

SENATE No. 2420

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Fourteen
—————

SENATE, Monday, December 22, 2014

The committee on Ways and Means, to whom was referred the House Bill establishing 6-year career plans for all Massachusetts public school students (House, No. 4527); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2420.

For the committee,
Jennifer L. Flanagan

SENATE No. 2420

The Commonwealth of Massachusetts

—
In the Year Two Thousand Fourteen
—

1 SECTION 1. Subsection (d) of section 8 of chapter 15D of the General Laws is hereby
2 amended by striking out the first paragraph, as amended by section 31 of chapter 165 of the acts
3 of 2014, and inserting in place thereof the following paragraph:-

4 The regulations shall provide that:

5 (i) a person providing child care or support services with the potential for unsupervised
6 contact with children in any program or facility licensed or funded by the department and any
7 household members or persons regularly on the premises of family child care and large family
8 child care homes shall be subject to a criminal offender record information check every 3 years
9 in accordance with regulations established by the department; provided, however, that an
10 applicant for employment in a department licensed, funded or approved program who is subject
11 to a fingerprint-based check of the state and national criminal history databases for the same
12 employer that is approved under chapters 19B or 71B shall submit to a fingerprint-based check
13 under regulations established by the department; provided further, that no person who is
14 considered suitable by the department shall be subject to more than 1 fingerprint-based check
15 every 3 years to maintain employment with the same employer that is licensed, approved or
16 funded under this chapter and said chapters 19B or 71B and shall not be subject to duplicative

17 fingerprint-based checks for the same employer unless an exception described in the regulations
18 of the department applies; and provided further, that the department shall only determine whether
19 an applicant is suitable for association with a department licensed, funded or approved program;

20 (ii) potential adoptive and foster parents and their household members age 15 or older
21 shall be subject to fingerprint-based checks of the state and national criminal history databases
22 under 42 U.S.C. § 16962 with the exception of those applicants and household members who are
23 subject to section 26A of chapter 119; and

24 (iii) an applicant for a department issued license and an applicant for employment, interns
25 and volunteers in a department licensed, funded or approved program shall be subject to a
26 fingerprint-based check of the state and national criminal history databases under Public Law 92-
27 544.

28 SECTION 2. The second sentence of the second paragraph of section 38R of chapter 71
29 of the General Laws, as appearing in section 7 of chapter 77 of the acts of 2013, is hereby
30 amended by adding the following words:- ; provided, however, that no person who is considered
31 suitable by the department of early education and care shall be subject to more than 1 fingerprint-
32 based check every 3 years to maintain employment with the same employer operating programs
33 licensed, funded or approved under chapter 15D and chapter 71B; and provided further, that the
34 department of early education and care shall conduct the background record check in accordance
35 with section 8 of said chapter 15D.

36

37 SECTION 3. On or before June 1, 2015, the executive office of education shall convene
38 an advisory committee to investigate and study a development and implementation process for 6-

39 year career planning to be coordinated by licensed school guidance counselors for all students in
40 grades 6 to 12, inclusive. The advisory committee may consider whether licensed school
41 guidance counselors require specialized training in order to effectively provide 6-year career
42 planning to students and make recommendations accordingly.

43 The advisory committee shall consist of 11 members: 1 of whom shall be the secretary of
44 education or a designee, who shall serve as chair; 1 of whom shall be the commissioner of
45 elementary and secondary education or a designee; 1 of whom shall be the commissioner of
46 higher education or a designee; 1 of whom shall be the secretary of labor and workforce
47 development or a designee; 1 of whom shall be appointed by the Massachusetts Association of
48 School Superintendents, Inc.; 1 of whom shall be appointed by the Massachusetts Secondary
49 School Administrators' Association; 1 of whom shall be appointed by the Massachusetts
50 Association of School Committees, Inc.; 1 of whom shall be appointed by the New England
51 Association for College Admission Counseling, Inc.; 1 of whom shall be appointed by the New
52 England Regional Office of the College Board; 1 of whom shall be a guidance director who shall
53 be appointed by the Massachusetts Association of Vocational Administrators, Inc.; and 1 of
54 whom shall be appointed by the Massachusetts School Counselors Association, Inc..

55 The committee shall report to the general court the results of its investigation and study
56 and any recommendations by filing the same with the clerks of the house of representatives and
57 the senate who shall forward the same to the chairs of the joint committee on education and the
58 chairs of the house and senate committees on ways and means on or before December 31, 2015.