
CONSENT

Bill No: SB 1017
Author: Reyes (D), et al.
Introduced: 2/10/26
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 3/18/26
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Pupils: foster youth: access to pupil records

SOURCE: Office of the Riverside County Superintendent of Schools

DIGEST: This bill expands the existing list of individuals to whom a school district, if requested, must provide student record access to include a pupil aged 14 or older who is a foster youth, as specified.

ANALYSIS:

Existing federal law:

- 1) The federal Family Educational Rights and Privacy Act (FERPA) prohibits federal funds from being provided to any educational agency or institution which has a policy or practice of permitting the release of a pupil's educational records to any individual, agency, or organization without the written consent of the pupil's parents. FERPA exempts from the general parental consent requirement certain kinds of disclosures, including disclosures to state and local officials for the purposes of conducting truancy proceedings, a criminal investigation, auditing or evaluating an educational program, or in relation to the application for financial aid. (United States Code (USC), Title 20, Section 1232g and Code of Federal Regulations, Title 34, Sections 99.31)

- 2) The federal Uninterrupted Scholars Act amended FERPA to require school districts to allow access to pupil records to an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a pupil's case plan, when such agency or organization is legally responsible for the care and protection of the pupil. The Uninterrupted Scholars Act prohibits the records or information from being disclosed by the agency or organization except to an individual or entity engaged in addressing the pupil's educational needs and authorized by such agency or organization to receive such disclosure and the disclosure is consistent with applicable state or tribal laws protecting the confidentiality of a pupil's education records. (20 USC § 1232g(b)(L))

Existing state law:

- 3) Defines "foster youth" to mean any of the following:
 - a) A child who is the subject of a petition filed pursuant to Section 300 of the Welfare and Institutions Code (WIC), whether or not the child has been removed from the child's home by the juvenile court, as specified.
 - b) A child who is the subject of a petition filed pursuant to Section 602 of the WIC, has been removed from the child's home by the juvenile court, as specified, and is in foster care, as specified.
 - c) A nonminor under the transition jurisdiction of the juvenile court, who satisfies specified criteria.
 - d) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.
 - e) A child who is the subject of a voluntary placement agreement, as specified. (Education Code (EC) § 42238.01)
- 4) Authorizes foster family agencies with jurisdiction over currently enrolled or former students to access records of grades and transcripts, and any individualized education program that may have been developed by school districts or private schools of those students. (EC § 49069.3)
- 5) Prohibits a school district from permitting access to pupil records to a person without parental consent or under judicial order, with some exceptions including a county placing agency; an agency caseworker or other representative of a child welfare agency; a pupil who is 16 years or older and

has completed grade 10; or a pupil 14 years of age who is a homeless child or youth, or an unaccompanied youth, as defined. (EC § 49076)

- 6) Requires, when a child is placed in foster care, the case plan for each child to include a summary of the health and education information or records, and include specified information. Existing law also requires the health and education summary to be provided to the caregiver within a specified timeframe after placement. (WIC § 16010)
- 7) States legislative intent that caregivers who are informed of the child's educational, medical, dental, and mental health history and current needs are better able to meet those needs and address the effects of trauma, increasing placement stability and improving permanency outcomes. (WIC § 827.11)
- 8) Establishes a number of rights for students in foster care. Among them are rights to immediate enrollment, rights to have educational records transferred in a timely manner, rights to remain in students' schools of origin, rights to exemptions from locally adopted graduation requirements in excess of state requirements, and the right to have partial credit awarded for coursework. (WIC §16001.9)

This bill requires school districts to provide foster youth aged 14 and older access to their student records, at their request.

Comments

- 1) *Need for the bill.* According to the author, “Foster youth face a number of obstacles across their lives beginning at an early age. Far too often, these obstacles lead to educational disparities that impact their ability to succeed and thrive after they transition out of the system. According to the California Department of Education (CDE), only 60% of foster youth graduate from high school statewide, compared to 86% of non-foster youth. Frequent school changes compound these challenges—children in foster care move schools an average of eight times, losing up to six months of learning with each move.

“Currently, homeless students and unaccompanied youth aged 14 or older have access to their education records. This access helps mitigate disruptions caused by frequent school changes and lack of consistent adult guidance. However, that is not the case for foster students as they can only access their school records if they are 16 years or older. SB 1017 would grant foster youth the same rights provided to homeless students and unaccompanied youth, the ability to access their school records at 14 years old. Timely access to records empowers

students to make informed decisions during critical transitions and reinforces the state’s commitment to ensuring that foster youth are not disadvantaged by circumstances beyond their control. At the forefront of equity is protecting and advocating for our most vulnerable population, and SB 1017 is a step forward in ensuring foster youth have the resources they need to live a successful life.”

- 2) *Existing authorizations.* Current law recognizes two special circumstances under which pupils age 14 and older should have access to their educational records—when the pupil has been identified as an unaccompanied youth or a homeless youth. This authorization originated from the concern that unaccompanied or homeless youth who do not have parents who are willing or able to consent to a school district sharing their educational records would not be able to access services such as Boys and Girls Clubs, tutoring programs, and legal services offered by non-school district agencies. Educational records are vital in these circumstances because tutors and other service providers need information such as test scores, credit progress, and special education context in order to provide specialized support.

Currently, foster youth aged 16 or younger can have educational records accessed on their behalf by authorized individuals such as foster parents or resource families. However, due to issues with school mobility and changing care placements, they may experience delays in record requests which can lead to service interruptions and uncertainty in graduation preparation.

This bill brings the education record access authorization for foster youth aged 14 and older into alignment with their peers who have been identified as unaccompanied or homeless youth.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 4/13/26)

Office of the Riverside County Superintendent of Schools (source)

Alameda County Office of Education

Children’s Law Center of California

John Burton Advocates for Youth

Kern County Superintendent of Schools Office

San Bernardino County District Advocates for Better Schools

San Bernardino County Superintendent of Schools

San Mateo County Office of Education

OPPOSITION: (Verified 4/13/26)

None received

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