

Date of Hearing: June 17, 2026

ASSEMBLY COMMITTEE ON EDUCATION
Darshana R. Patel, Chair
SB 1017 (Reyes) – As Introduced February 10, 2026

SENATE VOTE: 38-0

SUBJECT: Pupils: foster youth: access to pupil records

SUMMARY: Authorizes foster youth aged 14 years or older to access their educational records. Specifically, **this bill**:

- 1) Defines foster youth in accordance with existing law.
- 2) Requires school districts to provide foster youth aged 14 and older access to their student records upon request.

EXISTING LAW:

- 1) Defines foster youth as 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, whether or not the child has been removed from the child's home by the juvenile court pursuant to Section 319 or 361 of the Welfare and Institutions Code;
 - b) A child who is the subject of a petition filed pursuant to Section 602 of the Welfare and Institutions Code, has been removed from the child's home by the juvenile court pursuant to Section 727 of the Welfare and Institutions Code, and is in foster care as defined by subdivision (d) of Section 727.4 of the Welfare and Institutions Code;
 - c) A nonminor under the transition jurisdiction of the juvenile court, as described in Section 450 of the Welfare and Institutions Code, 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; or
 - e) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code. (Education Code (EC) 42238.01)
- 2) Authorizes all pupils who are 16 years of age or older, or who have completed the 10th grade, to have access to their educational records. (EC 49076)
- 3) Authorizes homeless unaccompanied youth, as defined in paragraphs (2) and (6) of Section 725 of the federal McKinney-Vento Homeless Assistance Act, to access their educational records at age 14. (EC 49076)

- 4) Prohibits a school district from permitting access to pupil records to a person without parental consent or under judicial order, with some exceptions. (EC 49076)
- 5) 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 student's educational records to any individual, agency, or organization without the written consent of the student'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, Title 20, Section 1232g and Code of Federal Regulations, Title 34, Sections 99.31)
- 6) Authorizes foster family agencies with jurisdiction over currently enrolled or former students to access records of grades and transcripts, and any individualized education program (IEP) that may have been developed by school districts or private schools of those students. (EC 49069.3)
- 7) 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. (Welfare and Institutions Code (WIC) 16010)
- 8) Requires an LEA, within two days business days of receiving a request to transfer a foster care student, to transfer complete educational records to the receiving LEA. (EC 48853.5)
- 9) Establishes a number of rights for students in foster care, including 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)

FISCAL EFFECT: This bill has been keyed as a possible state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

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 percent of foster youth graduate from high school statewide, compared to 86 percent 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."

How students currently access educational records. FERPA and current state law prohibit individuals from accessing student records without written parental consent or judicial order, except under specific conditions.

Students may access their own educational records when they are 16 years of age or have completed 10th grade. Prior to this age, parents or legal guardians are able to request and view their student's educational records. Homeless unaccompanied youth are an exception, and may access their educational records at age 14. This authorization was granted partially under the rationale that these students do not have a parent or guardian who can access their educational records for them, making it difficult for students to obtain records they need to advocate for themselves and receive support services (AB 1068 (Bloom), Chapter 713, Statutes of 2013).

This bill would afford foster youth the same rights as homeless youth to access their educational records at age 14, rather than age 16.

Foster youth are more mobile than other students. According to the American Institutes for Research, nearly 40,000 students in foster care were enrolled in California public schools in the 2023-24 school year (Gao et. al., 2025). Of these students 31% changed schools during the year, compared with 6% of students statewide, and the majority of these changes were to a different district or county.

Current law allows foster parents, relative caregivers, and representatives of state and local child welfare agencies managing the student's care to access the student's educational records. However, changes in foster care placements and moving between schools can leave foster care students without a consistent guardian able to request educational records. Allowing these students to access and maintain their own educational records may empower them to better advocate for their needs as they move through their education.

Arguments in support. According to the Office of the Riverside County Superintendent of Schools, "Foster youth face unique and significant educational challenges, including lower rates of academic achievement, graduation, attendance, and post-secondary attainment. According to the California Department of Education, only 60% of foster youth graduate high school, compared to 86% of non-foster youth. Frequent placement and school changes further disrupt learning, often resulting in the loss of critical academic documents and progress.

Current law already allows homeless and unaccompanied youth aged fourteen or older to access their education records to help reduce disruptions and support continuity. Extending this same right to foster youth is a logical, equitable, and urgently needed step. Direct access to school records strengthens students' ability to understand their academic standing, advocate for services, plan for graduation, and pursue their goals with clarity and confidence."

Related legislation

SB 233 (Beall), Chapter 829, Statutes of 2017, requires a local educational agency (LEA) to permit a foster family agency, short-term residential treatment program staff, and a caregiver, as specified, access to student records, and makes numerous changes relative to student records and education information relative to foster youth.

AB 1068 (Bloom), Chapter 713, Statutes of 2013, prohibits the release of directory information for homeless pupils unless certain criteria is met, and requires schools to permit access to pupil records to a pupil who is at least 14 years old and is homeless or unaccompanied.

AB 643 (Stone), Chapter 80, Statutes of 2013, requires school districts to allow access to a foster youth's school records to that youth's social worker, conforming to the federal Uninterrupted Scholars Act.

AB 490 (Steinberg), Chapter 862, Statutes of 2003 expanded and stipulated authority for school records of foster, homeless, and incarcerated youth to allow streamlined processes between LEAs to transfer records and permit access to pupil records to those with educational rights for foster children and incarcerated youth.

Recommended Committee Amendments. Staff recommends that the bill be amended as follows:

- 1) Technical changes to clarify that both foster care and homeless youth must be 14 years of age or older to access their educational records.

REGISTERED SUPPORT / OPPOSITION:

Support

Alameda County Office of Education
Association of California School Administrators
California County Superintendents
California State Parent Teacher Association
Fresno Unified School District
Los Angeles County Office of Education
Office of the Riverside County Superintendent of Schools
San Bernardino County District Advocates for Better Schools
San Bernardino County Superintendent of Schools
San Francisco Unified School District
Santa Clara County Office of Education

Opposition

None on file.

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