

SENATE No. 40

The Commonwealth of Massachusetts

PRESENTED BY:

Ryan C. Fattman

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

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

An Act creating an electronic backpack for foster children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/25/2017</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/25/2017</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/3/2017</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/25/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/30/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2017</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/31/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/2/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/2/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/14/2017</i>

SENATE No. 40

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 40) of Ryan C. Fattman, Joseph D. McKenna, Hannah Kane, Shawn Dooley and other members of the General Court 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. 73 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act creating an electronic backpack for foster children.

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

1 Whereas foster youth encounter many adverse impacts caused by their high mobility, the
2 Commonwealth shall ensure greater educational stability for foster youth. Therefore, the
3 electronic backpack serves to counter adverse impacts caused by educational instability of foster
4 youth.

5 SECTION 1. As used in this chapter, the following terms shall, unless the context
6 requires otherwise, have the following meanings:-

7 “Department”, shall mean the department of children and families.

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

11 “Electronic backpack”, shall mean an electronic repository of a foster youth’s educational
12 records.

13 SECTION 2. Notwithstanding the provisions of any general or special law to the
14 contrary, the commissioner of the department, in consultation with the office of the child
15 advocate and the secretary of education, shall develop and implement an electronic backpack
16 program for the educational stability of foster youth.

17 SECTION 3. (a) The department shall create an electronic backpack for each foster
18 youth. The department, in conjunction with the department of education, shall determine the
19 format of the electronic backpack. Each electronic backpack must contain educational records of
20 the foster youth, including the names and addresses of educational providers, the foster youth's
21 grade-level performance, and any other educational information the department requires.

22 (b) The department shall maintain the electronic backpack as part of the department's
23 records for the foster youth as long as the foster youth remains in foster care.

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

25 (1) any person authorized by law to make educational decisions for the foster youth;

26 (2) any person authorized to consent to medical care for the foster youth; and

27 (3) any provider of medical care to the foster youth if access to the foster youth's
28 educational information is necessary for the provision of medical care and is not prohibited by
29 law.

30 (d) The department shall collaborate with the department of education to develop policies
31 and procedures to ensure that the needs of foster youths are met in every school district.

32 SECTION 4. The department shall implement the electronic backpack program within
33 one year of passage of this Act.