

HOUSE No. 514

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick Joseph Kearney and Simon Cataldo

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 relative to tuition-free universal full-day kindergarten.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/18/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>1/18/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>1/27/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/27/2023</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>2/15/2023</i>

HOUSE No. 514

By Representatives Kearney of Scituate and Cataldo of Concord, a petition (accompanied by bill, House, No. 514) of Patrick Joseph Kearney, Simon Cataldo and others relative to tuition-free universal full-day kindergarten. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 698 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to tuition-free universal full-day kindergarten.

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

1 SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after
2 section 2KKKKK, as inserted by section 1 of chapter 254 of the acts of 2020, the following
3 section:-

4 Section 2LLLLL. (a) There shall be a Universal Full-Day Kindergarten Trust Fund,
5 hereinafter called the fund, for the purposes of providing financial aid to school districts to
6 implement and maintain tuition-free universal full-day kindergarten programs, as defined in
7 section 4B of chapter 71. The fund shall be administered by the board of elementary and
8 secondary education.

9 (b) There shall be credited to the fund: (i) revenue from appropriations or other money
10 authorized by the general court and specifically designated to be credited to the fund; (ii) interest
11 earned on such revenues; and (iii) funds from public and private sources, including, but not
12 limited to, gifts, grants and donations. Amounts credit to the fund that are unexpended at the end
13 of a fiscal year shall not revert to the General Fund.

14 (c) Amounts credited to the fund may be expended, without further appropriation, by the
15 board of elementary and secondary education to assist cities and towns and regional school
16 districts that do not offer a tuition-free universal full-day kindergarten as of January 1, 2021 in
17 implementing and maintaining tuition-free universal full-day kindergarten programs.

18 (d) School committees of cities and towns and regional district school committees may
19 request reimbursement from the fund for up to 100 per cent of the funds required to implement
20 and maintain a tuition-free universal full-day kindergarten program.

21 (e) Annually, not later than October 1, the board of elementary and secondary education
22 shall report to the clerks of the house of representatives and senate, the house and senate
23 committees on ways and means and the joint committee on education on the fund's activity. The
24 report shall include, but shall not be limited to: (i) the source and amount of funds received; (ii)
25 the amounts distributed and recipients; and (iii) anticipated revenue and expenditure projections
26 for the next year.

27 SECTION 2. Section 2 of chapter 70 of the General Laws is hereby amended by striking
28 out the definition of "Foundation enrollment" in, as appearing in section 6 of chapter 132 of the
29 acts of 2019, and inserting in place thereof the following definition:-

30 “Foundation enrollment”, in a fiscal year, the number of students on October 1 for whom
31 the district is financially responsible, including students attending programs outside of the
32 district for whom the district is required to pay tuition; provided, however, that each student shall
33 be assigned to 1 of the following categories: (i) preschool; (ii) kindergarten; (iii) elementary
34 school; (iv) junior high school or middle school; (v) high school; or (vi) vocational school.

35 SECTION 3. Chapter 71 of the General Laws is hereby amended by inserting after
36 section 4A, as appearing in the 2018 Official Edition, the following section:-

37 Section 3B. (a) As used in this section the following terms shall, unless the context
38 clearly requires otherwise, have the following meanings:

39 “Elementary school”, a school providing instruction to grades 1 through 5, 6, 7, or 8, and,
40 where so designated by a school committee prior to the commencement of a school year, may
41 also include a middle school or other intermediate level school providing instruction to grades 5
42 through 6 or any combination thereof.

43 “Tuition-free universal full-day kindergarten program”, a universally accessible, high-
44 quality education program for kindergarten-aged children in the commonwealth offered without
45 charge for tuition that operates for the full length of a school day for elementary schools
46 established pursuant to section 1G of chapter 69.

47 (b) All school districts may offer a tuition-free universal full-day kindergarten program to
48 each student that is subject to the same minimum requirements that the board establishes for
49 length of a school day and number of days in a school year for elementary schools pursuant to
50 section 1G of chapter 69. School districts shall not charge any fee for the tuition of a tuition-free
51 universal full-day kindergarten program.

52 School districts may apply for reimbursement from the Universal Full-Day Kindergarten
53 Trust Fund established in section 2LLLLL of chapter 29.

54 SECTION 4. Within 90 days of the effective date of this act, each school committee of a
55 city or town or regional school district without a universal full-day kindergarten program shall
56 report to the board of elementary and secondary education on the necessary funds required to
57 implement tuition-free universal full-day kindergarten. Within 180 days of the effective date of
58 this act, the board of elementary and secondary education shall report to the clerks of the house
59 of representatives and the senate, the house and senate committees on ways and means and the
60 joint committee on education on the necessary funds required to implement tuition-free universal
61 full-day kindergarten.

62 SECTION 5. Section 4B of chapter 71 of the General Laws shall apply to each school
63 year beginning after July 31, 2022