

**SENATE . . . . . No. 2585**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*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 establishing compliance with federal education reporting requirements for out of home placement students.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>10/1/2025</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>10/9/2025</i>

**SENATE . . . . . No. 2585**

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By Mr. Moore, a petition (accompanied by bill, Senate, No. 2585) (subject to Joint Rule 12) of Michael O. Moore for legislation to establish compliance with federal education reporting requirements for out of home placement students. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

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

An Act establishing compliance with federal education reporting requirements for out of home placement students.

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

1 SECTION 1. Chapter 69 of the General Laws, as appearing in the 2022 Official Edition,  
2 is hereby amended by inserting after section 37 the following new section:-

3 “Section 38. (a) As used in this section, the following terms shall, unless the context  
4 requires otherwise, have the following meanings:-

5 “Student”, shall mean a child in an out-of-home placement under the custody or  
6 jurisdiction of the department of children and families or a young adult who has signed a  
7 voluntary placement agreement with the department of children and families.

8 “Electronic file”, shall mean an electronic repository of all relevant data pertaining to a  
9 child or youth who is in an out-of-home placement under the custody or jurisdiction of the  
10 department of children and families educational records.

11 (b) The department shall enter a memorandum of understanding with the department of  
12 children and families, local education agencies, the district superintendent, and the building level  
13 clinical designee of the school in which a student in an out of home placement under the custody  
14 or jurisdiction of the department of children and families is enrolled for the purpose of sharing  
15 data relevant to the student's electronic file. They shall establish a protocol for weekly electronic  
16 data-sharing to maintain accurate and current information and shall update the information  
17 provided in a student's electronic file upon any change to their out-of-home placement status.  
18 Immediately upon a change in placement or school, and on a weekly basis, the department shall  
19 inform the district superintendent and the building level clinical designee of the school of any  
20 students enrolled who are in out-of-home placements and provide school districts with  
21 disaggregated data necessary to ensure the students receive appropriate educational supports and  
22 services.

23 The department, in conjunction with local education agencies, the district superintendent,  
24 and the building level clinical designee of the school where the student is enrolled, shall provide  
25 to the electronic centralized education records database information including, but not limited to,  
26 the (a) the student's name, race/ethnicity, age; (b) the student's current grade level, any prior  
27 grade retentions, and listing of all schools attended; (c) the student's most recent previous  
28 placement type, location, and name of guardian/primary caregiver; (d) the student's current  
29 placement type, location, and name of guardian/ primary caregiver; (e) if the student has a  
30 disability, section 504, or individualized education plan; and (f) the students academic history.  
31 The department of children and families shall immediately transmit educational and placement  
32 information to the department, which shall then be responsible for immediately transmitting this

33 information to the local education agency, the district superintendent, and the building level  
34 clinical designee of the school in which the student is enrolled.

35           The department of children and families shall provide to the electronic centralized  
36 education records database information pertaining to a students placement including, but not  
37 limited to, (a) their guardian/primary caregiver placement; (b) when they enter or re-enter an out-  
38 of-home placement; (c) change placements; (d) return from emergency short term placements;  
39 (e) any other short term placements with DYS or law enforcement or behavioral or health care  
40 facility; (f) are reunified with their family; (g) and any changes to disability status and supports.  
41 Upon receiving notice, the department shall immediately notify the local education agency, the  
42 district superintendent, and the building level clinical designee of the school the student is  
43 currently attending.

44           (c) Notwithstanding any general or special law to the contrary, the department, in  
45 conjunction with the department of children and families, local education agencies, and public  
46 schools, shall establish, implement, and maintain an electronic centralized education records  
47 database, overseen by the executive office of education, to be used by the department for secure  
48 and streamlined access to academic records for students in an out-of-home placement.

49           The electronic centralized education records database will provide the real-time  
50 electronic data for an electronic file that shall be provided to each individual student in an out-of-  
51 home placement. The electronic file shall follow each student upon the transfer of schools to  
52 ensure academic continuity and accessibility for students in out-of-home placements.”

53           SECTION 2. Chapter 69 of the General Laws, as so appearing, is hereby amended by  
54 inserting after section 38 the following section:-

55           “38A. (a) For the first academic year this act is implemented, the department, the  
56 department of children and families, and the director of office of student and family support,  
57 shall meet monthly to identify areas of improvement, create and implement recommendations to  
58 fix delays or problems regarding the electronic file system. For sequential academic years, all  
59 parties shall meet bi-annually.

60           On or before the end of each academic year, the department shall submit, and make  
61 public, an electronic report created by the department, the department of children and families,  
62 district superintendents, and local education agencies to the clerks of the house and senate,  
63 juvenile court, the governor, the executive office of education, the attorney general civil rights  
64 unit, the safe and supportive schools commission, Massachusetts Association of School  
65 Superintendents, Massachusetts Teachers Association, Massachusetts School Mental Health  
66 Consortium, bryt team of the Brookline Center for Community Mental Health, and the parent  
67 professional advocacy league. This report shall include, but is not limited to, (a) individual  
68 school-level outcome data for each local education agency enrolling at least 15 students in out-  
69 of-home placements; (b) number of students in out-of-home placements statewide and within  
70 each local education agency; (c) suspension and expulsion rates for students in out-of-home  
71 placements; (d) truancy, attendance, and dropout rates for students in out-of-home placements;  
72 (e) number of school changes for students in out-of-home placements; and (f) number of years  
73 behind grade level for students in out-of-home placements.

74           Within 30 days of receiving the report for the academic year, the department, the  
75 executive office of education, the safe and supportive schools commission, bryt team of the  
76 Brookline Center for Community Mental Health, and the parent professional advocacy league  
77 shall review the data to identify any areas of concern or improvement and provide evidence-

78 based recommendations to address them. Any recommendations provided by the department, the  
79 executive office of education, and the safe and supportive schools commission within this report  
80 shall be implemented within 14 days. Upon the implementation of these recommendations, a  
81 meeting will be held between the department, the department of children and families, the  
82 executive office of education, and the safe and supportive schools commission to review the  
83 updated system and to establish up with plan for the coming academic year.”

84 SECTION 3. This act shall take effect upon passage.