

**HOUSE . . . . . No. 1245**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Chynah Tyler*

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 establishing tuition free community college in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/18/2019</i>
<i>Walsh, Martin J.</i>	<i>1 CITY HALL SQUARE, SUITE 500 BOSTON, MA 02201-2013 UNITED STATES</i>	<i>1/18/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/28/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/1/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/1/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/3/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/30/2019</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>2/1/2019</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/1/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/28/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>1/31/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>1/30/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>1/31/2019</i>

*Michael O. Moore*

*Second Worcester*

*2/1/2019*

*José F. Tosado*

*9th Hampden*

*1/29/2019*

**HOUSE . . . . . No. 1245**

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 1245) of Chynah Tyler and others for legislation to authorize a waiver of tuition and mandatory fees for community college courses for certain low income and low- and moderate- income students. Higher Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act establishing tuition free community college in Massachusetts.

*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 15A of the General Laws is hereby amended by inserting after  
2 section 15G the following section: --

3 Section 15H. (a) This section shall be known and may be cited as the “Massachusetts  
4 Promise Program.”

5 (b) As used in this section, the following words shall, unless the context clearly requires  
6 otherwise, have the following meanings: --

7 (1) “Academic year” shall mean a period of time, typically nine (9) months, in which a  
8 full-time student is expected to complete the equivalent of at least two (2) semesters of academic  
9 work;

10 (2) “Board of Higher Education” shall have the same meaning as defined in section 4 of  
11 chapter 15A of the General laws;

12 (3) "Certificate" shall mean a credential, other than a degree, the receipt of which  
13 indicates satisfactory completion of training in a program of study, conferred on students by an  
14 eligible postsecondary institution;

15 (4) "Continuous enrollment" shall mean a student is enrolled in the fall and spring  
16 semesters of a single academic year. Enrollment in summer semester or inter-session terms is not  
17 required;

18 (5) "Cumulative grade point average" shall mean the grade point average as calculated  
19 by the eligible postsecondary institution;

20 (6) "Degree" shall mean a two-year associate degree conferred on students by an eligible  
21 postsecondary institution;

22 (7) "DHE" shall mean the Massachusetts Department of Higher Education as defined in  
23 section 6 of chapter 15A of the General Laws;

24 (8) "Eligible postsecondary institution" shall mean any of the following institutions of  
25 higher education: Berkshire Community College, Bristol Community College, Bunker Hill  
26 Community College, Cape Cod Community College, Greenfield Community College, Holyoke  
27 Community College, Massachusetts Bay Community College, Massasoit Community College,  
28 Middlesex Community College, Mount Wachusett Community College, Northern Essex  
29 Community College, North Shore Community College, Quinsigamond Community College,  
30 Roxbury Community College, and Springfield Technical Community College, and any other  
31 community college established after November 1, 1989; or, if any such community college shall  
32 be abolished, any institution succeeding to the principal functions thereof.

- 33 (9) “FAFSA” shall mean the Free Application for Federal Student Aid;
- 34 (10) “Full-time” shall mean enrollment in at least twelve (12) semester hours during  
35 each semester of attendance;
- 36 (11) “GED” shall mean a general educational development credential awarded by a  
37 state-approved institution or organization;
- 38 (12) “Gift aid” shall mean scholarships and grants from any source that do not  
39 require repayment. Student loans and work-student awards shall not be considered gift aid;
- 40 (13) “HiSET” shall mean a high school equivalency test credential awarded by a  
41 state-approved institution or organization;
- 42 (14) “Low income” shall be defined using the income limits set by the United States  
43 Department of Housing and Urban Development, HUD;
- 44 (15) “Low- and moderate- income” shall be defined using the income limits set by  
45 HUD;
- 46 (16) “Program” shall mean the Massachusetts Promise Plan, as described in this  
47 section;
- 48 (17) “Resident” shall be defined by the eligible postsecondary institution; and
- 49 (18) “Semester” means fall, spring, or summer semester at an eligible postsecondary  
50 institution, if the institution is on a semester system, or the equivalent, if the institution is on a  
51 system other than a semester system.

52

53 (c) The Department of Higher Education shall administer the Massachusetts Promise  
54 Program. Subject to appropriation and notwithstanding any general or special law or regulation  
55 to the contrary, the Department of Higher Education shall establish a fund to provide a waiver of  
56 tuition and mandatory fees for community college courses held in the Fall, Spring, or Summer  
57 semesters at eligible postsecondary institutions to low income and low- and moderate- income  
58 residents of the commonwealth who meet the criteria described in subsections (e) and (f) of this  
59 section. Such waiver shall be a grant and limited as provided in subsection (h) of this section.

60

61 (d) Application. Students seeking to participate in the Massachusetts Promise Program  
62 shall file a FAFSA or renewal FAFSA each year of program participation. The FAFSA must be  
63 submitted by mail or electronically as directed in the FAFSA instructions. Students shall file the  
64 FAFSA or renewal FAFSA according to the deadlines set by the eligible postsecondary  
65 institution.

66

67 The FAFSA shall serve as the only application for the Massachusetts Promise Program.  
68 No additional application shall be required.

69

70 (e) Eligibility. (1) To be eligible for the program, a student shall:

71 i. be admitted to and enrolled full-time in a DHE-approved certificate program or  
72 associate degree program at an eligible postsecondary institution within two years of graduation  
73 from high school or completion of the GED or HiSET. Exceptions to initial enrollment may be

74 made for extenuating circumstances as provided in rules and regulations promulgated by the  
75 Board of Higher Education;

76 ii. file the FAFSA prior to the beginning of each academic year;

77 iii. be eligible for a Pell Grant, as determined by the FAFSA;

78 iv. have been a resident of Massachusetts for at least two years immediately preceding  
79 the date of application for the program; and

80 v. be considered a low income person or a low- and moderate- income person , per  
81 HUD guidelines.

82 (2) An eligible postsecondary institution seeking to determine eligibility as required by  
83 this section may require a student to provide proof of Massachusetts residency.

84 (3) A student shall not be required to meet any academic standard at the time of  
85 enrollment to the eligible postsecondary institution.

86

87 (f) Continued eligibility. (1) Requirements for continued eligibility in the program,  
88 including but not limited to maintaining minimum grade point average, years of participation  
89 covered by the program, and date of high school graduation, shall be determined by the Board of  
90 Higher Education based on available funding.

91

92 (2) A student who satisfies the criteria set forth in subsections (e)(1) and (g)(1) of this  
93 section shall remain eligible for a grant under this section until the occurrence of the first of the  
94 following events:

95 i. The student has earned a certificate or associate's  
96 degree; or

97 ii. The sum of the number of years the student  
98 attended an eligible postsecondary institution, exclusive of approved leaves of absence, equals  
99 three years from the date of the student's initial enrollment at an eligible postsecondary  
100 institution.

101

102 (g) The program shall also require that graduates of the program remain and work in  
103 Massachusetts for a period of two years upon completion of their degree or certificate.

104

105 (h) Awards. The total amount of a grant awarded under this section shall be based on  
106 each semester that a student is enrolled full time in applicable courses and determined by the  
107 DHE. After the amount of tuition for the student is reduced by any amounts received by the  
108 student in state and federal gift aid, the student shall be eligible for a grant under this section in  
109 an amount that equals:

110 (1) Not less than the student's actual combined cost of tuition and mandatory fees; and

111 (2) Not more than the student's actual combined cost of tuition, mandatory fees, and  
112 books.

113

114           (i)     Residents with Temporary Protective Status or covered by the Deferred Action  
115 for Childhood Arrivals. Subject to appropriation and except as provided by any general or  
116 special law or regulation to the contrary, the program shall establish a fund to assist with the  
117 tuition and mandatory fees of residents covered by Temporary Protective Status or residents  
118 covered by the Deferred Action for Childhood Arrivals Program who are not eligible to submit a  
119 FAFSA.

120

121           (j)     Powers. The DHE shall promulgate any rules and regulations necessary (1) to  
122 effectuate the purposes of this section, including but not limited to those related to the  
123 determination of initial and continued eligibility, the designation of approved certificate  
124 programs, the prescription of grant calculations for students dually enrolled in eligible  
125 postsecondary institutions, the establishment and maintenance of a fund for the tuition and  
126 mandatory fees for residents covered by Temporary Protective Status or the Deferred Action for  
127 Childhood Arrivals Program, and the distribution of funds appropriated for grants under the  
128 program, and (2) to administer the program, including administering requirements related to the  
129 evaluation of the impact of the program such as data reporting and collection requirements.

130

131           SECTION 2. This act shall take effect 90 days after passage.