SENATE DOCKET, NO. 585 FILED ON: 1/14/2025

SENATE . . . . . No. 125

The Commonwealth of Massachusetts

PRESENTED BY:

Ryan C. Fattman

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

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

An Act creating an electronic backpack for foster children's educational records.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Ryan C. Fattman	*Worcester and Hampden*	
Joseph D. McKenna	*18th Worcester*	*1/21/2025*
Bruce E. Tarr	*First Essex and Middlesex*	*2/26/2025*
Kelly W. Pease	*4th Hampden*	*3/18/2025*

SENATE DOCKET, NO. 585 FILED ON: 1/14/2025

SENATE . . . . . No. 125

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 125) of Ryan C. Fattman, Joseph D. McKenna and Bruce E. Tarr for legislation to create an electronic backpack for foster children. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *80* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act creating an electronic backpack for foster children's educational records.

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

SECTION 1. Chapter 71 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting at the end thereof the following section:-

Section 100. (a) As used in this section, the following terms shall, unless the context requires otherwise, have the following meanings:-

"Department", shall mean the department of elementary and secondary education.

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

"Electronic backpack", shall mean an electronic repository of a foster child or youth's educational records.

(b) Notwithstanding any general or special law to the contrary, the commissioner of the department, in consultation with the office of the child advocate and the commissioner of the department of children and families, shall develop and implement an electronic backpack system for the educational stability of foster child or youth.

(c) The department shall create an electronic backpack for each foster child or youth. The department, in conjunction with the department of children and families, shall promulgate regulations on the format and function of the electronic backpack system. Each electronic backpack system shall contain, but is not limited to, the educational records of the foster child or youth, including the names and addresses of educational providers, the name and contact of the child's DCF case worker if applicable, the foster child or youth's grade-level performance, transcript, the foster child or youth's school attendance records, individual education plan if applicable, the name and contact information of the individual or individuals who are designated as the child's educational decision makers, the name of the legal guardian with signing rights to release the child from school, visit notes from the school nurse, guidance counselor, or other administrators, detailed notes on best interest determination meetings, if applicable, and any other educational information that the department requires. The department shall maintain the electronic backpack as part of the department's records for the foster child or youth as long as the foster child or youth remains in foster care.

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

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

(ii) The teacher/teachers, school and school district that the child or youth is enrolled in;

(iii) Any person authorized to consent to medical care for the foster child or youth; and

(iv) Any provider of medical care to the foster child or youth if access to the foster child or youth's educational information is necessary for the provision of medical care and is not prohibited by law.

(e) The department shall collaborate with the department of children and families to develop policies and procedures to ensure that the needs of foster child or youths are met in every school district.

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