

H.R. 5871 **Uninterrupted Scholars Act** s. 3472

Sponsored by the Congressional Caucus on Foster Youth

House Co-Chairs: Karen Bass, Tom Marino, Jim McDermott, Michele Bachmann
Senate Co-Chairs: Mary Landrieu & Chuck Grassley

ISSUE

Children in foster care are among the most educationally at risk of all student populations. Because of the abuse and neglect foster youth have experienced in their young lives, they often face physical and emotional challenges that interfere with their learning and negatively impact their educational outcomes. Recognizing educational problems and identifying solutions becomes particularly challenging when youth move in and out of foster homes and enroll in multiple schools or school districts.

Existing federal law requires that child welfare agencies work with school districts to improve the educational experiences and outcomes for children and youth in care. However, the Family Educational Rights and Privacy Act (FERPA) often hinders child welfare agencies from meeting the educational needs of students in foster care. FERPA unintentionally creates barriers between educational documents, such as transcripts and report cards and the temporary caregiver of youth in foster care – the child welfare agencies. This further widens the academic achievement gap between children in foster care and their peers by contributing to inappropriate school placements, enrollment delays, lost credits, and drop-outs.

CASE STUDY

Jasmine: When Jasmine was placed in care on an emergency basis, her mother's whereabouts were unknown and the child welfare agency caseworker was unable to obtain a FERPA consent from any parent. Without timely access to the child's education records, the caseworker could not evaluate whether it would be in Jasmine's best interest to remain in the same school as required under the fostering connections to success act. Jasmine moved to the new school, which had entirely different graduation requirements, received no credits for her coursework from the prior school, and had to repeat some of the same classes. She fell a full year behind, and eventually dropped out of school.

SOLUTION

Enhance opportunities for educational success for foster youth by making simple changes to FERPA. Specifically, provide child welfare agencies access to educational documents for youth in their care.

BILL SUMMARY

This bill will:

1. Provide access to a student's educational records to the child welfare agency with responsibility for the child's placement and care
2. Protect and preserve the educational privacy rights of students and parents that FERPA is designed to safeguard.

The bill is cost-free that has no known opposition.

STATUS

The House bill was introduced on Thursday, May 31, 2012 by all four Co-Chairs and a number of additional Members of the House Foster Youth Caucus. The Senate bill was introduced on August 1, 2012 by Senate Foster Youth Co-Chairs and Members.

A revised Senate bill is currently undergoing review for immediate consideration. The goal is to pass the bill out of the both Chambers and get bill signed into law by the President before the end of the year.

BILL SPONSORS

Senators: Mary Landrieu, Chuck Grassley, Mark Begich, Roy Blunt, Barbara Boxer, Diane Feinstein, Al Franken, John Kerry, Amy Klobuchar, Patty Murry.

Representatives: Karen Bass, Tom Marino, Jim McDermott, Michele Bachmann, Robert Andrews, Andre Carson, David Cicilline, Yvette Clarke, Lacy Clay, Susan Davis, Keith Ellison, Alcee Hastings, James Langevin, Rick Larson, Carolyn Maloney, Eleanor Holmes Norton, Jared Polis, Charles Rangel, Adam Schiff, Pete Stark, Frederica Wilson, Todd Young

COMPLETE LIST OF ENDORSEMENTS ON REVERSE

Complete Endorsements List

National Organizations

Alliance for Children and Families
American Bar Association
American Public Human Services Association
Child Welfare League of America
Children's Defense Fund
Dave Thomas Foundation for Adoption
Eckerd
First Focus Campaign for Children
Foster Care to Success Foundation
Foster Family-based Treatment Association
Foster Youth Action Network
Healthy Teen Network
Human Rights Project for Girls
John Burton Foundation for Children Without Homes
Juvenile Law Center
National African American Drug Policy Coalition
National Association for Children's Behavioral Health
National Association of Counsel for Children
National Association of Counties
National Association of County Human Services
National
Association of Public Child Welfare Administrators
National School Boards Association (NSBA)
National CASA for Children
National Council for Community and Education
Partnerships (NCCEP)
National Council on Crime and Delinquency
National Crittenton Foundation
National Foster Parent Association
National Indian Child Welfare Association
Voices for America's Children
Youth Villages, Inc.

Statewide Organizations

County Welfare Directors Association of California
Foster Care Alumni of America, California Chapter
Foster Care Counts
Legal Advocates for Children & Youth, a program of the
Law Foundation of Silicon Valley (California)
Connecticut Association of Foster and Adoptive Parents
Nebraska Families Collaborative
Voices for Children in Nebraska
Oklahoma Therapeutic Foster Care Association
Education Law Center (Pennsylvania)
KidsVoice
Pennsylvania Partnerships for Children
Texas Foster Family Association

FOR MORE INFORMATION

House contact: Jenny Wood, (202) 225-7084
Jenny.wood@mail.house.gov

Senate contact: Tasha Hensley, (202) 224-5824
Tasha_Hensley@landrieu.senate.gov