November 15, 2012

The Honorable Karen Bass
United States House of Representatives
408 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Bass:

I write to express the strong support of the American Bar Association for the Uninterrupted Scholars Act, H.R. 5871, and to thank you and Representatives Michele Bachmann, David Cicilline, Yvette Clark, Alcee Hastings, James Langevin, Tom Marino, Jim McDermott and Pet Stark for your leadership in introducing this legislation that will promote educational success for children in foster care. The ABA has long-supported the educational needs and outcomes of children in out-of-home care, some of the most educationally at-risk children in our nation.

Under the Family Educational Rights and Privacy Act (FERPA), child welfare agencies often face difficulty and delays in obtaining educational records for children in their care. Without records, these agencies have trouble ensuring that children are in school, in the right school, and attending classes that will assist them to become healthy and productive adults.

In August 2004, the ABA House of Delegates approved a policy resolution supporting federal legislative and administrative action to assure uninterrupted educational access for children in foster care, and in 2007 passed a policy resolution requesting legislation to clarify the Family Educational Rights and Privacy Act (FERPA) as it pertains to sharing education records with child welfare agencies.

The Uninterrupted Scholars Act respects student privacy and the important role parents have in the education of their children, but eliminates confusion and obstacles that currently exist for children in foster care through targeted amendments to FERPA. Please know that we will continue to work to ensure its prompt passage so children in foster care will not need to wait another school year for help in achieving school stability and success. Thank you for your leadership in support of children in care.

Sincerely,

Thomas M. Susman
cc: Representative Michele Bachmann
    Representative David Cicilline
    Representative Yvette Clark
    Representative Alcee Hastings
    Representative James Langevin
    Representative Tom Marino
    Representative Jim McDermott
    Representative Pete Stark