

SENATE No. 818

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 college in high school.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>1/27/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/14/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/24/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>3/27/2023</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>3/30/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/5/2023</i>
<i>Pavel M. Payano</i>	<i>First Essex</i>	<i>1/2/2024</i>

SENATE No. 818

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 818) of Brendan P. Crighton, Manny Cruz, Thomas M. Stanley and James B. Eldridge for legislation relative to college credits while attending high school. Higher Education.

The Commonwealth of Massachusetts

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

An Act relative to college in high school.

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. Section 9B of chapter 15A, as appearing in the 2018 Official Edition, is
2 amended by adding the following after the word “commonwealth” in line 6: “or any college in
3 high school program administered pursuant to section 37 of chapter 69.”

4 SECTION 2. Section 16 of chapter 15A is amended by adding the following after the
5 word “nursing” in line 5: “or any college in high school program administered pursuant to
6 section 37 of chapter 69,”

7 SECTION 3. Chapter 15A of the General Laws is hereby amended by inserting after
8 section 39 the following section:-

9 Section 39A. (a) All public institutions of higher education shall develop written policies
10 and procedures for accepting for the purposes of course credit to satisfy degree requirements
11 certain scores on the College Board’s advanced placement examinations, successful completion
12 of college in high school courses as provided in section 37 of chapter 69, successful completion

13 of the International Baccalaureate Diploma Program, or and successful completion of dual
14 enrollment courses. In the said policy, the institution shall:

15 (1) establish its conditions for granting course credit, including the minimum required
16 scores on Advanced Placement examinations and examinations for courses constituting the
17 International Baccalaureate Diploma Program; and

18 (2) establish whether credit will be granted for general education, major or elective
19 requirements at the institution; and

20 (3) include procedures related to the transferability of these credits to another institution
21 of higher education.

22 (b) On request of an applicant for admission as an entering student, a public institution of
23 higher education, based on information provided by the applicant, shall determine and notify the
24 applicant regarding:

25 (1) the amount and type of any course credit that would be granted to the applicant under
26 the policy required in subsection (a); and

27 (2) any other academic requirement that the applicant would satisfy under the policy.

28 (c) All policies and procedures governing the award of credit shall be posted on the
29 institution's website under the category of admission, which the institution shall update as
30 necessary to reflect any changes in policies and procedures. In addition, each institution shall
31 submit its policies and procedures, or any changes thereto, to the department of higher education
32 which shall post each institution's policies and procedures on the department's website.

33 (d) The board of higher education, in cooperation with the board of trustees of each
34 public institution including the University of Massachusetts, shall annually review the college in
35 high school course-granting policies of each public institution of higher education in accordance
36 with the requirements of this section and file a report with its findings and any recommendations
37 with the clerks of the senate and the house of representatives and chairs of the joint committee on
38 higher education not later than July 1. Each public institution of higher education shall provide
39 the board of higher education with all necessary data, in accordance with the federal Family
40 Educational Rights and Privacy Act of 1974, to conduct the analysis.

41 SECTION 4. Chapter 29 of the General Law is hereby amended by inserting after section
42 2CCCCC the following new section:-

43 Section 2DDDDD. (a) There shall be established and set up on the books of the
44 commonwealth a separate fund to be known as the Massachusetts College in High School Trust
45 Fund. The fund shall be administered by the commissioner of the department of elementary and
46 secondary education, in consultation with the commissioner of the department of higher
47 education. The fund shall be credited with: (i) revenue from appropriations or other money
48 authorized by the general court and specifically designated to be credited to the fund; (ii) interest
49 earned on such revenues; and (iii) funds from public and private sources such as gifts, grants, and
50 donations to further the rates of student preparedness for workforce and postgraduate success.
51 Amounts credited to the fund shall not be subject to further appropriation and any money
52 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

53 (b) Amounts credited to the fund may focus on underserved communities across the
54 Commonwealth, including those school districts with high concentrations of economically
55 disadvantaged students.

56 (c) Amounts received from private sources shall be approved by the commissioner of
57 elementary and secondary education and subject to review before being deposited in the fund to
58 ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the
59 implementation of college in high school programming that may be detrimental to the neutral
60 education policy. The review shall be made publicly available.

61 (d) Annually, not later than October 1, the commissioner shall report to the clerks of the
62 house of representatives and senate, the joint committee on education, the joint committee on
63 higher education, and the house and senate committees on ways and means on the fund's activity.
64 The report shall include, but not be limited to: (i) the source and amount of funds received; (ii)
65 the amounts distributed and the purpose of expenditures from the fund, including but not limited
66 to, funds expended to assist school districts in meeting the requirements in section 37 of chapter
67 69; (iii) any grants provided to institutions of higher education and other stakeholder
68 organizations; and (iv) anticipated revenue and expenditure projections for the next year.

69 SECTION 5. Chapter 69 of the General Laws is hereby amended by inserting after
70 section 36 the following two sections:-

71 Section 37. (a) There shall be a Massachusetts Office of College in High School, herein
72 the office. The office shall be overseen by the commissioner of the department of elementary and
73 secondary education in consultation with the commissioner of the department of higher
74 education. The office will administer high school programs that expand student access to college

75 and postsecondary opportunities through high-quality instructional programming, hereinafter
76 referred to as college in high school, in order to increase the rates of student success in
77 postsecondary attainment and in the workforce. All programs established under this section shall:

78 (1) Offer a coherent sequence of courses that allows a student to earn a high school
79 diploma and achieve at least one of the following:

80 (i) the accumulation of transferable college credits; provided that, academic courses that
81 count for college credit shall be those agreed to by the institutions of higher education
82 participating in the partnership with the high school,

83 (ii) an industry-recognized credential or certificate, including those determined to be
84 necessary for occupations with high employment value as defined in section 38 of this chapter;
85 or

86 (iii) participation in a registered apprenticeship, pre-apprenticeship, or apprentice
87 readiness program;

88 (2) Prepare students adequately for future success in the workforce or in an institution of
89 higher education;

90 (3) Encourage the cooperative or shared use of resources, personnel and facilities
91 between public high schools, public and independent colleges or universities and employers;

92 (4) Emphasize parental involvement and provide consistent counseling, advising and
93 parent conferencing so that parents and students can make responsible decisions regarding course
94 selection and can track the student's academic progress and success;

95 (5) Develop methods for early identification of potential participating students in the
96 middle grades and through high school and provide outreach to those students to promote
97 academic preparation and awareness of college in high school programs; and

98 (6) Develop strategies to identify and engage underserved populations including by
99 income, race, ethnicity, sex, English language learner status and students with disabilities.

100 (b) The office shall oversee all necessary college in high school programs, including but
101 not limited to programs that incorporate one or more of the following: (1) early college; (2) dual
102 enrollment; (3) industry-recognized credentialing in high school, including those for credentials
103 determined to be necessary for occupations with high employment value as defined in section 38
104 of this chapter; (4) advanced placement; (5) international baccalaureate programs; or (6) other
105 approaches for college and career programs. The office shall develop and, as needed, refine all
106 college in high school program designations offered in the Commonwealth and shall have the
107 authority to set and raise credit attainment targets, recommend any designations to be awarded to
108 applicants, administer all aspects of state support for the programs, track and report on the
109 performance of participants in the aggregate and identify and pursue further innovative
110 approaches. Academic courses that count for college credit shall be those agreed to by the
111 institutions of higher education participating in any partnership with the high school.

112 (c) Pursuant to regulations to be promulgated by the board, all high schools shall offer an
113 affordable college in high school program to students before the completion of their 12th grade
114 year that incorporates one or more of the following: (1) early college; (2) dual enrollment; (3)
115 industry-recognized credentialing in high school; (4) advanced placement courses; (5)
116 international baccalaureate programs; or (6) other approaches for college and career programs.

117 (d) There shall be a College in High School Joint Committee, hereinafter the CIHS Joint
118 Committee, charged with governing and overseeing the work of the office and making
119 recommendations to the board of elementary and secondary education and the board of higher
120 education. The CIHS Joint Committee shall develop recommendations that include but are not
121 limited to the following: (1) helping drive the commonwealth's efforts to grow and expand
122 college in high school programs; (2) assisting the office in establishing and monitoring robust
123 performance requirements and targeted enrollments for all participating programs statewide and
124 (3) aiding the office in identifying and certifying new college in high school programs. The
125 CIHS Joint Committee shall consist of the secretary of the executive office of education or a
126 designee; the commissioner of the department of elementary and secondary education or
127 designee; the commissioner of the department of higher education or designee; two members of
128 the board of elementary and secondary education, who shall be appointed by the chair of the
129 board of elementary and secondary education; and two members of the board of higher
130 education, who shall be appointed by the chair of the board of higher education.

131 (e) The office shall create and annually review a set of per-credit charges that the public
132 and private institutions of higher education participating in a designated college in high school
133 program require for providing credit-earning courses. The per-credit charge may be subject to
134 factors, including but not limited to: (1) the segment of colleges offering certain courses; (2) the
135 site where the course is taught; (3) whether the course has extra costs associated with enrollment
136 and (4) whether there are minimum numbers of participating students per section offered.

137 (f) The office may develop, subject to the approval of the CIHS Joint Committee,
138 recommendations for college in high school programs to continue to enroll participating students
139 to extend and expand their graduation requirements such that they may continue to be considered

140 students of the high school for purposes of chapter 70 calculations for up to two more years in
141 order to complete certificates, degrees or up to two years of transferable credit to a four-year
142 college.

143 (g) The office shall propose a budget to the commissioner of the department of
144 elementary and secondary education that reflects the goals and objectives of the office.

145 (h) The college in high school programs shall be open to all enrolled students, on a space
146 available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex,
147 gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, special
148 needs, proficiency in the English language or academic achievement. A lottery shall be held if
149 more students apply than can be accommodated.

150 (i) The office shall establish the information and requirements it deems necessary to be
151 included in any application for designation as a college in high school program in order to ensure
152 a high-quality and rigorous college in high school program. The office, after consultation with
153 the department of higher education, shall establish standards for approving and designating
154 college in high school programs.

155 (j) Where required, each designated college in high school program shall enter into an
156 agreement with at least one postsecondary institution that provides students with opportunities to
157 receive postsecondary credits during the student's participation in the program. Partner high
158 schools and colleges shall work together to ensure that college credits automatically transfer to
159 Massachusetts public postsecondary institutions upon completion of the program and admittance
160 to one of those public institutions. In addition, partnering high schools and colleges should
161 reduce barriers to college and consider automatic admission to the participating college upon

162 successful completion of the college in high school program. The agreement shall establish how
163 the program will be sustainable on current funding plus any anticipated annual state supplement
164 for designated college in high school programs as well as the designated duties for the high
165 school, in the areas of program coordination, student support, faculty support, career partnership
166 coordination and performance monitoring.

167 (k) Designation as a college in high school program shall be for an initial period of five
168 years, subject to review after the first three years, and renewable subject to performance. The
169 department of elementary and secondary education shall, subject to appropriation, provide
170 additional funding to designated programs for each participating student.

171 (l) Annually, by December 31, each college in high school program shall file a report
172 with the commissioner of the department of elementary and secondary education and the
173 commissioner of higher education, on performance measures, including, but not limited to the
174 following categories:

175 (i) high school graduation rates of participating students;

176 (ii) percentage of participating students who complete the program;

177 (iii) percentage of participating students who gain any postsecondary credits;

178 (iv) credits earned by participating students in college in high school programs, including
179 the percentage of each program incorporating early college to gain at least 12 credits;

180 (v) percentage of participating students in a 6-year cohort who attain postsecondary
181 degrees; and

182 (vi) college and career outcomes of participating students.

183 The commissioners shall prepare an aggregate report for the senate and house chairs of
184 the joint committee on higher education, and the joint committee on education.

185 (m) The office shall propose, subject to approval by the CIHS Joint Committee and the
186 boards of elementary and secondary education and higher education, multi-year goals for the
187 commonwealth for the attainment of college degrees and qualifying, industry-recognized
188 certificates for students participating in college in high school programs. Such goals shall include
189 overall goals as well as goals for historically underserved populations including by income, race,
190 ethnicity, sex, English language learner status and students with disabilities. Goals should
191 include statewide-, district-, and school-level goals. The office shall be responsible for ensuring
192 annual, timely public reporting of progress statewide and by district and school towards those
193 goals.

194 (n) The office shall establish a publicly accessible online dashboard using data from the
195 reports filed pursuant to subsections (g) and (h) of the section to generate information on each
196 college in high school program. The purpose of the dashboard shall be to create user-friendly
197 displays of the overall success of the individual programs in achieving the goals and shall be
198 written in terms understandable to the general public and to help students and their families
199 identify available college in high school opportunities.

200 SECTION 6. Chapter 71 of the General Laws is hereby amended by adding the following
201 section:-

202 Section 98. All public high school students shall complete and submit a free application
203 for federal student aid or an application with the Massachusetts Educational Financing Authority.

204 The Massachusetts Office of College in High School, established in section 37 of chapter 69,

205 shall promulgate regulations and provide guidelines for implementation of this subsection,
206 subject to the approval of the board of elementary and secondary education. A student is not
207 required to comply with this section if: (1) the student's parent or legal guardian submits a signed
208 form indicating that the parent or legal guardian authorizes the student to decline to complete and
209 submit the financial aid application; or (2) the student signs and submits a form on the student's
210 own behalf if the student is 18 years of age or older.

211 SECTION 7. The commissioner may expend funds from the Twenty-First Century
212 Education Trust Fund established in section 35NNN of chapter 10 for college in high school
213 programs.

214 SECTION 8. The first annual report required under section 38 of chapter 69, established
215 in section 2 of this act shall be submitted no later than December 31, 2025.