

SENATE No. 2395

Senate, May 24, 2023 -- Text of amendment (715) (offered by Senator Feeney) to the Ways and Means amendment (Senate, No. 3) to the House Bill making appropriations for the fiscal year 2024 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the Commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements.

The Commonwealth of Massachusetts

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

1 by inserting after section ___ the following sections:-

2 "SECTION ____ . To create a new capital infrastructure and investment tool within the
3 Massachusetts School Building Authority, established under section 1A of Chapter 70, to
4 provide for a program of capital investments for vocational-technical education programs and
5 regional vocational-technical schools, as defined in Chapter 74 of the General Laws, for
6 investment in equitable access to public education and industry-relevant workforce and
7 economic development infrastructure; to support greater access to vocational-technical education
8 programs and regional vocational-technical schools as defined in Chapter 74; to fund
9 replacement and renovation of school infrastructure to meet workforce demands of regional
10 employers and increase equitable access for all students applying to Chapter 74 programs and
11 schools; and to support the purchase of critical training equipment for the purposes of teaching
12 and learning, the sums set forth in this section, for the purposes and subject to the conditions
13 specified in this act, are hereby made available, subject to the laws regulating the disbursement
14 of public funds, which sums shall be in addition to any other amounts previously appropriated

15 for these purposes; provided, that the amounts specified for a particular project may be adjusted
16 in order to facilitate projects authorized in this act. For costs associated with initiatives, projects
17 and expenditures to replace or make improvements to the quality, consistency, efficiency and
18 delivery of any Chapter 74 program or regional school for the benefit of the public high school
19 students in Chapter 74 programs and regional school districts and their preparation for post-
20 secondary and career opportunities.....\$3,000,000,000

21 SECTION ____ . Section 10 of Chapter 70B of the General Laws, as appearing in the 2020
22 Official Edition, is hereby amended by adding the following new subsection:

23 (d) Notwithstanding any state law, state regulation or agency policy to the contrary, the
24 authority shall be authorized and directed to add twenty (20) percentage points to the project
25 reimbursement rates for regional vocational-technical high school and county, regional and
26 independent agricultural high school construction so that reimbursement rates for such projects
27 are not less than 75% nor more than 90% of the eligible costs. Further, the authority shall add
28 five (5) percentage points to the reimbursement rate for any project that includes state-approved
29 vocational-technical education programs as defined in Chapter 74 of the General Laws aligned
30 with priorities specifically identified in the Regional Labor Market Blueprint for the region in
31 which the school is located. However, additional percentage points shall not be awarded unless
32 the school currently offers five (5) or more Chapter 74 programs. In no case shall the total
33 reimbursement for a project exceed 90% of eligible costs.

34 Funds for this Section shall come from revenue generated by the Fair Share Amendment
35 passed by voters in November of 2022 and which amended Article XLIV of the Massachusetts
36 Constitution.

37 SECTION ____ . Section 21C of Chapter 59 of the General Laws, as appearing in the 2020
38 Official Edition, is hereby amended by adding after subsection (n) the following new
39 subsection:- (o) The local appropriating authority may, by accepting this paragraph, provide that
40 taxes may thereafter be assessed in excess of the amount otherwise allowed by this section,
41 solely for payment, in whole or in part, of debt service charges incurred for the construction of a
42 regional-vocational technical high school that the school board responsible for determining the
43 debt service charges certifies were not in fiscal year two thousand and twenty-one paid by local
44 taxes.

45 SECTION ____ . Chapter 69 of the Massachusetts General Laws is hereby amended by
46 adding the following section:-

47 Section 37. For the purposes of sections 38 through 42, inclusive, the following terms
48 shall have the following meanings, unless the context clearly requires otherwise:-

49 “Office”, shall mean the office of vocational-technical education.

50 “District of residence”, shall mean the school district of the city or town where a student
51 resides.

52 “School of residence”, shall mean the middle school or junior high school a student
53 attends within their district of residence.

54 Section 38. (a) There is hereby established within the department of elementary and
55 secondary education an office of vocational-technical education whose purpose is to develop and
56 implement policies and promulgate regulations to promote, enhance, and expand vocational-

57 technical education programs, as defined in Chapter 74 of the General Laws, in the
58 commonwealth.

59 (b) The office shall:

60 (i) oversee all Chapter 74 approved programs and ensure compliance with M.G.L.
61 Chapter 74 and related regulations;

62 (ii) establish a statewide marketing campaign to promote the success of vocational-
63 technical education and careers in Massachusetts and to raise the level of awareness and
64 understanding of such education among parents, students, businesses, labor unions, and the
65 general public;

66 (iii) work to increase awareness of vocational-technical education and career
67 opportunities among students in elementary schools, junior high schools, and middle schools;

68 (iv) ensure that schools offering Chapter 74 programs are provided reasonable access
69 during the school day at schools of residence to meet with all students and distribute information
70 about vocational-technical education and careers to said students, including English language
71 learners, students with disabilities, students of color, and other student populations, to ensure that
72 such information is provided equitably to all learners;

73 (v) ensure that schools offering Chapter 74 programs are given the opportunity during the
74 school day to host middle school tours, with transportation costs paid by the school hosting the
75 tour, for all middle school students in member communities, including English language
76 learners, students with disabilities, students of color, and other student populations to ensure that
77 such opportunities are provided equitably to all learners; and further ensure that the school of

78 residence may not count middle school student tours of vocational schools or programs during
79 the school day as unexcused absences if the vocational school or program confirms the student's
80 participation, and may not unreasonably withhold student access to tours of vocational schools
81 and programs during the school day.

82 (vi) require that schools offering Chapter 74 programs are given the opportunity to
83 provide middle and junior high school students with information about vocational-technical
84 programs and careers through mail and email.

85 (vii) require all middle schools and junior high schools in member communities to
86 establish and implement a Chapter 74 Access Policy, in accordance with state requirements
87 promoting equitable access to Chapter 74 programs, outlining specific ways in which the middle
88 schools will collaborate with regional vocational-technical high schools and agricultural high
89 schools to:

90 (a) provide staff members from Chapter 74 schools with direct school day access to all
91 middle school students, to inform them about opportunities in vocational-technical and
92 agricultural education and to distribute materials about such opportunities to them;

93 (b) provide all middle school students an opportunity to tour, during regular middle
94 school hours, the regional vocational-technical high school and/or county agricultural school of
95 which the middle school's city or town is a member, with the transportation costs of all such
96 tours being borne by the school hosting the tours;

97 (c) provide contact information for all seventh-grade and eighth-grade middle school
98 students, including a student's name and mailing address, a student's personal email address, and
99 the parent's/guardian's email address by October 15 of each school year;

100 (viii) establish, in addition to the minimum requirements outlined in the preceding
101 subsections, such additional requirements for Chapter 74 Access Policies as the office deems
102 reasonable and necessary to promote equitable access by all students to information about
103 vocational-technical and agricultural education;

104 (ix) require all sending school districts which are members of a regional-vocational
105 school district or whose community is located in the county or district of an agricultural high
106 school to:

107 (a) submit the Chapter 74 Access Policy annually to the office;

108 (b) annually attest in writing that the Chapter 74 Access Policy is being implemented
109 equitably and that all students are being provided with information, access, and tours in
110 accordance with this section and with federal and state civil rights laws, regulations, and policies;

111 (c) post the Chapter 74 Access Policy on its district website and provide written copies to
112 students and parents, upon request;

113 (x) create a mechanism to enforce timely implementation of Chapter 74 Access Policies;

114 (xi) establish a system to ensure that students who live in communities that are not
115 members of or affiliated with a regional vocational-technical high school district or agricultural
116 high school annually are provided with information about their high school options, including
117 their option to seek an education in a vocational-technical or agricultural high school;

118 (xii) support the attainment of Industry Recognized Credentials in Chapter 74 programs;

119 (xiii) support the use of both longitudinal and pre- and post-student assessment as a
120 means of obtaining meaningful data for curricular improvement. Data may be utilized for
121 facilities improvement, equipment investments, mission success, and professional development;

122 (xiv) encourage and work to increase the use of articulation agreements with community
123 colleges and public universities and other dual credit programs to allow vocational-technical
124 students to earn credit leading to an associate's or bachelor's degree;

125 (xv) provide technical support to schools seeking to offer Chapter 74 programs that meet
126 regional labor market demands and do not duplicate existing programs in the region;

127 (xvi) support the continuation of state grant programs that provide funding for equipment
128 purchases and facility expansion; and

129 (xvii) support the continuation of demonstration programs that provide opportunities in
130 vocational-technical education for students unable to secure a seat in an approved Chapter 74
131 program due to lack of enrollment capacity.

132 SECTION ____. Section 3A of Chapter 70B of the General Laws, as appearing in the
133 2020 Official Edition, is hereby amended by striking the number "17" and inserting "19" in place
134 thereof, and further by inserting, after "Fire Chiefs' Association of Massachusetts, Inc." the
135 following:- "Massachusetts Association of Vocational Administrators, Inc., Alliance for
136 Vocational Technical Education,"

137 SECTION ____. Chapter 70 of the General Laws is hereby amended by inserting the
138 following new section: --

139 Section 10A. Expansion Grants for Regional Vocational-Technical Schools

140 (a) In addition to the funding otherwise provided pursuant to this chapter, any regional or
141 county vocational or agricultural school shall, subject to appropriation, receive a one-year
142 expansion grant in any fiscal year in which its foundation enrollment increases by more than two
143 percent over its foundation enrollment for the previous fiscal year.

144 (b) The amount of said expansion grant shall be calculated by multiplying the number of
145 additional students in its foundation enrollment, over its foundation enrollment for the previous
146 fiscal year, by its per-student foundation budget amount. The per-student foundation budget
147 amount shall be calculated by dividing the district's foundation budget amount for the current
148 year by its foundation enrollment for the prior fiscal year.

149 (c) The department shall annually solicit information from all regional and county
150 vocational and agricultural schools as needed to estimate the amounts required to fund expansion
151 grants in the coming fiscal year for all such schools, and the department shall request
152 appropriation of the amount required to fully fund such expansion grants.

153 (d) If the amount appropriated for expansion grants in a fiscal year is less than the amount
154 required to fully fund such grants, then each eligible regional or county vocational or agricultural
155 school shall receive a share of the appropriated funds proportional to the share that its expansion
156 grant, calculated pursuant to subsection (b), constitutes of the total amount of expansion grants
157 for all schools, pursuant to said subsection.

158 SECTION _____. Notwithstanding any general or special law to the contrary, to meet the
159 expenditures necessary in carrying out section 1, the state treasurer shall, upon receipt of a
160 request by the governor, issue and sell bonds of the Commonwealth in an amount to be specified
161 by the governor from time to time but not exceeding, in the aggregate, \$3,000,000,000. All

162 bonds issued by the commonwealth, as aforesaid, shall be designated on their face
163 Commonwealth Vocational-Technical Education Expansion Act of 2023, and shall be issued for
164 a maximum term of years, not exceeding 30 years, as the governor may recommend to the
165 general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
166 provided, however, that all such bonds shall be payable not later than June 30, 2057. All interest
167 and payments on account of principal on such obligations shall be payable from the General
168 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
169 any other provision of this act, be general obligations of the Commonwealth."