2 of said chapter 18C, as so appearing, is hereby amended by striking out clause (c) and inserting in place thereof the following clause:-

(c) examine, on a systemwide and individual case basis, the care and services that executive agencies provide to children through direct services, guidance, oversight, contracted services and licensing functions.

SECTION 21. Said first paragraph of said section 2 of said chapter 18C, as so appearing, is hereby further amended by striking out clauses (d) and (e) and inserting in place thereof the following 6 clauses:-

(d) advise the public and those at the highest levels of state government about how the commonwealth may improve its services to and for children and their families;

(e) examine disproportionality related to race, ethnicity, disability status, transgender status, sexual orientation or gender identity; provided, that the office shall use data provided by executive agencies related to services provided by the executive agencies;

(f) subject to appropriation, partner with executive agencies or other entities if it is in the best interest of the children of the commonwealth to: (i) support programs, including establishing pilot programs; and (ii) expand or improve current programs; provided, however, that the child advocate shall not enter into any partnership that may jeopardize the office's oversight functions;

(g) provide training and technical assistance to executive agencies to improve services to children if it is in the best interest of the children of the commonwealth; provided, however, that the child advocate shall not provide training or technical assistance that may jeopardize the office's oversight functions;

(h) maintain a publicly available website that shall make materials available for mandated reporters, child-serving individuals and child-serving volunteers, including, but not limited to,

517 trainings and online certification of completion of trainings, guidance, statutory references,
518 resources for individuals and families and best practices; provided, however, that such materials
519 shall include information about: (i) recognizing the signs of child neglect or abuse; (ii)
520 preventing, identifying and reporting child sexual abuse and problematic sexual behaviors
521 between minors; (iii) the ways in which the behavioral and verbal cues for sexual abuse differ
522 from those of other forms of abuse and neglect; (iv) bias and cultural considerations; (v) how to
523 address concerns with families and children when concerns do not rise to the level of
524 maltreatment; (vi) connecting families with needed supports and resources; (vii) how to
525 understand what may qualify as neglect; and (viii) options for voluntary or mandatory reporting.;
526 and

527 (i) create and maintain information and a list of publicly available resources for parents
528 who have experienced a sudden unexplained pediatric death; provided, however, that the
529 information shall include, but not be limited to, resources to obtain genetic testing, ongoing
530 bereavement support, counseling and grief support

531 SECTION 22. Subsection (a) of section 5 of said chapter 18C, as so appearing, is hereby
532 amended by inserting after the first sentence the following sentence:- Notification shall include
533 demographic information of the child involved in the critical incident, if known.

534 SECTION 23. Said section 5 of said chapter 18C, as so appearing, is hereby further
535 amended by striking out, in lines 5, 8, 16, 19 and 21, the word “his” and inserting in place
536 thereof, in each instance, the following word:- their.

537 SECTION 24. Said section 5 of said chapter 18C, as so appearing, is hereby further
538 amended by striking out, in lines 6 and 18, the word “he” and inserting in place thereof, in each
539 instance, the following word:- they.

540 SECTION 25. Said section 5 of said chapter 18C, as so appearing, is hereby further
541 amended by striking out, in line 25, the word “his” and inserting in place thereof the following
542 words:- the office’s.

543 SECTION 26. Said section 5 of said chapter 18C, as so appearing, is hereby further
544 amended by striking out, in line 28, the word “him” and inserting in place thereof the following
545 words:- the child advocate.

546 SECTION 27. Said section 5 of said chapter 18C, as so appearing, is hereby further
547 amended by inserting after the word “services”, in lines 43 and 44, the following words:- , access
548 to support for parents of a child who have experienced a sudden unexplained pediatric death.

549 SECTION 28. Said section 5 of said chapter 18C, as so appearing, is hereby further
550 amended by adding the following 2 subsections:-

551 (i)(1) Prior to publicly releasing a final report related to an investigation where the child
552 advocate makes a determination that there is a reasonable belief that an executive agency failed
553 in its duty to protect or adequately serve a child, the child advocate shall submit a final report to
554 the governor, the attorney general, the auditor, the speaker of the house of representatives and the
555 senate president.

(2) Any executive agency or program that is the subject of the investigation shall not receive the final report prior to the governor, the attorney general, the auditor, the speaker of the house of representatives and the senate president.

(j) The department shall inform the child advocate as soon as practicable when a foster care review safety alert has been issued. The office shall review the circumstances of the foster care review safety alert and provide feedback to the department on individual cases and trends in services.

SECTION 29. Section 6 of said chapter 18C, as so appearing, is hereby amended by striking out, in line 1, the word “his” and inserting in place thereof the following word:- their.

SECTION 30. Section 9 of said chapter 18C, as so appearing, is hereby amended by striking out, in line 2, the word “his” and inserting in place thereof the following word:- their.

SECTION 31. Section 10 of said chapter 18C, as so appearing, is hereby amended by inserting after the figure “5”, in line 7, the following words:- , data related to the mandated reporter training and website pursuant to subsection (h) of section 2, any examination of systemwide challenges pursuant to section 11.

SECTION 32. Said chapter 18C is hereby further amended by striking out section 11, as so appearing, and inserting in place thereof the following section:-

Section 11. The child advocate may examine systemwide challenges to providing adequate services to children. The child advocate may prioritize the examination of challenges that: (i) include multiple executive agencies; and (ii) affect the most vulnerable children. Systemwide examinations shall include recommendations for improvements to the services

provided to children by executive agencies. The child advocate may utilize any source of information available to the office to make recommendations and may seek advice from individuals with expertise in relevant fields of work or study. The child advocate shall file a report on any examination with the governor, the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities.

SECTION 33. Section 12 of said chapter 18C, as so appearing, is hereby amended by striking out, in line 12, the word “his”.

SECTION 34. Said section 12 of said chapter 18C, as so appearing, is hereby further amended by inserting after the figure “66”, in line 21, the following words:- , 66A.

SECTION 35. Said section 12 of said chapter 18C, as so appearing, is hereby further amended by striking out, in line 23, the word “his” and inserting in place thereof the following word:- the.

SECTION 36. Said section 12 of said chapter 18C, as so appearing, is hereby amended by striking out, in lines 34 to 38, inclusive, the words “sharing with the governor, the attorney general, a district attorney, a secretary, an agency commissioner or other agency personnel, or the chairs of the joint committee on children, families and persons with disabilities, the report of, or the results of, a critical incident investigation involving that agency” and inserting in place thereof the following words :- from: (i) sharing the report of, or the results of, a critical incident investigation involving an executive agency with the governor, the attorney general, a district attorney, a secretary or commissioner or other agency personnel involved in the critical incident investigation, the speaker of the house of representatives, the senate president, or the chairs of

599 the joint committee on children, families and persons with disabilities; (ii) sharing information
600 with an executive agency when the child advocate deems, in their sole discretion, that such
601 information sharing is necessary for the child advocate to perform the child advocate's duties; or
602 (iii) issuing a public report when such report, in the sole discretion of the child advocate, is
603 necessary for the child advocate to perform their duties; provided, however, that the child
604 advocate shall not include any names, dates of birth or other unique identifiers of any person
605 referenced in the report unless such information is already publicly available or the child
606 advocate deems the release of such information necessary to effectuate the purpose of the report
607 and the mission of the office.

608 SECTION 37. Said section 12 of chapter 18C, as so appearing, is hereby amended by
609 adding the following subsection:-

610 (f) If the child advocate, or the office, elects to withhold a report or components of a
611 report, it shall provide any requesting party with the reasons therefore in writing, which reasons
612 shall also be recorded and available for public inspection; provided, however, that nothing in this
613 subsection shall require any action by office that would compromise any investigation or
614 protective measures that could be, or are being, undertaken by the office or the department.

615 SECTION 38. Section 13 of said chapter 18C, as so appearing, is hereby amended by
616 striking out, in lines 5 and 6, the word "his" and inserting in place thereof, in each instance, the
617 following word:- their.

618 SECTION 39. Said chapter 18C is hereby further amended by adding the following 5
619 sections:-

Section 15. (a) Notwithstanding section 12, any information requested for research purposes by the office from the trial court, including the office of probation, related to juvenile court activity record information data shall comply with this section.

b)(1) The office may request data for research purposes from the trial court, including the office of probation. Each request shall include a research proposal containing a detailed description of the research project, including: (i) the type of data sought; (ii) the reason the requested data is relevant to the project; (iii) the proposed project methodology; (iv) how the confidentiality of the data will be maintained; and (v) the identity of the research project members responsible for preserving the confidentiality of the research subjects. The research proposal shall demonstrate that the research project is being conducted for a valid educational, scientific or other public purpose.

(2) The trial court shall review the request for data related to juvenile court activity record information data for research purposes and determine if the proposal demonstrates that the research project is being conducted for a valid educational, scientific or other public purpose and all information requested pursuant to this subsection are in compliance with trial court rules, policies or other relevant laws.

(3) Upon approval of the data request pursuant to this subsection, each individual who will have contact with the data shall submit a non-disclosure agreement to the trial court, agreeing to maintain the confidentiality of the data.

(c) The trial court, including the office of probation, shall have the right to inspect the research project and to conduct an audit of the office's use of the requested data. Prior to

publication, the trial court, including the office of probation, shall have the right to validate the analysis and ensure data integrity, deidentification and confidentiality of the information.

(d) The office shall only use the data for its requested purpose. The office may disseminate reports and statistical analyses based on the data; provided, however, that the office shall not disseminate the raw data for any purpose except as stated in its research proposal.

(e) Upon completion or termination of the research project, the office shall: (i) destroy the data; and (ii) attest to the trial court, including the office of probation, in writing, that such destruction has been effected.

Section 16. The office may prepare and update from time to time online resources which the juvenile court may publish on its official website, including: (i) a video clearly defining a child requiring assistance petition, how to file such a petition, the potential outcomes of filing and a brief overview of community-based resources that may be utilized before filing a petition, including but not limited to family resource centers and the behavioral health helpline; and (ii) a corresponding written overview that contains information about community-based resources.

Section 17. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Child”, a person under the age of 18.

“Fatality”, a death of a child.

“Local team”, a local child fatality review team established in subsection (c).

“Near fatality”, an act that, as certified by a physician, places a child in serious or critical condition.

“State team”, the state child fatality review team established in subsection (b).

“Team”, the state or a local team.

(b)(1) There shall be a state child fatality review team within the office. Notwithstanding section 172 of chapter 6, members of the state team shall be subject to criminal offender record checks to be conducted by the colonel of state police on behalf of the child advocate. All members shall serve without compensation for their duties associated with membership on the state team. The state team shall include, but shall not be limited to: (i) the child advocate or a designee, who shall serve as co-chair; (ii) the commissioner of public health or a designee, who shall serve as co-chair; (iii) the chief medical examiner or a designee; (iv) the attorney general or a designee; (v) the commissioner of children and families or a designee; (vi) the commissioner of elementary and secondary education or a designee; (vii) a representative selected by the Massachusetts District Attorneys Association; (viii) the colonel of state police or a designee; (ix) the commissioner of mental health or a designee; (x) the commissioner of developmental services or a designee; (xi) the director of the Massachusetts Center for Unexpected Infant and Child Death at Boston Medical Center or a designee; (xii) the commissioner of youth services or a designee; (xiii) the commissioner of early education and care or a designee; (xiv) a representative selected by the Massachusetts chapter of the American Academy of Pediatrics who has experience in diagnosing or treating child abuse and neglect; (xv) a representative selected by the Massachusetts Health and Hospital Association, Inc.; (xvi) the president of the Massachusetts Chiefs of Police Association Incorporated or a designee; (xvii) the department of children and families chapter president or designee of the certified collective bargaining representative of bargaining unit 8; and (xviii) any other person, selected by the co-chairs or by

684 majority vote of the members of the state team, with expertise or information relevant to an
685 individual case.

686 (2) The purpose of the state team shall be to decrease the incidence of preventable child
687 fatalities and near fatalities by: (i) developing an understanding of the causes and incidence of
688 child fatalities and near fatalities; and (ii) advising the governor, the general court and the public
689 by recommending changes in law, policy and practice to prevent child fatalities and near
690 fatalities. The state team may consult with the chief justice of the juvenile court department of
691 the trial court on issues with a direct bearing upon the business of the courts of the
692 commonwealth.

693 (3) To achieve its purpose, the state team shall: (i) develop model investigative and data
694 collection protocols for local teams; (ii) provide information to local teams and law enforcement
695 agencies for the purpose of protecting children; (iii) provide training and written materials to
696 local teams to assist them in carrying out their duties; (iv) review reports from local teams; (v)
697 study the incidence and causes of child fatalities and near fatalities in the commonwealth; (vi)
698 analyze community, public and private agency involvement with the children and their families
699 prior to and subsequent to fatalities or near fatalities; (vii) develop a protocol for the collection of
700 data regarding fatalities and near fatalities and provide training to local teams on the protocol;
701 (viii) develop and implement rules and procedures necessary for its own operation; and (ix)
702 provide the governor, the general court and the public with annual written reports, subject to
703 confidentiality restrictions, that shall include, but shall not be limited to, the state team's findings
704 and recommendations.

(c)(1) There shall be a local child fatality review team in each district established under section 13 of chapter 12. Notwithstanding section 172 of chapter 6, members of a local team shall be subject to criminal offender record checks to be conducted by the district attorney in each such district. All members shall serve without compensation for their duties associated with membership on a local team. Each local team shall include, but shall not be limited to: (i) the district attorney of the county, who shall serve as chair; (ii) the chief medical examiner or a designee; (iii) the commissioner of children and families or a designee; (iv) a pediatrician with experience in diagnosing or treating child abuse and neglect, appointed by the state team; (v) a local police officer from a municipality where a child fatality or near fatality occurred, appointed by the chief of police of the municipality; (vi) a state law enforcement officer, appointed by the colonel of state police; (vii) the director of the Massachusetts Center for Unexpected Infant and Child Death located at Boston Medical Center or a designee; (viii) at least 1 representative from the department of public health; (ix) at least 1 representative from the office; (x) the department of children and families chapter president or designee of the certified collective bargaining unit 8; and (xi) any other person, selected by the co-chairs or by majority vote of the members of the state team, with expertise or information relevant to an individual case; provided, that such person may include, but shall not be limited to, a local or state law enforcement officer, a hospital representative, a medical specialist or subspecialist or a designee of the commissioners of developmental services, mental health, youth services, education and early education and care.

(2) The purpose of each local team shall be to decrease the incidence of preventable child fatalities and near fatalities by: (i) coordinating the collection of information on fatalities and near fatalities; (ii) promoting cooperation and coordination between agencies responding to fatalities and near fatalities and in providing services to family members; (iii) developing an

understanding of the causes and incidence of child fatalities and near fatalities in the county; and
(iv) advising the state team on changes in law, policy or practice that may affect child fatalities
and near fatalities.

(3) To achieve its purpose, each local team shall: (i) review, establish and implement
model protocols from the state team; (ii) review, subject to the approval of the local district
attorney, all individual fatalities and near fatalities in accordance with the established protocols;
(iii) meet periodically, not less than 2 times per calendar year, to review the status of fatality and
near fatality cases and recommend methods of improving coordination of services between
member agencies; (iv) collect, maintain and provide confidential data as required by the state
team; and (v) provide law enforcement or other agencies with information to protect children.

(4) At the request of the local district attorney, the local team shall immediately be
provided with: (i) information and records relevant to the cause of the fatality or near fatality
maintained by providers of medical or other care, treatment or services, including dental and
mental health care; (ii) information and records relevant to the cause of the fatality or near
fatality maintained by any state, county or local government agency, including, but not limited
to, birth certificates, medical examiner investigative data, parole and probation information
records and law enforcement data post-disposition; provided, however, that certain law
enforcement records may be exempted by the local district attorney; (iii) information and records
of any provider of social services, including the department, relevant to the child or the child's
family, that the local team deems relevant to the review; and (iv) demographic information
relevant to the child and the child's immediate family, including, but not limited to, address, age,
race, gender and economic status. The district attorney may enforce this paragraph by seeking an
order of the superior court.

(d) Any privilege or restriction on disclosure established pursuant to chapter 66A, section 70 of chapter 111, section 11 of chapter 111B, section 18 of chapter 111E, chapter 112, chapter 123, section 20B, 20J or 20K of chapter 233 or any other law relating to confidential communications shall not prohibit the disclosure of this information to the chair of the state team or a local team. Any information considered to be confidential pursuant to the aforementioned statutes may be submitted for a team's review upon the determination of that team's chair that the review of this information is necessary. The chair shall ensure that no information submitted for a team's review is disseminated to parties outside the team. No member of a team shall violate the confidentiality provisions set forth in the aforementioned statutes. Except as necessary to carry out a team's purpose and duties, members of a team and persons attending a team meeting shall not disclose any information relating to the team's business. Team meetings shall be closed to the public. Information and records acquired by the state team or by a local team pursuant to this chapter shall be confidential, exempt from disclosure under chapter 66 and may only be disclosed as necessary to carry out a team's duties and purposes. Statistical compilations of data that do not contain any information that would permit the identification of any person may be disclosed to the public.

(e) Members of a team, persons attending a team meeting and persons who present information to a team shall not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a team meeting.

(f) Information, documents and records of the state team or of a local team shall not be subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding; provided, however, that information, documents and records otherwise available from any other source shall not be immune from subpoena, discovery or introduction into evidence through

774 these sources solely because they were presented during proceedings of a team or are maintained
775 by a team.

776 (g) Nothing in this section shall limit the powers or duties of the child advocate or district
777 attorneys.

778 Section 18. The office shall, every 3 years, oversee the review of child welfare data
779 reporting and make recommendations for improvements to the report and profile pursuant to
780 subsections (a) and (b) of section 26 of chapter 18B and other reports required pursuant to
781 subsections (c), (d) and (e) of said section 26 of said chapter 18B, or the data measures, progress
782 measures and outcome measures pursuant to section 128 of chapter 47 of the acts of 2017.
783 Following the release of the department's annual report, the office shall seek input from the
784 public, advocates and diverse stakeholders from across the commonwealth. The office shall
785 consult with other individuals with relevant expertise, including academics, researchers and
786 service providers. Following such review, the office shall post a report on the office's website on
787 its recommendations, together with drafts of any legislation necessary to carry out its
788 recommendations and an aggregate response to the comments.

789 Section 19. (a) There shall be within the office a youth engagement program, to ensure
790 that the voices and experiences of youth in congregate care and other out-of-home placements
791 inform statewide policy, oversight and program improvement.

792 (b) The youth engagement program shall conduct not less than 4 youth listening sessions
793 annually in congregate care settings, including but not limited to group homes, residential
794 schools, community-based acute treatment programs and other placements serving children in
795 the care or custody of the commonwealth. Sessions shall be facilitated in a trauma-informed,

796 developmentally appropriate manner and shall ensure confidentiality consistent with applicable
797 law.

798 (c) The office shall annually compile and publish a youth engagement report
799 summarizing any findings and recommendations. The report shall be submitted to the clerks of
800 the senate and house, the senate and house committees on ways and means, the joint committee
801 on children, families and persons with disabilities and the department of children and families
802 and shall be posted publicly in accordance with section 19 of chapter 66.

803 (d) The office may consult with youth-serving agencies, including the department of
804 children and families, the department of mental health, the department of youth services, the
805 department of elementary and secondary education and the department of early education and
806 care, to facilitate participation and ensure that youth feedback is incorporated into agency
807 oversight and improvement efforts.

808 SECTION 40. Section 2A of chapter 38 of the General Laws is hereby repealed.

809 SECTION 41. Said chapter 38 is hereby further amended by adding the following
810 section:-

811 Section 17. (a) In all cases of sudden unexpected pediatric death, the office shall provide
812 the caregivers of the deceased with information from the office of the child advocate, including a
813 list of publicly available services for sudden unexpected pediatric death and information about
814 how to receive support from the office of the child advocate in accordance with clause (i) of the
815 first paragraph of section 2 of chapter 18C. The office of the chief medical examiner shall
816 provide such list to the caregivers of the deceased not more than 3 days after receipt of the
817 decedent.

818 (b) The office, in coordination with the department of public health, shall provide, as
819 close to the time of a sudden unexpected pediatric death as practicable, information provided by
820 the office of the child advocate, including a list of publicly available services and information
821 about accessing support from the office of the child advocate pursuant to subsection (d) of
822 section 5 of chapter 18C.

823 SECTION 42. Chapter 71 of the General Laws is hereby amended by inserting after
824 section 34H the following section:-

825 Section 34I. (a) Each public elementary and secondary school shall provide the education
826 records of a student in the custody of the department of children and families in a timely and
827 appropriate manner to a case worker or other authorized representative from the department of
828 children and families upon request.

829 (b) Upon receipt of notification from the department of children and families, as required
830 by subsection (k) of section 23 of chapter 119, that it has been determined it is not in the best
831 interest of a student to remain at their school district of origin, the new school district of
832 enrollment shall immediately enroll the student even if the student is unable to produce records
833 normally required for enrollment, including, but not limited to: (i) proof of residency; (ii)
834 academic records; (iii) individualized education programs; (iv) discipline records; (v) documents
835 evidencing proof of custody; (vi) identification documents; and (vii) medical, health, and
836 immunization records; provided, however, that schools may require emergency contact
837 information for a student. Immediate enrollment shall not preclude the new school district from
838 requiring or working to obtain outstanding records normally required for enrollment or from
839 requiring records normally required for ongoing enrollment.

(c) The new school district of enrollment shall immediately request, from the school district of origin, the regularly required enrollment forms and a transfer of any additional education records of the student, including but not limited to: (i) immunization records and other health records possessed by the school; (ii) academic transcripts; (iii) class enrollment history, including any advanced or remedial courses; (iv) attendance records; (v) individualized education program or section 504 plan, as applicable; and (vi) disciplinary records and other records contained in the student's temporary education record maintained centrally by the school, to the new school district of enrollment. The school district of origin shall transfer such student records immediately and without the prior consent of a parent or guardian, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

(d) The board of elementary and secondary education shall promulgate regulations to implement the provisions of this section, including specific timelines for the transfer of education records for students in the custody of the department of children and families. When promulgating regulations under this section, the board shall consider the use of electronic repositories to facilitate the transfer of students' educational records.

SECTION 43. Section 21 of chapter 119 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by striking out the definition of "Child requiring assistance" and inserting in place thereof the following definition:-

"Child requiring assistance", a child between the ages of 12 and 18 who is not currently in the custody of the department of children and families or the department of youth services who:

(i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian

or custodian, thereby interfering with their ability to adequately care for and protect the child;
(iii) repeatedly fails to obey the lawful and reasonable regulations of the child’s school; (iv) is
habitually absent without permission; or (v) is a sexually exploited child.

SECTION 44. Said section 21 of said chapter 119, as so appearing, is hereby further
amended by striking out the definition of “habitually truant” and inserting in place thereof the
following definition:-

“Habitually absent without permission”, a child, not excused from attendance under the
lawful and reasonable regulations of such child’s school, who willfully fails to attend school for
more than 8 school days in a quarter.

SECTION 45. Subsection (f) of section 23 of said chapter 119, as so appearing in the
2024 Official Edition, is hereby amended by striking out the sixth sentence.

SECTION 46. Subsection (h) of said section 23 of said chapter 119, as so appearing, is
hereby amended by striking out the second paragraph.

SECTION 47. Said section 23 of said chapter 119, as so appearing, is hereby further
amended by adding the following subsection:-

(k) When a school-aged child who is in the custody of the department is placed in or
transferred to an out-of-home placement, the department shall timely notify the school-aged
child’s current school district of enrollment of such placement or transfer; provided further, that
if it is determined it is not in the school-aged child’s best interest to remain at their school district
of origin, the department shall timely notify the new school district of enrollment of the school-
aged child’s transfer in enrollment.

883 SECTION 48. Said chapter 119 is hereby further amended by inserting after section 23D
884 the following section:-

885 Section 23E. (a) Each child in the custody or care of the department has the following
886 rights:

887 (1) Safety and Security:

888 (i) Each child shall be treated with dignity, respect and consideration, and shall have the
889 right to have their privacy respected.

890 (ii) Each child has the right not to be harmed by department staff, foster parents or
891 service providers.

892 (iii) Each child has the right not to be discriminated against or harassed by department
893 staff, foster parents, the child's attorney or service providers on the basis of religion, race, color,
894 creed, gender, gender identity, gender expression, sexual orientation, national origin, age,
895 disability, culture, language or ethnicity.

896 (iv) Each child has the right to a placement that is free from physical, psychological,
897 sexual, emotional or other abuse, neglect or exploitation.

898 (v) Each child has the right to access personal possessions, personal space and privacy
899 with allowance for safety.

900 (vi) Each child has the right to control the taking, use and disclosure of all pictures of
901 themselves; provided, however, that the exercise of the right may be subject to limitations
902 necessary to protect the wellbeing, health or safety of the child.

(vii) Each child has the right to access sufficient healthy food, clothing, personal care products, appropriate self-care needs for their hair and body, as well as items that preserve and promote the child's religion, culture and gender identity.

(viii) Each child has the right to be placed in a safe and nurturing environment and receive appropriate care and treatment in the least restrictive setting available that can meet the child's needs and address their trauma history.

(ix) Each child has the right not to be placed, housed or detained in a secure department of youth services placement based on the department's inability to provide an available and appropriate foster placement. The department shall not advocate for bail of any amount for children in its care or custody.

(x) Each child has the right to developmentally appropriate information about a foster family or program prior to being placed whenever possible and, whenever possible and appropriate, shall have an opportunity to meet the foster parent or program staff before placement occurs. If the foster placement is only able to accommodate the child for a limited time, the child shall be notified of the anticipated duration of the child's stay with that foster placement. The child shall be informed of a placement change and any reason for the change at least 5 days in advance whenever possible. When a change is made in an emergency circumstance, the child shall be given as much notice as possible. The child's belongings shall be packed with care and the child shall be allowed to bring their essential belongings and comfort items with them.

(2) Connections to Family, Community and Identity:

924 (i) Each child has the right to know, understand, learn about and develop the child's
925 racial, cultural, linguistic, gender, religious and ethnic identity, including but not limited to
926 clothing, hair, other cultural expressions of identity and body care and to a placement that will
927 provide or maintain the connections necessary to preserve and promote the child's identities.

928 (ii) To the best of the department's ability, each child has the right to preserve and
929 maintain all languages the child entered care speaking and to reside in a placement that provides
930 or facilitates appropriate language access.

931 (iii) Each child has the right to a placement that supports and affirms their identity,
932 including on the basis of religion, race, color, creed, gender, gender identity, gender expression,
933 sexual orientation, national origin, age, disability, culture, language or ethnicity.

934 (iv) Each child has the right to choose whether or not and to whom to disclose
935 information about their sexual orientation and gender identity, and the right to have that
936 information not further disclosed without their consent, unless required to protect the child's
937 health and safety, or where compelled by law or court order.

938 (v) Each child has the right to timely permanency which includes stabilization of family,
939 reunification, adoption, guardianship, care with kin or another planned permanent living
940 arrangement.

941 (vi) Each child has the right to a placement identified and located through due diligence
942 that prioritizes the child's relatives and kinship, using full and fair consideration, as potential
943 placement providers, when the child cannot remain safely at home with their parent or parents.

(vii) Each child has the right to frequent and meaningful contact with the child's siblings or half-siblings, facilitated by the department pursuant to section 26B of chapter 119. The department shall prioritize placement with the child's siblings or half-siblings in all settings and permanency plans, including but not limited to foster care, congregate care, and adoption, unless the joint placement is contrary to the safety, well-being, or permanency of any of the siblings.

(viii) Each child has the right to family time of a duration and frequency and in a setting that (A) is consistent with the developmental or clinical needs of the child and (B) promotes and preserves their connections with their family. Family time shall take place in person and outside of a department office whenever possible.

(ix) Each child has the right to other forms of parental contact, including but not limited to mail, phone calls, videoconferences, email and texts if they have their own phone and if not harmful to the safety or well-being of the child. All placements shall facilitate access to virtual forms of contact if safe and appropriate.

(x) Each child has the right to assistance to maintain positive contact with other family members and significant other positive relationships in the child's life, including but not limited to extended family, family friends, teachers, friends and community individuals.

(xi) Each child has the right to be treated as a family member in a foster family and, whenever possible, be included in a foster family's activities, holidays and traditions while taking into consideration factors that include but are not limited to the child's age and trauma history. Each child shall have the opportunity to be included in the daily activities of the family and to maintain the most normal daily routine and environment as possible. If choosing not to

take part, each child or young adult shall have the opportunity to discuss their reasons with the social worker and foster family.

(3) Health Care and Accessibility:

(i) Each child has the right to access appropriate, timely and gender-affirming medical, reproductive, dental, vision, mental and behavioral health services regularly and more often as needed.

(ii) Each child has the right to discuss any questions or concerns the child has relating to medication or other physical, mental or behavioral health treatment with a healthcare provider and to understand the medications or treatment provided, its purposes and side effects in a developmentally appropriate way.

(iii) Each child has the right to out-of-home placements with reasonable accommodations for any disabilities the child may have, consistent with state and federal law. Reasonable accommodations shall be provided in a timely manner and in such a way as to protect the privacy of the child. Each child also has a right to discuss any disabilities with the department and request adaptive equipment, auxiliary aids or services.

(4) Education, Employment and Social Connections:

(i) Each child has the right to attend school regularly, to educational stability, to educational supports and to an education that meets their needs under federal and state law.

(ii) Each child has the right for the department to prioritize school stability by maintaining the child at their school of origin unless it is found, in a Best Interest Determination meeting pursuant to federal law, not to be in their best interest to do so.

(iii) Each child has the right to participate in developmentally appropriate school, extracurricular, enrichment, religious, cultural, linguistic, ethnic and social activities and to have any placement provider use the reasonable and prudent parenting standard when making decisions regarding participation in such activities.

(iv) Each child has the right to achieve developmentally and religiously appropriate, age-related milestones, including but not limited to obtaining a driver's license, opening bank accounts, birthday celebrations, religious ceremonies or graduations.

(v) Each child has the right to be informed of and supported in accessing all available services through the department, including but not limited to educational, vocational and employment services, assistance in acquiring life skills, educational assistance including but not limited to tuition and fee waivers for post-secondary education, financial support, housing support, assistance with credit reports and resolving inaccuracies, training and career guidance to accomplish personal goals and prepare for the future, employment supports available to children in care and adaptive equipment or auxiliary aids and supports.

(vi) Each child has the right to developmentally appropriate education on financial preparedness, job readiness, appropriate use of social media, education options, healthy relationships, physical, mental, sexual and reproductive health.

(5) Resources and Supports:

(i) Each child has the right to reasonable access to a social worker who can make action plan decisions. Each child shall have opportunities for the child to have private conversations with a social worker regarding any questions, grievances or concerns. Reasonable access shall include providing the child with the department's social worker and supervisor's office telephone

1008 numbers and email addresses as well as, at a minimum, monthly visits by the department. The
1009 department shall also provide the child an emergency contact number for the department during
1010 non-business hours for emergency and safety issues.

1011 (ii) Each child has the right to participate as developmentally appropriate in the
1012 development and review of the action plans and family time and visitation plans, their
1013 individualized education program and best interest determination and shall be consulted as the
1014 department formulates or updates said items. Children aged 14 and older shall also be presented
1015 with the action or service plan for their review, written feedback and signature.

1016 (iii) Each child has the right to be informed, in a developmentally appropriate way, of the
1017 meaning of all documents that they are asked to sign by the department or its agents, contractors
1018 or providers including the voluntary agreement for placement and documents of similar
1019 importance. Except in emergency situations when immediate action is required, a child shall
1020 have their attorney present whenever asked to sign any documents by the department or its
1021 agents, contractors or providers, or the document shall be provided in a timely fashion to the
1022 child's attorney to give an opportunity for review in advance of presenting it for signature.

1023 (iv) Each child has the right to be informed in a developmentally appropriate way of the
1024 reasons the department became involved with the child's family, why the child came into care
1025 and why the child is still in care. The department shall offer support through the review process
1026 to address any possible trauma caused by a child's access to their case files. Upon turning 18, the
1027 young adult shall have the right to access their individual information from their case files,
1028 barring any state or federal law that would prohibit the department from allowing the release of
1029 information.

1030 (v) Each child aged 14 or older has the right to be included in foster care review
1031 meetings, permanency hearings and lead agency team meetings except for those parts that
1032 involve information that is confidential regarding their parents or a previous or future adoptive,
1033 kinship or foster parent under federal or state law, and unless documented by court order that
1034 participation would be detrimental to the child. The department shall provide the child the ability
1035 to offer confidential input to the department before a final decision is made with respect to
1036 determining or changing placement or permanency. If the child is unable to attend in person, by
1037 phone or video, the child shall have the right to submit a written statement to be considered at the
1038 meeting or hearing.

1039 (vi) Each child and young adult has the right to adequate notice of all court hearings by
1040 their attorney. To the extent possible, the notice shall include the date, time and location of the
1041 hearing. If developmentally appropriate, the child's social worker and the child's attorney shall
1042 inform them of actions or decisions made by the court. In a developmentally appropriate manner,
1043 the child's attorney shall ensure the child understands the child's right to attend their annual
1044 permanency hearings and speak to the judge regarding any decision that may have an impact on
1045 the child's life.

1046 (vii) Each child and young adult has the right to access their medical, dental and
1047 educational records held by the department as well as their personal documents, including but
1048 not limited to social security card, birth certificate, health insurance information, state
1049 identification card, driver's license, passport and documentation related to their immigration
1050 status, including work authorization, in a developmentally appropriate way. When a child or
1051 young adult leaves the care of the department, they shall be given copies of medical, dental and
1052 educational records held by the department and original copies of all personal documents. The

1053 department shall further provide contact information for providers who are currently providing
1054 care for the young adult. The department shall begin planning to return the documents to the
1055 child at least 30 days before the young adult leaves care.

1056 (viii) Each child and young adult has the right to change their name and the right to
1057 change their gender marker on official documents with assistance from the child or young adult's
1058 attorney and the department, and to have all relevant legal documents updated accordingly.

1059 (ix) Each eligible child and young adult has the right to obtain a state identification card
1060 with the department's assistance.

1061 (x) Each child and young adult has the right to an attorney pursuant to section 29 of
1062 chapter 119 and to meaningful contact with said attorney, including at foster care reviews. Each
1063 child shall be informed, when appropriate, of the name and phone numbers of the assigned
1064 attorney. Each child, child's parent and foster parent shall be informed, when appropriate, that
1065 the child can contact the child's attorney, and of the processes to file a complaint regarding the
1066 child's attorney and to request a change of attorney for the child.

1067 (xi) Each child, and their attorney, has the right to be informed if the department applies
1068 for any benefits on behalf of the child, including but not limited to benefits under Title XVI of
1069 the Social Security Act, also referred to as supplemental security income; benefits under Title II
1070 of the Social Security Act, also referred to as retirement, survivors or disability benefits, and if
1071 the department applies to be the representative payee for such benefits. The department shall
1072 preserve all of such funds received in an interest-bearing account belonging to the child so the
1073 funds are available for the child's benefit and use while they are in care, and the child's use when
1074 they turn 18. The department shall not use such funds for the customary costs of foster care, nor

1075 shall it use such funds to pay the costs of items which would ordinarily be funded by another
1076 source. If necessary, the department shall preserve said funds in an achieving a better life
1077 experience account authorized by 26 U.S.C. § 529A, or another trust account for the child
1078 determined not to interfere with supplemental security income or asset limitations for any other
1079 benefit program.

1080 (6) Transition Age Youth:

1081 (i) Each child and young adult, age 14 or older, has the right to collaborate with the
1082 department to plan their transition from foster care to adulthood. Transition planning should
1083 cover all areas needed for a youth to be stable and successful as an adult, including but not
1084 limited to, planning for visits or contact with parents and siblings; building relationships with
1085 other caring adults, particularly with life-long connections; making an education plan including
1086 post-secondary education; finding vocational, employment and career counseling and placement;
1087 securing stable housing; developing expertise in daily living skills; maintaining physical,
1088 reproductive and mental health care and health insurance; learning how to access community
1089 resources and public benefits and services; connecting with other state agencies; developing
1090 financial skills including, but not limited to, understanding budgeting and money management as
1091 well as checking and savings accounts; and receiving, understanding and correcting, if
1092 applicable, the child's consumer credit report.

1093 (ii) Each young adult who turns 18 while in the custody of the department, has the right
1094 to continue under the responsibility of the department and receive young adult services until
1095 turning 22 years of age, pursuant to federal and state requirements, unless completing an
1096 educational program until age 23. Each young adult has the right to be offered a voluntary

1097 placement agreement by the department in the month prior to their turning 18 years old. The
1098 voluntary placement agreement shall be developed together with the child or young adult during
1099 permanency and transition planning. Each child or young adult has the right to be made aware of
1100 this right and any federal requirements governing services for transition age youth throughout the
1101 transition planning process.

1102 (iii) Each child has the right to begin transition planning at least 1 year prior to turning 18
1103 years old, crafted by the department at the direction of the transition-age youth, regardless of
1104 whether they will continue under the responsibility of the department upon turning 18, that
1105 includes personalized, detailed, tangible, available and clear options for resources for meeting
1106 their basic needs including, but not limited to, housing, education and vocational supports which
1107 fulfill the requirements of 42 U.S.C. § 675(5)(H), as amended.

1108 (iv) Each young adult who has chosen to remain under the responsibility of the
1109 department has the right to engage and re-engage with the department under a voluntary
1110 placement agreement at any time for any reason.

1111 (v) Each young adult who has chosen to remain under the responsibility of the
1112 department, who is leaving care at age 18 or who is re-entering care has the right to be housed
1113 and provided information about and assistance with securing all department-identified,
1114 appropriate housing opportunities.

1115 (7) Remedies.

1116 (i) Each child has the right to have these rights enforced. The department shall not
1117 retaliate against or punish a child for asserting their rights. Nothing in this section shall be

1118 construed to diminish the rights, privileges or remedies of any person under any other federal or
1119 state law.

1120 (ii) Each child has the right to department-provided contact information for the
1121 ombudsperson and the office of the child advocate when they enter the care and custody of the
1122 department and upon request. If it is developmentally inappropriate to provide the child with
1123 such information, a child's attorney shall be provided with this contact information.

1124 (iii) If the child and the child's attorney believe any of the above rights have been
1125 violated, each child has the right to discuss the alleged violation with the department's
1126 ombudsman, file a grievance with the department or file a complaint with the office of the child
1127 advocate. The department shall not retaliate against or punish a child, a child's parent, an
1128 attorney, a social worker, a foster parent or placement provider for asserting this right. If the
1129 department or the office of the child advocate determines the child's rights have been violated,
1130 the department shall resolve the violation as soon as practicable and make corrections so that the
1131 violation does not reoccur.

1132 (b) The rights enumerated in subsection (a) shall be obligations of the department. The
1133 department shall amend any regulations or policies that may conflict with this section in a timely
1134 fashion.

1135 (c) The rights enumerated in subsection (a) are not an exhaustive list of rights to which
1136 children under the custody, care or responsibility of the department are entitled and should not be
1137 read to limit the rights of children, or the responsibilities of the department, in any way.

1138 (d) The department shall create, in consultation with community members and young
1139 people with lived experience in the child welfare system, a simple and plain language version of

these rights as enumerated in subsection (a) so that they are accessible and easily understood by children and young adults in the department's care. The department shall present the document to each child in its care, or when developmentally appropriate to the child's attorney, the parents of each child in its care and the foster parent or placement provider of each child in its care. The department and the child's attorney shall explain these rights to the child in a developmentally appropriate way when the child enters the department's care. The department shall ensure the document is translated into the preferred language of the child or young adult in care, the child's parents and the foster parents. The document shall be posted in all congregate care facilities in a public space where all residents have access, prominently on the department's website and in all area offices.

SECTION 49. Said chapter 119 is hereby further amended by inserting after section 29D the following section:-

Section 29E. (a) Not later than 3 business days after a non-emergency change in a child's or a young adult's placement or any non-emergency hospitalization, the department shall provide notice of the change in placement or hospitalization to the child's or the young adult's counsel.

(b) Not later than 1 business days after any emergency change in a child's or a young adult's placement or any emergency hospitalization, the department shall provide notice of the change in placement or hospitalization to the child's or the young adult's counsel.

(c) Not later than 3 business days after receipt of a report under section 51A, the department shall provide notice to a child's counsel if it receives a report under section 51A and the child is the subject of the report.

1161 (d) Not later than 1 business day after the department receives a report under section 51A
1162 that raises substantial questions regarding the suitability of the child's or young adult's current
1163 placement or any of the child's or young adult's service providers, the department shall provide
1164 notice to a child's counsel or a young adult's counsel.

1165 (e) The department shall provide notice to a child's or young adult's counsel within 3
1166 business days whenever the department becomes aware of: (i) the child or young adult being
1167 arrested; (ii) the child's or young adult's involvement in any proceeding under this chapter or
1168 any criminal investigation or proceeding; (iii) the child or young adult being suspended or
1169 expelled from school; or (iv) the child or young adult being the subject of any proceeding
1170 regarding their suspension or expulsion from school.

1171 (f) The department's attorney portal shall provide timely automated notifications not later
1172 than 1 business day for all events pursuant to subsections (a) and (b).

1173 SECTION 50. Section 29E of said chapter 119, inserted by section 49, is hereby amended
1174 by striking out subsection (f) and inserting in place thereof the following subsection:-

1175 (f) The department's attorney portal shall provide automated notifications not later than 1
1176 business day for all events pursuant to subsections (a) to (d), inclusive.

1177 SECTION 53. Section 39½ of said chapter 119, as so appearing, is hereby amended by
1178 striking out the eighth paragraph.

1179 SECTION 51. Said chapter 119 is hereby further amended by striking out section 39E, as
1180 appearing in the 2024 Official Edition, and inserting in place thereof the following section:-

1181 Section 39E. (a) Any division of the juvenile court department may receive and hear
1182 requests for assistance stating that there is a child requiring assistance or a family requiring
1183 assistance as defined in section 21, pursuant to this section or sections 39F to 39I, inclusive.
1184 Proceedings pursuant to this section and said sections 39F to 39I, inclusive, shall not be deemed
1185 criminal proceedings and any record of such proceedings, including the filing of an application
1186 for assistance and creation of a docket, shall not be entered in the criminal offender record
1187 information system. Notwithstanding any general or special law to the contrary, no record
1188 pertaining to the child involved in the proceedings shall be maintained or remain active after the
1189 application for assistance has been dismissed; provided, however, that nothing herein shall be
1190 construed to prohibit the maintenance or reporting of information after records pertaining to the
1191 matter have been expunged, provided that the information is kept in a manner that does not
1192 enable identification of the child or petitioner and is used solely for statistical or bona fide
1193 research purposes. The identity and record of any child for whom an application for assistance is
1194 filed shall not be submitted to the department of criminal justice information services, criminal
1195 offender record information system, court activity record index or any other criminal record
1196 information system. Proceedings under this section and sections 39F to 39I, inclusive, shall be
1197 confidential and not open to the public. Subject matter jurisdiction of the Boston juvenile court
1198 under this section shall extend to the territorial limits of Suffolk county.

1199 (b) A parent, legal guardian or custodian of a child having custody of such child, may
1200 initiate an application for assistance in any of the juvenile courts stating that said child repeatedly
1201 runs away from the home of said parent or guardian or repeatedly refuses to obey the lawful and
1202 reasonable commands of said parent, guardian or custodian resulting in said parent, guardian or
1203 custodian's inability to adequately care for and protect said child. The application shall state

1204 whether the child or the child's family has visited or received services from a family resource
1205 center within 180 days of submitting the application. Before scheduling a hearing on an
1206 application for assistance, the clerk shall provide to the petitioner: (i) informational materials
1207 prepared by the court that: (A) explain the court process; (B) include the types of orders that the
1208 court may issue and the possibility of changes in the custody of the child; and (C) include an
1209 explanation of the services that may be available through the court process, including language
1210 translation services and reasonable accommodations, and the manner in which those services
1211 may be delivered; and (ii) informational materials developed by the child advocate under section
1212 15 of chapter 18C. If the child or the child's family indicates on the application that they have
1213 not visited or received services from a family resource center within the last 180 days, the clerk
1214 shall refer the child and the child's family to a family resource center before scheduling a hearing
1215 on the application. If the petitioner has visited or received services from a family resource center
1216 within the last 180 days and decides to proceed after receiving the required informational
1217 materials or affirmatively waives the referral in writing and decides to proceed, the clerk shall set
1218 a hearing date forthwith, but not later than 15 days after the request is presented to the clerk for
1219 filing, to determine whether assistance is needed, and shall notify the child of such hearing;
1220 provided, however, that the court shall not in any way encourage the petitioner to waive the
1221 referral.

1222 (c)(1) A school district may initiate an application for assistance stating that a child is not
1223 excused from attendance in accordance with the lawful and reasonable regulations of such child's
1224 school, has willfully failed to attend school for more than 8 school days in a quarter or repeatedly
1225 fails to obey the lawful and reasonable regulations of the child's school. The application for
1226 assistance shall set forth: (i) whether and when the child and the child's caregivers have been

1227 referred to a family resource center; (ii) the specific steps taken by the school district to support
1228 the child's attendance, if applicable; (iii) the specific court intervention that the school district is
1229 seeking to support the child in returning to school or improving the child's conduct; and (iv) if
1230 the application for assistance states that a child has repeatedly failed to obey the lawful and
1231 reasonable regulations of the school and a statement of the specific steps taken by the school to
1232 attempt to improve the child's conduct. An application that indicates that the school district has
1233 not made the caregiver referral to a family resource center required under subsection (f) of
1234 section 16U of chapter 6A shall not be scheduled for a hearing The school district shall not
1235 initiate an application for assistance to address matters that fall within the school's legal
1236 responsibility under federal and state law including, but not limited to, the creation or
1237 amendment of an individualized education program, decisions regarding the educational
1238 placement of a student pursuant to an individualized education program or the creation or
1239 amendment of a section 504 plan to provide the student with accommodations that allow the
1240 student to have equal access to education.

1241 (2) Before an application for assistance initiated by a school district is scheduled for a
1242 hearing, a probation officer shall consult with the family resource center to which the child and
1243 the child's family was referred. Staff at a family resource center shall be authorized to report to a
1244 probation officer if the child has met with a case manager pursuant to subsection (c) of section
1245 16U of chapter 6A. The family resource center shall, in writing, indicate to the probation officer
1246 whether: (i) in its opinion, it believes the child and the child's family have exhausted all relevant
1247 community-based service options that are reasonably available to them; and (ii) the child's
1248 family has failed to contact the family resource center following referral or if the family has
1249 declined to engage with offered services. Any other information about the child or family shall

1250 be kept confidential as required by section 16U of chapter 6A. The family resource center shall
1251 file the written report with the probation officer within 5 business days of receiving the request
1252 from the probation officer; provided, however, that such request shall not be made within 10
1253 business days of the school's referral to the family resource center. If the family resource center
1254 indicates to the probation officer that community-based options reasonably available to the
1255 family have not been exhausted, that the family has engaged with the family resource center and
1256 with offered services and the supports requested in the filing can be obtained from the family
1257 resource center or through a community-based service provider or state agency to which the
1258 family resource center is able to connect the child and the child's family, the application for
1259 assistance shall be dismissed by the court unless specific court intervention sought by the school
1260 district is materially different than the services and supports offered by the family resource
1261 center, provided however, that probation supervision shall be considered materially the same as
1262 case management provided by a family resource center. The probation officer may refer the child
1263 to an appropriate public or private organization or person for psychiatric, psychological,
1264 educational, occupational, medical, dental, social or substance use treatment services.

1265 (3) If the family resource center does not respond to the request from the probation
1266 officer or indicates that the family has not engaged with the family resource center or with
1267 offered services or that all community-based service options relevant to the child's needs and
1268 reasonably accessible to the petitioner have been exhausted, and the petitioner decides to
1269 proceed, the clerk shall set a date for a hearing forthwith, but not later than 15 days from the lack
1270 of response or receipt of the response from the family resource center, to determine whether
1271 assistance is needed, and shall notify the child of such hearing.

(d)(1) With respect to applications for assistance initiated pursuant to subsections (b) or (c) and for which the clerk has scheduled a hearing, the court shall hold a hearing in which it shall receive the recommendation of the probation officer and shall either: (i) decline to accept the application for assistance because there is no probable cause to believe that the child and the child's family are in need of assistance; (ii) decline to accept the application for assistance because it finds that the interests of the child would best be served by informal assistance, in which case the court shall, with the consent of the child and the child's parents or guardian, refer the child to a probation officer for assistance; or (iii) accept the application for assistance and schedule a fact-finding hearing. If the child is brought in on custodial protection, the court shall accept an application for assistance unless one has already been filed, and the court shall immediately request the probation officer promptly to make like inquiry and thereafter report to the court the probation officer's recommendation as to whether the interests of the child can best be served through referral to community-based services or informal assistance without a fact-finding hearing. Upon receiving such recommendation, the court may hold a hearing and shall decide whether to proceed with a fact-finding hearing or to refer the child to the care of a probation officer for assistance.

(2) When an application for assistance is dismissed under this section, the court shall enter an order directing expungement of any records of the request and related proceedings maintained by the clerk, the court, the department of criminal justice information services, the court activity record index and the probation department that directly pertain to the application for assistance. Nothing herein shall be construed to prohibit the maintenance or reporting of information relating to any petition filed under this section and sections 39F to 39I, inclusive, after records pertaining to the matter have been expunged, provided that the information is kept

1295 in a manner that does not enable identification of the child or petitioner and is used solely for
1296 statistical or bona fide research purposes.

1297 (3) Whenever a child is referred to a probation officer for assistance, such officer may
1298 conduct conferences with the child and the child's family to effect adjustments or agreements
1299 that are calculated to resolve the situation which formed the basis of the application for
1300 assistance and that will eliminate the need for a fact-finding hearing. During the pendency of
1301 such referrals or conferences, neither the child nor the child's parents shall be compelled to
1302 appear at any conferences, produce any papers or visit any place; provided, however, that if the
1303 child or the child's parents fail to participate in good faith in the referrals, agreements or
1304 conferences arranged by the probation officer, the probation officer shall so certify in writing,
1305 and the clerk shall accept the application for assistance if one has not already been accepted and
1306 shall set a date for a fact-finding hearing. The judge who conducted the hearing on the
1307 acceptance of the application for assistance shall not preside at any subsequent hearing.
1308 Conferences and referrals arranged under this section may extend for a period not to exceed 90
1309 days from the date that the application for assistance was initially filed, unless the parent and
1310 child voluntarily agree in writing to a continuation of such conferences or referrals for an
1311 additional period not to exceed 90 days from the expiration of the initial period. Upon the
1312 expiration of the initial 90-day period, or of such additional 90-day period, the application for
1313 assistance, if any, shall be dismissed and the child and the child's parents discharged from any
1314 further obligation to participate in such conferences and referrals, or an application for assistance
1315 shall, if not already accepted, be accepted and a date set for a fact-finding hearing. No statements
1316 made by a child or by any other person during the period of inquiries, conferences or referrals
1317 may be used against the child at any subsequent hearing to determine that the child requires

1318 assistance, but such statements may be received by the court after the fact-finding hearing for the
1319 purpose of disposition.

1320 (4) The commissioner of probation shall establish a system to collect data on all requests
1321 for assistance made and how they are resolved under this section and sections 39F to 39I,
1322 inclusive. Such system shall maintain the privacy of clients served, assist the court in identifying
1323 and addressing the needs of the population to be served and collect information related to: (i)
1324 demographics of the child, including but not limited to the racial and ethnic identity of the child,
1325 age, primary language, disability status and gender; (ii) the insurance status and coverage of
1326 clients served; (iii) whether the child had received support from a family resource center
1327 pursuant to section 16U of chapter 6A or another community-based organization prior to filing,
1328 the supports requested as detailed in the application, the needs identified by the probation officer,
1329 the length of time a child has been receiving assistance from a probation officer, including the
1330 time prior to and subsequent to the filing of an application for assistance; (iv) whether a school-
1331 initiated filing involves a need for services or placement decisions that fall within the legal
1332 responsibility of the school district under federal or state law; (v) the identity of any public or
1333 private organization to whom a probation officer has referred a child or family for services; and
1334 (vi) any other information that may assist the commissioner and the court in evaluating the
1335 availability and effectiveness of services for children who are the subjects of requests for
1336 assistance under this section. The probation officer shall gather information concerning each
1337 child and family referred to the officer including, but not limited to, (A) insurance status and
1338 coverage; (B) the child's school district; (C) whether the child or family received support from a
1339 family resource center pursuant to said section 16U of said chapter 6A; (D) the supports
1340 requested as detailed in the child requiring assistance application; (E) the needs identified by the

1341 probation officer; and (F) other information that may assist the commissioner of probation and
1342 the court in evaluating the availability and effectiveness of services for children who are the
1343 subjects of requests for assistance under this section.

1344 (5) Upon the filing of an application for assistance under this section, the court may issue
1345 a summons, to which a copy of the application for assistance shall be attached, requiring the
1346 child named in such application to appear before the court at the time set forth in the summons.
1347 If such child fails to obey the summons, the court may issue a warrant reciting the substance of
1348 the petition and requiring the officer to whom it is directed forthwith to take and bring such child
1349 before the court. Notice of the hearing shall be given to the department of children and families.

1350 (6) If the court summons a child to appear, the court shall in addition issue a summons to
1351 both parents of the child, if both parents are known to reside in the commonwealth, or to 1 parent
1352 if only 1 is known to reside within the commonwealth, or, if there is no parent residing in the
1353 commonwealth, then to the parent having custody or to the lawful guardian of such child. The
1354 summons shall require the person served to appear at a time and place stated therein at a hearing
1355 to determine whether or not the child is in need of assistance.

1356 (7) Unless service of the summons required by this section is waived in writing, such
1357 summons shall be served by the constable or police officer, either by delivering it personally to
1358 the person to whom addressed, or by leaving it with a person of proper age to receive the same,
1359 at the place of residence or business of such person, and said constable or police officer shall
1360 immediately make return to the court of the time and manner of service.

1361 SECTION 52. Said chapter 119 is hereby further amended by striking out section 39G, as
1362 so appearing, and inserting in place thereof the following section:-

Section 39G.(1) At a hearing to determine whether a child and family require assistance, the child and the child's attorney shall be present and the parents, legal guardian or custodian shall be given an opportunity to be heard. The petitioner and any party may file a motion to dismiss the request for assistance at any time prior to a hearing to determine the disposition of a request for assistance. Upon a filing of a motion to dismiss, the judge shall order that the request for assistance be dismissed upon a showing that the dismissal is in the best interests of the child or if all parties agree to the dismissal. A probation officer may at any time recommend to the court that the request for assistance be dismissed upon a showing that dismissal is in the best interests of the child.

(2) Upon a finding that a child requires assistance after a fact-finding hearing, the court shall convene and may participate in a conference of the probation officer who conducted the preliminary inquiry, a representative from a family resource center or other community-based services program, if involved with the family, the petitioner, a representative from the child's school, the child's parent, legal guardian or custodian, the child and the child's attorney, a representative of the department of children and families, if involved with the family, and any other person who may be helpful in determining the most effective assistance available to be offered to the child and family, including representatives from MassHealth, the juvenile court clinic and other state entities depending on the supports requested. The probation officer shall present written recommendations and other persons at the conference may present written recommendations to the court to advise the court on appropriate treatment and services for the child and family, appropriate placement of the child, and appropriate conditions and limitations on any such placement.

(3) At the conference and subsequent hearing on disposition, the child and the child's attorney shall be present and the parents, legal guardian or custodian, and the child and petitioner shall be given an opportunity to be heard. The court may receive evidence as to the best disposition of the petition from all persons who participate in the conference and any other person who may be helpful in determining an appropriate disposition. The department of children and families shall be provided with advance notice of the hearing and an opportunity to participate prior to the court recommending placement of the child in the department's custody pursuant to clause (iii) of paragraph (4).

(4) If the court finds the statements in the application for assistance have been proved at the hearing, it may determine the child to be in need of assistance. Upon making such determination, the court, taking into consideration the physical and emotional welfare of the child, may make any of the following orders of disposition:

(i) subject to any conditions and limitations the court may prescribe, including provision for medical, psychological, psychiatric, educational, occupational and social services, and for supervision by a court clinic or by any public or private organization providing counseling or guidance services, permit the child to remain with their parents, legal guardian or custodian;

(ii) subject to such conditions and limitations as the court may prescribe, including, but not limited to provisions for those services described in clause (i), place the child in the care of a relative or other adult individual who, after inquiry by the probation officer or other person or agency designated by the court, is found to be qualified to receive and care for the child;

(iii) subject to the provisions of sections 32 and 33 and with such conditions and limitations as the court may recommend, place the child in the custody of the department of

1407 children and families; provided, however, that at the same time, the court shall consider the
1408 provisions of section 29C and shall make the written certification and determinations required by
1409 said section 29C; provided further, that the department shall give due consideration to the
1410 recommendations of the court; provided further, that the department may not refuse out-of-home
1411 placement of a child if the placement is recommended by the court, provided that the court has
1412 made the written certification and determinations required by said section 29C and has provided
1413 the department advance notice and an opportunity to participate in the hearing; provided further,
1414 that the department shall direct the type and length of such out-of-home placement; and provided
1415 further, that the department shall give due consideration to the requests of the child that the child
1416 be placed outside the home of a parent or guardian where there is a history of abuse and neglect
1417 in the home by the parent or guardian.

1418 (5) If the family or child is directed by the court to participate in treatment or services
1419 which are eligible for coverage by an insurance plan or other third-party payer, payment for such
1420 services shall not be denied if the treatment or services otherwise meet the criteria for coverage.

1421 (6) A child who is the subject of an application for assistance shall not be confined in
1422 shackles or similar restraints or in a court lockup facility in connection with any proceedings
1423 under sections 39E to 39I, inclusive. A child who is the subject of an application for assistance
1424 shall not be placed in a locked facility or any facility designated or operated for juveniles who
1425 are alleged to be delinquent or who have been adjudicated delinquent; provided, however, that
1426 such child may be placed in a facility which operates as a group home to provide therapeutic care
1427 for juveniles, notwithstanding that juveniles adjudicated delinquent are also provided care in
1428 such facility.

1429 (7) Any order of disposition pursuant to this section shall continue in force for not more
1430 than 120 days; provided, however, that the court which entered the order may, after a hearing,
1431 extend its duration for up to 3 additional 90-day periods, if the court finds that the purposes of
1432 the order have not been accomplished and that any such extension would be reasonably likely to
1433 further those purposes.

1434 (8) No order shall continue in effect after the eighteenth birthday of a child named in an
1435 application for assistance authorized to be filed by a parent, a legal guardian or custodian or a
1436 police officer or after the sixteenth birthday of a child named in a petition authorized to be filed
1437 by a school district.

1438 SECTION 54. Section 51D of said chapter 119, as so appearing, is hereby amended by
1439 striking out the eighth paragraph.

1440 SECTION 55. Section 51E of said chapter 119, as so appearing, is hereby amended by
1441 striking out, in line 2, the figure “51D” and inserting in place thereof the following figure:- 51C.

1442 SECTION 56. Chapter 209A of the General Laws is hereby amended by inserting after
1443 section 9 the following section:-

1444 Section 9A. Any on-behalf-of order shall remain in effect after the minor reaches the age
1445 of majority unless otherwise ordered by the court. Upon the minor reaching the age of majority,
1446 the former minor may appear at court on the date and time the order is to expire, and the court
1447 shall determine whether to extend the order for any additional time reasonably necessary to
1448 protect them or to enter a permanent order.

1449 SECTION 57. Section 25 of chapter 209C of the General Laws, as appearing in the 2024
1450 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof
1451 the following subsection:-

1452 (d) Proceedings commenced under this section in the probate and family court shall be
1453 governed by the Massachusetts Rules of Domestic Relations Procedure. Proceedings commenced
1454 under this section in the juvenile court shall be governed by the Massachusetts Juvenile Court
1455 Rules for the Care and Protection of Children.

1456 SECTION 58. Section 5E of chapter 210 of the General Laws is hereby repealed.

1457 SECTION 59. Chapter 258E of the General Laws is hereby amended by inserting after
1458 section 11 the following section:-

1459 Section 11A. Any on-behalf-of order shall remain in effect after the minor reaches the
1460 age of majority unless otherwise ordered by the court. Upon the minor reaching the age of
1461 majority, the former minor may appear at court on the date and time the order is to expire, and
1462 the court shall determine whether to extend the order for any additional time reasonably
1463 necessary to protect them or to enter a permanent order.

1464 SECTION 60. Item 4800-0015 of section 2 of chapter 137 of the acts of 2026 is hereby
1465 amended by striking out the words “; provided further, that not later than December 2, 2026, and
1466 February 27, 2027, the department of children and families shall submit reports to the joint
1467 committee on children, families and persons with disabilities and the house and senate
1468 committees on ways and means, which shall include, but not be limited to: (i) the fair hearing
1469 requests filed in fiscal year 2027, using non-identifying information, which shall state, for each
1470 hearing request: (a) the subject matter of the appeal; (b) the number of days between the hearing

1471 request and the first day of the hearing; (c) the number of days between the first day of the
1472 hearing and the hearing officer's decision; (d) the number of days between the hearing officer's
1473 decision and the agency's final decision; (e) the number of days of continuance granted at the
1474 appellant's request; (f) the number of days of continuance granted at the request of the
1475 department of children and families or the hearing officer's request, specifying which party made
1476 the request; and (g) whether the department's decision that was the subject of the appeal was
1477 affirmed or reversed; and (ii) the fair hearing requests filed before fiscal year 2027, which have
1478 been pending for more than 180 days, stating the number of those cases, how many of those
1479 cases have been heard but not decided and how many have been decided by the hearing officer
1480 but not yet issued as a final decision of the agency; provided further, that the department of
1481 children and families shall maintain and make available to the public, during regular business
1482 hours, a record of its fair hearings, with personal identifying information removed, including for
1483 each hearing request: (1) the date of the request; (2) the date of the hearing decision; (3) the
1484 decision rendered by the hearing officer; and (4) the final decision rendered by the commissioner
1485 of children and families after review; provided further, that the department shall make redacted
1486 copies of fair hearing decisions available within 30 days of a written request; provided further,
1487 that the department of children and families shall not make available any information in violation
1488 of federal privacy regulations; provided further, that not later than February 27, 2027, the
1489 department of children and families shall submit a report to the joint committee on children,
1490 families and persons with disabilities and the house and senate committees on ways and means
1491 that shall include, but not be limited to, the: (A) number of medical and psychiatric personnel
1492 and their level of training currently employed by or under contract with the department; (B)
1493 number of foster care reviews conducted by the department and the average length of time in

1494 which each review was completed; (C) number of social workers and supervisors who have
1495 earned a bachelor's or master's degree in social work; (D) total number of social workers and the
1496 total number of social workers holding licensure, by level; (E) number of the department's
1497 contracts reviewed by the state auditor and the number of corrective action plans issued; and (F)
1498 number of corrective action plans entered into by the department; provided further, that the
1499 department of children and families shall submit quarterly reports to the joint committee on
1500 children, families and persons with disabilities and the house and senate committees on ways and
1501 means on the caseload of the department; provided further, that the report shall include, but not
1502 be limited to: (I) the caseloads of residential placements, congregate care, foster care, therapeutic
1503 foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of
1504 children who die in the care and custody of the department, the number of children currently
1505 eligible for supportive child care, the number of children presently receiving supportive child
1506 care and the number of medical and psychiatric consultation requests made by the department's
1507 social workers; (II) the number of approved foster care placements; (III) the number of children
1508 in psychiatric hospitals and community-based acute treatment programs who remain hospitalized
1509 beyond their medically-necessary stay while awaiting placement and the number of days each
1510 case remains in placement beyond that which is medically necessary; (IV) the number of
1511 children in the department of children and families' care and custody who are receiving medical
1512 or psychiatric care through other publicly-funded sources; (V) the number of children served by
1513 supervised visitation centers and the number of those children who are reunified with their
1514 families; (VI) the total number of children served, their ages, the number of children served in
1515 each service plan, the number of children in out-of-home placements and the number of
1516 placements each child has had before receiving an out-of-home placement; (VII) for each area

1517 office, the number of kinship guardianship subsidies provided in the quarters covered by the
1518 report and the number of kinship guardianship subsidies provided in that quarter for which
1519 federal reimbursement was received; (VIII) for each area office, the total spending amount on
1520 services other than case management services provided to families to keep a child with the
1521 child's parents or reunifying the child with the child's parents, detailing spending by the type of
1522 service provided including, but not limited to, the number of children and a breakdown of
1523 spending for respite care, intensive in-home services, client financial assistance and flexible
1524 funding, community-based after-school social and recreation program services, family
1525 navigation services and parent aide services and the unduplicated number of families that receive
1526 the services; (IX) for each area office, the total number of families residing in shelters paid for by
1527 the department, a list of where the families are sheltered, the total cost and average cost per
1528 family at those shelters and a description of how the department determines who qualifies or
1529 does not qualify for a shelter; (X) for each area office, the number of requests for voluntary
1530 services, delineated by type of service requested, whether the request was approved or denied,
1531 the number of families that were denied voluntary services and received a 51A report, the
1532 reasons for denying such services and what, if any, referrals were made for services by other
1533 agencies or entities; (XI) the number of families receiving multiple 51A reports within a 10-
1534 month period, the number of cases reopened within 6 months of being closed and the number of
1535 children who return home and then reenter an out-of-home placement within 6 months; (XII) the
1536 number of children and families served by the family resource centers, delineated by area; and
1537 (XIII) the number of children in the care and custody of the department whose whereabouts are
1538 unknown; provided further, that not later than January 30, 2027, the department of children and
1539 families shall submit a report to the joint committee on children, families and persons with

1540 disabilities and the house and senate committees on ways and means that details any changes to
1541 the rules, regulations or guidelines established by the department in the previous fiscal year to
1542 carry out its duties under chapter 119 of the General Laws including, but not limited to: (aa)
1543 criteria used to determine whether a child has been abused or neglected; (bb) guidelines for
1544 removal of a child from the home; and (cc) standards to determine what reasonable efforts are
1545 being made to keep a child in the home; provided further, that on a monthly basis, the
1546 department of children and families shall provide the caseload forecasting office with data on
1547 children receiving services, young adults receiving services as defined in section 21 of said
1548 chapter 119 who continue to receive services as authorized in subsection (f) of section 23 of said
1549 chapter 119 and other pertinent data related to items 4800-0038 and 4800-0041 that is requested
1550 by the office; provided further, that the report shall also contain the number of children and
1551 families served by the family resource centers, by area, and an evaluation of the services
1552 provided and their effectiveness”.

1553 SECTION 61. (a) There shall be established a commission to study, report and make
1554 recommendations on the creation and implementation of a digital education portfolio system to
1555 support the educational stability and well-being of foster children and youth in the
1556 commonwealth. The commission shall: (i) evaluate the current processes by which the
1557 department of children and families and the department of elementary and secondary education
1558 collect, manage and share the educational records of foster children and youth; (ii) develop
1559 recommendations for the design and implementation of a secure and accessible digital education
1560 portfolio system to ensure the educational stability of foster children and youth; (iii) identify and
1561 assess data privacy, interoperability and record transfer standards necessary to protect student
1562 information and support timely school transitions; (iv) examine best practices from other states

1563 and jurisdictions that maintain centralized education record systems for children and youth in the
1564 care and custody of the state's or jurisdiction's department of children and families or equivalent
1565 agency; and (v) determine appropriate access protocols for educators, foster parents,
1566 caseworkers, medical providers and other authorized individuals.

1567 (b) The commission shall consist of: 6 persons appointed by the governor, 1 of whom
1568 shall be a current or former foster youth, 1 of whom shall be a foster parent, 1 of whom shall
1569 have expertise in foster care or child welfare policy, 1 of whom shall represent an education
1570 advocacy organization, 1 of whom shall have expertise in education data systems or student
1571 records management and 1 of whom shall represent a child welfare or youth-serving nonprofit
1572 organization; the chairs of the joint committee on children, families and persons with disabilities,
1573 who shall be co-chairs; the commissioner of children and families or a designee; the
1574 commissioner of elementary and secondary education or a designee; the child advocate or a
1575 designee; the secretary of education or a designee; 1 person appointed by the Massachusetts
1576 Association of School Superintendents, Inc.; 1 person appointed by the Massachusetts Teachers
1577 Association; 1 person appointed by the Massachusetts Court Appointed Special Advocates, Inc.;
1578 and 1 person appointed by the Service Employees International Union Local 509.

1579 (c) Not later than one year from the effective date of this bill, the commission shall
1580 submit its report and recommendations to the clerks of the house of representatives and the
1581 senate and the house and senate committees on ways and means. Recommendations shall
1582 include, but shall not be limited to, strategies, programs and legislation necessary to implement
1583 the digital education portfolio system and strengthen coordination between the department of
1584 children and families, educational agencies and any other relevant child welfare agencies.

1585 SECTION 62. Sections 2, 43, 44, 50, 51, 52 and 60 shall take effect 1 year after the
1586 effective date of this act.