

SENATE No. 2136

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

SENATE, Monday, February 22, 2016

The committee on Economic Development and Emerging Technologies to whom was referred the petition (accompanied by bill, Senate, No. 221) of Joan B. Lovely, Theodore C. Speliotis, Ann-Margaret Ferrante, Louis L. Kafka and other members of the General Court for legislation to create the Home Works Program,- reports the accompanying bill (Senate, No. 2136).

For the committee,
Eileen M. Donoghue

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An Act creating the Home Works Program.

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

1 Notwithstanding any general or special law or any rule or regulation to the contrary
2 Chapter 23B of the General Laws is hereby amended by inserting after Section 30 a new section

3 Section 31 (a)

4 Definitions:

5 Youth Serving Organization: An organization that provides recreational, cultural,
6 charitable, social, or other activities or services for persons under 18 years of age, and is exempt
7 from federal income tax

8 Out of School Time Program: An established licensed or non-licensed daily week day
9 program for persons under 18 years of age offered by a youth serving organization, school
10 system, or municipality, offered before and after school and during school vacation.

11 Summer Programs: An established licensed or non-licensed daily week day program for
12 persons under 18 years of age offered by a youth serving organization, school system, or
13 municipality, offered during the months of summer vacation

14 Section 31 (b)

15 Subject to appropriation the Department shall create a program to address the needs of
16 children, ages five through fourteen, residing in the Emergency Assistance program as defined
17 by 760 CMR 67.00. The program shall from herein be known as the Home Works Program. The
18 Home Works Program shall allow out of school time and summer programs to apply for a certain
19 number of slots funded by the Department. Each slot shall be used to provide out of school time
20 and summer programming for an eligible participant, including transportation to and from the
21 program. Each Home Works Program slot shall be funded at an adequate amount not less than
22 75% of local market value for out of school time and summer services and will cover
23 transportation costs associated with transporting participants to and from the program.

24 The Department shall keep a waitlist of eligible program participants from which the out
25 of school time and camp programs may draw from to fill their slots.

26 Section 31 (c)

27 Licensed and non-licensed out of school time and summer programs may apply for
28 program slots through the Department. Said slots shall be allotted proportionally by the areas in
29 the Commonwealth that have the highest number of children residing in the Emergency
30 Assistance Program and through the out of school time or summer program's capacity. However
31 a program shall not be limited in the amount of allowable slots it accepts. Said out of school time
32 and summer programs shall be able to meet the transportation requirements set out by the
33 Department before applying for slots. These include but are not limited to the capacity to
34 transport participants from their current place of residence and back to said place within the time
35 frame set out by the Department of Early Education and Care in 606 CMR 7.13.

36 If the participant is no longer eligible to remain in the Home Works program, the out of
37 school time or summer program may draw another eligible participant from the Home Works
38 waitlist to fill the slot.

39 If said program is unable to meet the transportation requirements set out by the
40 Department said program may work with the Emergency Assistance residence to provide out of
41 school time and summer programs on site or at another facility deemed acceptable by the
42 Department of Housing and Community Development.

43 Section 31 (d)

44 Said out of school time programs and summer programs shall require that all staff
45 members in employment and direct care of children in the program have completed satisfactorily
46 a criminal background check that includes a comprehensive check of the National Sexual
47 Offender Registry.

48 The Home Works Program shall not be funded through the already existing funds in the
49 Emergency Assistance program.

50 The Department shall promulgate regulations in accordance with this section on or before
51 January 1, 2017.