

**HOUSE . . . . . No. 1231**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Paul W. Mark*

*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 strengthening and expanding affordable, quality higher education opportunities for residents of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>1/18/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/1/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/23/2019</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>1/31/2019</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/29/2019</i>

**HOUSE . . . . . No. 1231**

By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 1231) of Paul W. Mark and others relative to strengthening and expanding affordable, quality higher education opportunities. Higher Education.

**The Commonwealth of Massachusetts**

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

An Act relative to strengthening and expanding affordable, quality higher education opportunities for residents of the Commonwealth.

*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. To provide for supplementing certain items in the general appropriations act  
2 and other appropriations acts for fiscal year 2020, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designed otherwise in this act or in those  
4 appropriations acts, for the several purposes and subject to the conditions specified in this act or  
5 in those appropriations acts, and subject to the laws regulating the disbursement of public funds  
6 for the fiscal years ending June 30, 2020. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items. These sums shall be  
8 made available until June 30, 2021.

9           SECTION 2.

10           EXECUTIVE OFFICE OF EDUCATION

11           Department of Higher Education

12	7066-0019 .....	\$4,000,000
13	7066-1221 .....	\$1,500,000
14	7070-0066 .....	\$2,000,000

15 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
 16 provide for an alteration of purpose for current appropriations, and to meet certain requirements  
 17 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
 18 specifically designated otherwise in this section, for the several purposes and subject to the  
 19 conditions specified in this section, and subject to the laws regulating the disbursement of public  
 20 funds for the fiscal year ending June 30, 2020. These sums shall be in addition to any amounts  
 21 previously appropriated and made available for the purposes of these items. These sums shall be  
 22 made available until June 30, 2021.

23 EXECUTIVE OFFICE OF EDUCATION

24 Department of Elementary and Secondary Education

25 XXXX-XXXX For the development and implementation of standards and curriculum on  
 26 financial literacy ..... \$1,000,000

27 Department of Higher Education

28 7066-0115 For the purposes of continuing the implementation of section 15E of chapter  
 29 15A of the General Laws to encourage private fundraising by the commonwealth’s public  
 30 institutions of higher education for the endowment and capital outlay programs of those  
 31 institutions; provided, that the board of higher education shall implement this program in a  
 32 manner which ensures that each institution shall have an opportunity to secure matching funds

33 from this item; provided further, that \$10,000,000 shall be allocated to the university of  
34 Massachusetts; provided further, that \$5,000,000 shall be allocated to state universities; provided  
35 further, that \$5,000,000 shall be allocated to community colleges; provided further, that if any  
36 funds allocated herein for disbursement to state universities and community colleges shall be  
37 unused, the remaining funds shall be made available to the university of Massachusetts; provided  
38 further, that, to the greatest extent possible, the state universities, community colleges, and the  
39 university of Massachusetts shall utilize the funds to increase the number of scholarship  
40 opportunities for students ..... \$20,000,000

41 XXXX-XXXX For the continued development and implementation of the transfer system  
42 required by section 9 (hh) of chapter 15A of the General Laws, as inserted by this act  
43 ..... \$2,500,000

44 XXXX-XXXX For the Education Rewards Grant Program Fund established by section  
45 2SSS of chapter 29 of the General Laws ..... \$1,500,000

46 XXXX-XXXX For the Licensed Certified Social Worker Student Education Loan  
47 Repayment Pilot Program Trust Fund established by this act ..... \$1,200,000

48 XXXX-XXXX For the Massachusetts Educational Financing Authority to assist in  
49 carrying out the early college planning and financing efforts being undertaken by the Authority,  
50 and the lower income family postsecondary education savings incentive matching grant pilot  
51 program established by this act; provided, that not less than \$1,500,000 shall be expended for the  
52 lower income family postsecondary savings incentive matching grant pilot program and shall be  
53 credited to the Lower Income Family Postsecondary Education Savings Incentive Matching  
54 Grant Pilot Program Trust Fund established by this act ..... \$2,500,000

55           XXXX-XXXX For the Completion Grant Incentive Fund Pilot Program established by  
56 the board of higher education to increase the graduation and success rates of low income students  
57 who are enrolled in certificate or degree programs by providing incentive grants to persist and to  
58 complete their degree or certificate program of study over a maximum of four years .....  
59 \$3,000,000

60           XXXX-XXXX For a pilot program to be established by the Massachusetts Educational  
61 Financing Authority in accordance with section 5 of Chapter 15C of the General Laws to assist  
62 in refinancing higher education loans financed through the Authority that have higher interest  
63 rates ..... \$10,000,000

64           XXXX-XXXX For a community colleges internship incentive grant program to be  
65 administered by the department of higher education; provided, that the commonwealth shall  
66 contribute funds to each community college in an amount to match private contributions in each  
67 fiscal year; provided further, that the commonwealth’s contribution shall be equal to \$1 for every  
68 \$1 privately contributed to each community college’s board of trustees or foundation; provided  
69 further, that the maximum total contribution from the commonwealth shall be no greater than the  
70 amount appropriated herein; provided further, that funds from this program shall not result in any  
71 direct or indirect reduction in the commonwealth’s appropriation to the institution’s operations,  
72 scholarships, financial aid or any state appropriation; provided further, the department of higher  
73 education shall establish guidelines and criteria for the administration of the program  
74 ..... \$2,000,000

75           Community Colleges

76           7516-XXXX For the TAFDC Career Pathways Trust Fund established in section 2RRRR  
77 of chapter 29 of the General Laws, inserted by this act, provided that the program shall be  
78 administered by the Middlesex Community College through its entity, the Massachusetts  
79 Community College Executive Office; provided, further, that no more than \$100,000 shall be  
80 used to administer the program ..... \$1,100,000

81           7516-XXXX For education opportunity coordinators established in section 22B of  
82 chapter 15A of the General Laws, inserted by this act, to assist recipients of transitional aid to  
83 families with dependent children in earning a community college certificate or two-year  
84 associate's degree ..... \$1,250,000

85           SECTION 3. Section 1 of chapter 15A of the General Laws, as appearing in the 2014  
86 Official Edition, is hereby amended by inserting after the 3rd paragraph, the following  
87 paragraph:- It is hereby further declared to be the policy of the commonwealth to ensure that the  
88 university of Massachusetts, each state university, and each community college has at its  
89 disposal adequate funds to provide, foster and support high quality institutions of public higher  
90 education that serve the interests of the commonwealth and its residents in the manner described  
91 in this section. For that purpose, it is hereby further declared to be the policy of the  
92 commonwealth to make annually to the university of Massachusetts, each state university, and  
93 each community college appropriations which, with all other unrestricted funds that are  
94 available, in the case of each, for expenditure in the conduct of its affairs and the support of its  
95 mission, are sufficient to fully fund its operating requirements. It is hereby further declared to be  
96 the policy of the commonwealth to provide adequate funds to the university of Massachusetts,  
97 each state university, and each community college for capital needs including the repair,  
98 renovation, construction, reconstruction, improvement, maintenance, demolition, expansion,

99 acquisition, furnishing, or equipping of buildings, structures, facilities and other infrastructure,  
100 including, but not limited to, technology infrastructure, necessary to maintain high quality  
101 institutions of higher education.

102 SECTION 4. Section 9 of said chapter 15A, as so appearing, is hereby amended by  
103 inserting after the word “education”, in line 243, the following:- ; (hh) to build and maintain, in  
104 conjunction with the university of Massachusetts, the state universities, and the community  
105 colleges, a transfer system providing individual students with clear and consistent information on  
106 the student’s progress toward fulfilling degree requirements in any undergraduate program at any  
107 public institution of higher education in the state; provided, that the system shall include a  
108 standard core of course offering and numbering that are honored for common credit toward  
109 degrees and certificates across the commonwealth’s public institutions of higher education, and  
110 course-to-course equivalencies across these institutions that will enable students to transfer from  
111 one public institution of higher education to another without loss of credit, including, but not  
112 limited to, allowing credits earned toward a student’s designated major at one institution of  
113 public higher in the state to be transferred and applied to the same major at any other institution  
114 of public higher education in the state; provided further, that the board shall coordinate the  
115 implementation of the system and all public institutions of higher education institutions in the  
116 state shall utilize the system for all undergraduate programs and course offerings; provided  
117 further, that the board, in consultation with the University of Massachusetts, the state  
118 universities, and the community colleges, shall determine the form in which all data and course  
119 equivalencies shall be submitted by these institutions.

120 SECTION 5. Section 9 of said chapter 15A, as so appearing, is hereby by further  
121 amended by adding the following paragraph:- All postsecondary educational institutions offering

122 courses and programs leading to degrees or certificates to residents of the commonwealth shall  
123 provide uniform student financial aid information to every prospective student who has been  
124 accepted for admission to the institution. Each institution shall provide this information prior to  
125 the institution's enrollment deadline for purposes of providing each student with time to make an  
126 informed decision about enrollment. Each institution shall use the financial aid shopping sheet or  
127 such other standardized document developed by the U.S. Department of Education, or the board  
128 of higher education to provide this information. Each institution annually shall post on its  
129 website a list and description of all scholarships, grants, or other funds that do not have to be  
130 paid back that are available at the institution to assist students in paying for their education. Each  
131 institution shall inform students about any income based loan repayment programs and public  
132 interest or other loan forgiveness programs available for borrowers of student loans. In addition,  
133 all public institutions of higher education in the state shall work with American Student  
134 Assistance through its SALT or other programs and the Massachusetts Educational Financing  
135 Authority to provide financial literacy for students attending these institutions.

136           The board of higher education shall develop a clear and consistent definition of what  
137 constitutes student financial aid which shall be used by all postsecondary educational institutions  
138 offering courses and programs leading to degrees or certificates to residents of the  
139 commonwealth.

140           SECTION 6. Section 15F of said chapter 15A, as so appearing, is hereby amended by  
141 inserting in lines 12, 21, 23 24, 28, 29, 31, and 35 after the word "credit", the words:-and for-  
142 credit.

143 SECTION 7. Section 16 of said chapter 15A, as so appearing, is hereby amended by  
144 adding the following paragraph:- No state scholarship funds under this section, any other section  
145 of this chapter, or other state student financial aid however provided, shall be made available to,  
146 or on behalf, of any student enrolled in any postsecondary educational institution which the  
147 board of higher education determines does not meet the requirements of this paragraph. To meet  
148 the requirements of this paragraph, a postsecondary educational institution shall demonstrate to  
149 the board that it has: (a) not more than 40% of its undergraduate students borrowing student  
150 loans; (b) graduation rates of not less than 30% for undergraduate students taking 150% or less  
151 of the expected time to complete degree requirements, as most recently reported by the U.S.  
152 Department of Higher Education, provided, that graduation rates shall include students who  
153 transfer; or (c) an average 3 year cohort default rate that is not more than 20%, as most recently  
154 reported by the U.S. Department of Education. The board of higher education shall promulgate  
155 rules and regulations to implement this paragraph including, but not limited to, procedures and  
156 processes for annually determining which postsecondary educational institutions meet the  
157 requirements of this paragraph, and a process for an institution to appeal a determination that  
158 they do not meet the necessary requirements. The board of higher education shall annually post a  
159 list of institutions that meet the requirements of this paragraph on the department of higher  
160 education's website. No state scholarship funds under this section, any other section of this  
161 chapter, or other state student financial aid however provided, that is made available to, or on  
162 behalf, of any student enrolled in any for-profit postsecondary educational institution shall be  
163 used for purposes of marketing or advertising.

164 SECTION 8: Said chapter 15A is hereby further amended by inserting after section 22A  
165 the following new section:-

166 Section 22B. (a) Middlesex Community College shall establish education opportunity  
167 coordinator positions, through its entity, the Massachusetts Community College Executive  
168 Office. The coordinators shall work with recipients of cash assistance through transitional aid to  
169 families with dependent children who enroll in community colleges across the state for the  
170 purpose of earning a certificate or two-year degree. Each community college shall have at least 1  
171 on-campus coordinator. Coordinators shall provide focused assistance to recipients, including but  
172 not limited to developing career plans, identifying a program of study, accessing financial aid  
173 and work study, and helping obtain other supports such as childcare and transportation  
174 assistance. The coordinators shall work with recipients, community colleges, and case managers  
175 at the department of transitional assistance. Middlesex Community College, through its entity,  
176 the Massachusetts Community College Executive Office, shall enter into a memorandum of  
177 understanding with the community colleges to ensure coordinators execute the duties of this  
178 paragraph.

179 (b) Middlesex Community College, through its entity, the Massachusetts Community  
180 College Executive Office, and in collaboration with the department of transitional assistance,  
181 shall annually file a report with the chairs of the joint committee on higher education, the joint  
182 committee on children, families, and persons with disabilities, and the house and senate  
183 committees on ways and means that shall include, but not be limited to:- (1) information  
184 regarding the efficacy of community college placements in developing careers for recipients of  
185 cash assistance; (2) the number of recipients enrolled in certificate or two-year degree programs  
186 at community colleges; (3) the number of recipients enrolled in a certificate or two-year degree  
187 program receiving grants under the TAFDC Career Pathways Trust Fund established in section  
188 2RRRR of chapter 29; (4) graduation rates of recipients of cash assistance enrolled in a

189 certificate or two-year degree program; (5) employment rates of former recipients 6 months after  
190 completing a degree or certificate program; and (6) employment rates of former recipients 1 year  
191 after completing a degree or certificate program. No personal identifying information shall be  
192 used in the report. The first report shall be filed on or before August 1 two years after said  
193 TAFDC Career Pathways Trust Fund is established and annually, on or before August 1, after  
194 that.

195 SECTION 9. Said chapter 15A is hereby further amended by inserting after section 44,  
196 the following section:-

197 Section 45. There shall be a Partnership to Advance Collaboration and Efficiency, herein  
198 referred to as PACE. The purposes of PACE shall be to foster collaborations that promote  
199 operational efficiencies, cost savings, increased productivity, and increase and enhance high  
200 quality higher education opportunities for residents of the commonwealth at the public  
201 institutions of higher education set forth in section 5. Initiatives undertaken by PACE shall  
202 include, but not be limited to, cooperative efforts directed at increasing joint purchasing,  
203 expanding shared services, increasing innovative measures for delivering higher education, and  
204 enhancing academic opportunities for students. PACE shall be governed by a steering committee  
205 consisting of the following: the president of the university of Massachusetts; 2 persons from the  
206 university of Massachusetts appointed by the president to serve for terms not exceeding 4 years,  
207 as the president may determine; 3 presidents of the state universities to be selected by vote of the  
208 presidents of the 9 state universities conducted at least once every 4 years; 3 presidents of the  
209 community colleges to be selected by vote of the presidents of the 15 community colleges to be  
210 conducted at least once every 4 years; and the commissioner of higher education.

211 Notwithstanding any general or special law to the contrary, the steering committee may hire

212 staff, enter into contracts, interagency or other agreements, apply for federal, state, or other  
213 grants, establish subcommittees, and do whatever it deems necessary to carry out the purposes of  
214 PACE. The steering committee shall annually submit, on or before March 1, to the joint  
215 committee on higher education and the house and senate committees on ways and means a report  
216 detailing the results of all PACE initiatives undertaken during the prior year. Monies saved as a  
217 result of initiatives undertaken pursuant to this section shall supplement, not offset, or reduce  
218 state appropriations provided to the university of Massachusetts, the state universities, and the  
219 community colleges, and shall be used by the institutions to reduce the cost of education for  
220 students attending these institutions.

221 SECTION 10. Paragraph (B) of section 2 of chapter 18 of the General Laws, as appearing  
222 in the 2014 Official Edition, is hereby amended by adding the following clause:-

223 (t) take all necessary actions, including connecting individuals with education  
224 opportunity coordinators established in section 22B of chapter 15A, to ensure that individuals  
225 receiving cash assistance through transitional aid to families with dependent children may  
226 engage in community college programs where assessment shows their chances of achieving  
227 long-term careers will improve.

228 SECTION 11. The second sentence of section 2SSS of chapter 29 of the General Laws,  
229 as appearing in the 2014 Official Edition, is hereby amended by inserting, in line 5, after the  
230 word “accredited”, the words:- public or nonprofit.

231 SECTION 12. Section 2SSS of said chapter 29, as so appearing, is hereby amended by  
232 striking out the penultimate sentence, in lines 25-26, inclusive, and inserting in place thereof the  
233 following sentence:- The amount of the award shall be applied towards student financial need in

234 excess of the financial need met by other federal and state grants without regard to the amount  
235 that may be available through loans.

236 SECTION 13. Said chapter 29 is hereby further amended by inserting after section  
237 2QQQQ the following section:-

238 2RRRR. (a) There is hereby established and set up on the books of the commonwealth a  
239 separate fund to be known as the TAFDC Career Pathways Trust Fund, hereinafter referred to as  
240 the fund, to which shall be credited any appropriations, bond proceeds or other monies  
241 authorized by the general court and specifically designated to be credited thereto. Middlesex  
242 Community College, hereinafter referred to as the college, shall hold the fund in an account or  
243 accounts separate from other funds or accounts; provided, that the fund shall be administered by  
244 the Massachusetts Community Colleges Executive Office. Amounts credited to the fund shall be  
245 used by the college, without further appropriation, to carry out the purposes of the fund as set  
246 forth in this section. Any monies unexpended at the end of the fiscal year shall remain in the  
247 fund and may be expended by the college without further appropriation.

248 (b) The fund shall be used to provide and fund employment opportunities for students  
249 enrolled in a certificate or two-year associate's degree program at any community college who  
250 receive cash assistance under transitional aid to families with dependent children.

251 (c) Both full-time and part-time students shall be eligible for funds under this section;  
252 provided, that full-time students shall have first priority for funds; provided, further that a full-  
253 time student shall not displace a part-time student, if the part-time student is already receiving  
254 funds under this section.

255 (d) Funds expended shall, to the greatest extent feasible, be for jobs at: (1) the community  
256 college; (2) an off-campus placement that provides career development opportunities that are  
257 related to the student's course of study; or (3) an off-campus community service placement as  
258 defined in subsection (f).

259 (e) The share from funds distributed shall not exceed 80 percent of the total compensation  
260 paid to students, with the exception of jobs at the community college the student attends, or that  
261 provide career development opportunities related to the student's course of study. Employers  
262 shall pay the costs of any employee benefits, including all payments due as an employer's  
263 contribution under the state workman's compensation laws, federal Social Security laws, and  
264 other applicable laws. The federal work-study program shall not be used to provide the  
265 employer's share of student compensation.

266 (f) An off-campus community service placement shall include direct service planning,  
267 career development or applied research that is designed to improve the quality of life for  
268 residents of the community served, particularly low-income residents, in such fields as health  
269 care, child care, education, literacy training, welfare, social services, public safety, crime  
270 prevention and control, transportation, recreation, housing and neighborhood improvement, rural  
271 development, and community improvement. Placements shall be identified by the Massachusetts  
272 Community Colleges Executive Office through formal or informal consultation with local  
273 nonprofit, governmental, and community-based organizations.

274 The placement shall not be at an organization for whom a substantial portion of its  
275 mission is political activities, including but not limited to electing candidates, influencing ballot  
276 questions, and raising money for political campaigns.

277 (g) Students shall be paid the rate of pay as compared to entry-level salaries and wages  
278 provided other employees engaged in similar work, provided total applicant resources shall be  
279 considered to ensure to the maximum extent feasible that students may remain qualified for other  
280 federal and state public assistance programs. The office may make reasonable adjustments to  
281 salaries and wages to maximize a student's participation in other federal and state public  
282 assistance programs.

283 (h) Funds shall not be expended under the program to compensate students for hours  
284 worked in excess of an average of 15 hours per week over the period of enrollment or 40 hours  
285 per week during vacation period. A student shall not be concurrently employed in the same  
286 position by the fund and the federal work-study program and exceed the 15 hours per week  
287 average.

288 (i) Students may receive academic credit for work experience gained through jobs  
289 obtained through the fund.

290 (j) Monies received from the Massachusetts TAFDC Career Pathways Trust Fund  
291 established in section 2RRRR of chapter 29 of the General Laws shall not count against a  
292 recipient's income, assets, or any other eligibility standard in qualifying for cash assistance  
293 benefits.

294 (k) The college and the board of higher education, hereinafter referred to as the board,  
295 shall enter a memorandum of understanding to ensure that funds are properly expended and  
296 disbursed. The college shall enter into agreements with employers, community colleges, the  
297 department of transitional assistance, and others for the operation of the fund. These agreements

298 shall include such provisions as the office may deem necessary or appropriate to carry out the  
299 purposes of this section. These agreements shall be made available to the board upon request.

300 SECTION 14. Paragraph (2) of section 2 of chapter 62 of the General Laws, as appearing  
301 in the 2014 Official Edition, is hereby amended by inserting after subparagraph (Q) the  
302 following subparagraph:-

303 (R) Amounts received by an employee paid by the employer as contributions to a prepaid  
304 tuition program or college savings program established by the commonwealth or any  
305 instrumentality or authority thereof held by the employee if the contributions are made pursuant  
306 to section 82 of chapter 63 of the General Laws. The amount excluded from the gross income of  
307 an employee for the taxable year shall not exceed \$1,000.

308 SECTION 15. Section 3 B of said chapter 62, as so appearing, is hereby amended by  
309 inserting after subparagraph (17) the following subparagraph:-

310 (18) In the case of single individual person or married person filing a separate return or a  
311 head of household whose gross income does not exceed \$150,000, either a deduction or a tax  
312 credit in an amount equal to the amount expended in a taxable year for the purchase of an interest  
313 in, or contributed in a taxable year to an account in, a prepaid tuition program or college savings  
314 program established by the commonwealth or any instrumentality or authority thereof; provided,  
315 that the total amount deducted in a taxable year shall not exceed \$5,000, and in the case of a tax  
316 credit, the tax credit shall not exceed \$1,250. In the case of a married couple filing a joint return  
317 whose gross income does not exceed \$300,000, either a deduction or a tax credit in an amount  
318 equal to the amount expended in a taxable year for the purchase of an interest in, or contributed  
319 in a taxable year to an account in, a prepaid tuition program or college savings program

320 established by the commonwealth or any instrumentality or authority thereof; provided, the total  
321 amount deducted in a taxable year shall not exceed \$10,000, and in the case of a tax credit, the  
322 tax credit shall not exceed \$2,500.

323 SECTION 16. Chapter 62 of the General Laws is hereby amended by inserting after  
324 section 6N, the following section:-

325 Section 6O. A person filing an individual or joint return may elect to have any refund to  
326 which the person is entitled electronically deposited in an account in a prepaid tuition or college  
327 savings program established by the commonwealth or any instrumentality or authority thereof.

328 A deposit under this section may be made with respect to any taxable year at the time of  
329 filing a return of the tax established by this chapter for the taxable year. The commissioner shall  
330 prescribe the manner in which the deposit shall be made on the face of the return required by  
331 section 5 of chapter 62C. The commissioner shall consult with the Massachusetts Educational  
332 Financing Authority in carrying out this section.

333 SECTION 17. Chapter 63 of the General Laws is hereby amended by inserting after  
334 section 81, the following section:-

335 Section 82. A taxpayer who, during the taxable year, makes a contribution to a prepaid  
336 tuition program or college savings program established by the commonwealth or any  
337 instrumentality or authority thereof in an amount matching a contribution to said programs made  
338 in the same taxable year by any employee of the taxpayer whose income does not exceed 200 per  
339 cent of the federal poverty level shall be allowed a credit against the tax liability imposed under  
340 this chapter in an amount equal to 25 per cent of that matching contribution, but not to exceed  
341 \$1,000 per contributing employee per taxable year. For partners, shareholders of Subchapter S

342 corporations, and owners of limited liability companies, if the liability company is treated as a  
343 partnership for purposes of federal and State income taxation, there is allowed a credit pursuant  
344 to this section to be determined in accordance with the determination of income and distributive  
345 share of income according to this chapter and Subchapter S of the Internal Revenue Code. If the  
346 amount of the credit exceeds the tax liability for the year, the excess may be carried forward and  
347 applied to the tax liability of the 5 taxable years following the excess credit year. The tax credit  
348 shall be applied to the earliest year for which there is a tax liability. If there are credits for more  
349 than one year that are available to offset a liability, the earlier credit shall be applied first.

350 SECTION 18. (a) There shall be a licensed certified social worker student education loan  
351 repayment pilot program, hereinafter referred to as the pilot program, for the purpose of  
352 increasing and retaining access to child welfare services and social services in the  
353 commonwealth. The pilot program shall provide financial assistance to eligible program  
354 participants to assist them in repaying student education loans, as defined in this section;  
355 provided, that the pilot program shall be limited to a total of 100 licensed certified social  
356 workers. The pilot program shall be administered by the board of higher education established  
357 under section 4 of chapter 15A of the General Laws. The board, in collaboration with the  
358 executive office of health and human services, shall promulgate guidelines governing the pilot  
359 program. The guidelines shall include, but need not be limited to, the following provisions: (1)  
360 eligibility shall be limited to persons with incomes that do not exceed 500% of the federal  
361 poverty level; (2) eligibility shall be limited to persons entering the field of social work after July  
362 1, 2014; (3) eligibility shall be limited to social workers who are licensed certified social workers  
363 as defined in section 130 of chapter 112 of the General Laws and who are employed in child  
364 welfare, or in a geographic or programmatic setting defined as high need under the guidelines

365 governing the pilot program; (4) the commonwealth shall repay a student education loan at a rate  
366 not to exceed \$250 per month for a period not to exceed 48 months; (5) payments by the  
367 commonwealth shall be made directly to the lender on behalf of a pilot program participant, and  
368 shall cover only loan payments owed by the participant in the months during which the  
369 participant works in the commonwealth as a licensed certified social worker in child welfare, or  
370 in a geographic or programmatic setting defined as high need under pilot program guidelines; (6)  
371 procedures for selecting 100 pilot program participants among eligible applicants; and (7)  
372 measures to deal with situations in which a pilot program participant ceases to comply with  
373 program requirements. For the purposes of this section, the term student education loan shall  
374 mean any indebtedness, including interest on such indebtedness, incurred to pay tuition, fees or  
375 other direct expenses incurred in connection with the pursuit of an undergraduate or graduate  
376 degree by an applicant, but shall not include loans made by any person related to the applicant,  
377 or loans paid by credit card.

378 (b) There is hereby established and set up on the books of the commonwealth a separate  
379 fund to be known as the Licensed Certified Social Worker Student Education Loan Repayment  
380 Pilot Program Trust Fund, hereinafter referred to as the Licensed Certified Social Worker  
381 Education Loan Repayment Fund, to which shall be credited any appropriations or other monies  
382 authorized by the general court and designated to be credited thereto. The board of higher  
383 education shall hold the Licensed Certified Social Worker Education Loan Repayment Fund in  
384 an account separate from other funds or accounts. Amounts credited to the Licensed Certified  
385 Social Worker Education Loan Repayment Fund shall be used, without further appropriation, by  
386 the commissioner of higher education or his designee, to carry out the licensed certified social  
387 worker student education loan repayment pilot program established in this section.

388 (c) The licensed certified social worker student education loan repayment pilot program  
389 shall expire once the final payment is made under this section by the board of higher education  
390 on behalf of all pilot program participants. The board of higher education shall evaluate the  
391 effectiveness of the pilot program and its benefits and costs to the commonwealth and shall  
392 submit a report, together with its recommendations on whether a permanent program should be  
393 established and if so how such program should be structured, to the house and senate committees  
394 on ways and means and the joint committee on higher education, not less than one year prior to  
395 the expiration of the pilot program.

396 SECTION 19. (a) Notwithstanding any general or special law to the contrary, a portion of  
397 the Educational Rewards Grant Program Fund established by section 2SSS of chapter 29 of the  
398 General Laws, as determined by the department of workforce development and the board of  
399 higher education, shall be used for a “Supports for Success” pilot program to assist grant  
400 recipients complete their degree or certificate programs; provided, that supports provided  
401 through said pilot may include, but need not be limited to, intensive advising and counseling,  
402 college and career success courses, work study jobs in the students’ field of study, learning  
403 communities, curricula redesign to support blended or accelerated remediation, mentoring or  
404 tutoring, and child care and transportation assistance.

405 (b) On or before December 1 of each year, the department of workforce development and  
406 the board of higher education shall submit to the chairs of house and senate committees on ways  
407 and means and the chairs of the joint committee on higher education a report on use in the prior  
408 fiscal year of the Educational Rewards Grant Program Fund established by section 2SSS of  
409 chapter 29 of the General Laws; provided, that such report shall include, but need not be limited  
410 to, the number of grants awarded, the amount of each grant, the level of educational attainment

411 of grant recipients before the grant was awarded, degrees and certificates awarded to recipients,  
412 recipient demographic information, recipient retention rates while receiving the grant, and  
413 analysis of the strengths and areas of needed improvement in the Educational Rewards Grant  
414 Program and the “Supports for Success” pilot program and recommendations for such  
415 improvements.

416 SECTION 20. (a) Notwithstanding any general or special law to the contrary, the board  
417 of higher education shall establish a pilot program to promote student employment partnerships  
418 between graduates of public and private institutions of higher education in the state and the  
419 state’s business community. The board shall establish rules and regulations governing the  
420 implementation and administration of the pilot program, including, but not limited to, any  
421 income eligibility requirements for participating students. The pilot program shall consist of not  
422 more than 3 public institutions of higher education and not more than 2 private institutions of  
423 higher education in the state, and not more than 5 business entities in the state selected by the  
424 board of higher education in consultation with the secretary of housing and economic  
425 development. Business entities may consist of, but need not be limited to, employers from the  
426 financial services, life sciences, high technology, and health care industries. Not more than 100  
427 students may participate in the pilot program. Students eligible to participate in the program shall  
428 be in good academic standing at one of the institutions selected to participate in the program, and  
429 must have obtained fifty percent or more of the credits needed to graduate.

430 (b) Business entities selected to participate in the pilot program shall supplement a  
431 percentage of a participating student’s tuition and fees, and in providing this assistance shall  
432 receive a 20% state income tax credit on the first \$5,000 of tuition and fees paid by the  
433 participating business entity. In exchange for receiving tuition and fee assistance from a

434 participating entity, graduating students shall agree to work in the state for the business entity for  
435 an agreed upon period of time, which shall not exceed 24 months. In the event a participating  
436 student is unable to perform work for the business entity upon graduation, the student shall  
437 refund all or a portion of the financial assistance provided by the business entity, unless the  
438 student's failure to perform is based upon a condition or conditions set forth by the board,  
439 including, but not limited to, the inability of the business entity to provide the agreed upon  
440 employment. If upon a participating student's graduation, the business entity is not able to  
441 provide the agreed upon employment for the student, the business entity shall reimburse the state  
442 for the amount of the tax credit the business entity received for the student.

443 (c) Not later than 3 years after the commencement of the pilot program, the board of  
444 higher education shall file a report with the house and senate committee on ways and means, and  
445 the joint committees on higher education, and revenue detailing the results of the pilot program  
446 and any recommendations as to whether the program should be continued or expanded.

447 SECTION 21. (a) As used in this section, the following words shall, unless the context  
448 otherwise requires, have the following meanings:

449 (1) "Application", an application for a matching grant under the pilot program.

450 (2) "Authority", the Massachusetts Educational Financing Authority established under  
451 Chapter 803 of the Acts of 1982, as amended.

452 (3) "Federal poverty level", the most recent poverty income guidelines published in the  
453 calendar year by the U.S. Department of Health and Human Services.

454 (4) "Participant", a qualified individual or family who has been approved for a matching  
455 grant under the pilot program.

456 (5) " Pilot Program", the lower income family postsecondary education savings incentive  
457 matching grant pilot program established by this section.

458 (6) "Qualified individual or family", an individual or family who resides within the state  
459 of Massachusetts and whose household income is not more than 250% of the federal poverty  
460 level for the tax year prior to the year in which the application is submitted.

461 (b) There shall be a lower income family postsecondary education savings incentive  
462 matching grant pilot program, herein referred to as the pilot program. The purpose of the pilot  
463 program is to help lower income individuals and families save for postsecondary education  
464 through prepaid tuition programs or college savings accounts established by the Authority by  
465 providing a state matching grant for the savings.

466 (c) The Authority shall:

467 (1) Implement and administer the pilot program, and may enter into any contracts or  
468 agreements with other entities it deems necessary to assist in developing and carrying out the  
469 pilot program;

470 (2) Develop marketing plans, educational and promotional material for the pilot program;

471 (3) Prescribe the procedure for, and requirements relating to, the submission and approval  
472 of applications;

473 (4) Adopt any rules and regulations and policies deemed necessary for implementation  
474 and administration of the pilot program; and

475 (5) Do all things necessary and proper to carry out the purposes of this section.

476 (d) Applications shall be submitted to the Authority in the manner and form required by  
477 the Authority. Applications shall be accompanied by any information deemed necessary by the  
478 Authority. Applications, with proof of income, must be submitted each year using the applicant's  
479 household income from the previous tax year.

480 (e) The Authority may approve up to a total of 250 applications. Applications shall be  
481 approved on a first come, first served basis. The Authority shall provide written notice, to an  
482 applicant, of the approval or non-approval of the person's application.

483 (f) The amount of contributions made to an account by a participant who establishes a  
484 prepaid tuition program or college savings account with the Authority shall be matched by the  
485 state if the participant contributes at least \$150 during the calendar year for which the application  
486 has been approved. The aggregate of all matching amounts for any participant shall not exceed  
487 \$1,000 in any calendar year.

488 (g) The Authority shall deposit in the prepaid tuition program or college savings account  
489 of each participant the amount determined by the Authority to meet the matching obligation due  
490 to the participant under subsection (f) for the preceding calendar year.

491 (h) The Authority shall ensure that all withdrawals of matching funds are used for  
492 postsecondary education.

493 (i) Not later than 5 years after the commencement of the pilot program, the Authority  
494 shall submit to the secretary of administration and finance, the house and senate committees on  
495 ways and means, and the joint committee on higher education a report evaluating the impact of

496 the pilot program. The report shall include the number of accounts opened under the pilot  
497 program, the amount of moneys contributed to accounts by the participants, the average income  
498 of the participants, an analysis of the success of the pilot program in meeting the purpose of the  
499 pilot program, a recommendation as to whether the pilot program should be continued or  
500 expanded, and any other information deemed appropriate by the Authority.

501 (j) Notwithstanding any general or special laws to the contrary, monies deposited in a  
502 prepaid tuition program or college savings account established under this section shall not count  
503 against any recipient's income, assets, or any other eligibility standard in qualifying for any  
504 benefits under Transitional Aid to Families with Dependent Children, or other state programs,  
505 including, but not limited to, housing, fuel assistance, health care, or student financial aid  
506 whether in the form of scholarships, grants, tuition or fee waivers, loans or any other state  
507 assistance in paying for postsecondary education.

508 (k) There is hereby established and set up on the books of the commonwealth a separate  
509 fund to be known as the Lower Income Family Postsecondary Education Savings Incentive  
510 Matching Grant Pilot Program Trust Fund, hereinafter referred to as the fund, to which shall be  
511 credited any appropriations, bond proceeds or other monies authorized by the general court and  
512 specifically designated to be credited thereto. The Authority, shall hold the fund in an account or  
513 accounts separate from other funds or accounts. Amounts credited to the fund shall be used by  
514 the Authority, without further appropriation, to carry out the lower income family postsecondary  
515 education savings incentive matching grant pilot program. Appropriations unexpended at the end  
516 of the fiscal year shall remain in the fund and may be expended by the Authority without further  
517 appropriation.

518 SECTION 22. Notwithstanding any general or special law to the contrary, the  
519 commonwealth shall appropriate in addition to the amounts provided for the ordinary  
520 maintenance of the university of Massachusetts, the state universities, and the community  
521 colleges in line items 7100-0200, 7109-0100, 7110-0100, 7112-0100, 7113-0100, 7114-0100,  
522 7115-0100, 7116-0100, 7117-0100, 7118-0100, 7502-0100, 7503-0100, 7504-0100, 7505-0100,  
523 7506-0100, 7507-0100, 7508-0100, 7509-0100, 7510-0100, 7511-0100, 7512-0100, 7514-0100,  
524 7515-0100, 7516-0100, 7518-0100 in the general appropriations act for fiscal year 2016, the total  
525 amount of such appropriations shall be increased as follows: in fiscal year 2020, by a total of not  
526 less than an additional \$95,000,000; in fiscal year 2021, by a total of not less than an additional  
527 \$95,000,000; in fiscal year 2022, by a total of not less than an additional \$95,000,000; in fiscal  
528 year 2023, by a total of not less than an additional \$95,000,000; and in fiscal year 2024, by a  
529 total of not less than an additional \$95,000,000. The dollar amounts specified in this paragraph  
530 shall be increased to reflect any increases in inflation and collective bargaining increases. If the  
531 additional funds required under this paragraph are provided in each fiscal year to the university  
532 of Massachusetts, the state universities, and the community colleges, each institution receiving  
533 sufficient additional funding shall freeze tuition and mandatory curriculum fee increases for the  
534 academic year during which the funding is provided.

535 SECTION 23. Notwithstanding any general or special laws to the contrary, the  
536 commonwealth shall appropriate in addition to the amount provided for scholarships and  
537 financial aid in line item 7070-0065 in the general appropriations act for fiscal year 2016, the  
538 total amount of such appropriation shall be increased as follows: in fiscal year 2020, by a total of  
539 not less than an additional \$42,000,000; in fiscal year 2021, by a total of not less than an  
540 additional \$42,000,000; in fiscal year 2022, by a total of not less than an additional \$42,000,000;

541 in fiscal year 2023, by a total of not less than an additional \$42,000,000; and in fiscal year 2024,  
542 by a total of not less than an additional \$42,000,000. The additional funding required by this  
543 paragraph shall be made available for the so-called MASSGrant program administered by the  
544 board of higher education.

545 SECTION 24. The president of the University of Massachusetts, in consultation with the  
546 chair of the board of trustees of the university and the chancellors of the campuses, shall develop  
547 a funding formula to determine the allocation of state appropriations received by the university in  
548 the annual state budget to the individual campuses. The formula shall consist of two parts: base  
549 funding and performance funding. Base funding shall be based upon and allocated on factors  
550 relating to the cost of operation. Performance funding shall be based upon and allocated on  
551 factors relating to outcomes. At undergraduate campuses, the outcome afforded the most weight  
552 for performance funding shall be increasing the number of students who complete their degrees;  
553 provided that, additional points shall be given for graduating students who might have been  
554 considered at-risk of not completing their education, including students from lower income  
555 households, African-American students, Latino students, adult students, students with severe  
556 disabilities, and those who may have been less academically prepared upon entry. Additional  
557 performance outcomes may be included in the formula as deemed relevant to the mission of the  
558 university, and for the university of Massachusetts medical school. The funding formula may be  
559 updated as needed from time to time, and shall be available for use commencing with the fiscal  
560 year 2020 annual budget. The president shall file the funding formula with the executive office  
561 for administration and finance, the senate and house committees on ways and means, and the  
562 joint committee on higher education.

563 SECTION 25. Notwithstanding any general or special law to the contrary, all tuition  
564 received by the boards of trustees of each of the state universities and community colleges paid  
565 by students attending the state universities and community colleges who reside in the state shall  
566 be retained by the respective board of trustees in a revolving trust fund and shall be expended as  
567 the administration of the respective state university or community college directs. Any balance in  
568 the trust fund at the close of the fiscal years shall be available for expenditures in subsequent  
569 fiscal years and shall not revert to the General Fund. For any employees of the state universities  
570 and community colleges who are paid from tuition retained pursuant to this section, fringe  
571 benefits shall be funded as if those employees' salaries were supported by state appropriations.  
572 This section shall apply only to fringe benefits associated with salaries paid from tuition retained  
573 by the boards of trustees of the state universities and community colleges as a direct result of the  
574 implementation of this section.

575 SECTION 26. (a) Notwithstanding the provisions of any general or special law to the  
576 contrary, not later than the start of the fall semester of 2020 and for each semester thereafter, if a  
577 public institution of higher education determines, by use of multiple commonly accepted  
578 measures of skill level, that a student is likely to succeed in college level work with supplemental  
579 support, the public institution of higher education shall offer the student remedial support that is  
580 embedded with the corresponding entry level course in a college level program. The embedded  
581 support shall be offered during the same semester as and in conjunction with the entry level  
582 course for purposes of providing the student with supplemental support in the entry level course.

583 (b) Not later than the start of the fall semester of 2020 and for each semester thereafter, if  
584 a public institution of higher education determines, by use of multiple commonly accepted  
585 measures of skill level, that a student is below the skill level required for success in college level

586 work, the public institution of higher education shall offer the student the opportunity to  
587 participate in an intensive college readiness program before the start of the next semester. The  
588 student shall complete the intensive college readiness program prior to receiving embedded  
589 remedial support, as provided in subsection (a) of this section. The board of higher education, in  
590 consultation with the University of Massachusetts, the state universities, and the community  
591 colleges, shall develop options for an intensive college readiness program.

592 (c) Not later than the start of the fall semester of 2020 and for each semester thereafter,  
593 no public institution of higher education shall offer any remedial support, including remedial  
594 courses, that is not embedded with the corresponding entry level course, as required pursuant to  
595 subsection (a) of this section, or offered as part of an intensive college readiness program, except  
596 the institution may offer a student a maximum of one semester of remedial support that is not  
597 embedded, provided (1) the support is intended to advance the student toward earning a degree,  
598 and (2) the program of remedial support is approved by the board of higher education.

599 (d) Not later than the start of the fall semester of 2020 and for each semester thereafter,  
600 board of higher education and the board of elementary and secondary education shall complete  
601 curricular alignment to enable the successful completion of the high school mathematics and  
602 language arts curricula, as described in Massachusetts Curriculum Frameworks for English  
603 Language Arts/Literacy and Mathematics as adopted by the board of elementary and secondary  
604 education, to be the indicator of readiness for college level work. A public institution of higher  
605 education may use available evaluation instruments to assess adults, who are returning to or first  
606 enrolling in a higher education program at a public institution of higher education after spending  
607 time in the workforce, for readiness for college level work.

608 (e) Not later than the start of the school year commencing July 1, 2020, and for each  
609 school year thereafter, the board of higher education shall ensure that each public institution of  
610 higher education works with the department of elementary of secondary education and the local  
611 and regional school districts to (1) use available evaluation methods for early assessment of the  
612 potential for college readiness of each student enrolled in the eighth and tenth grades in a public  
613 school, and (2) share the results of the assessment with the student, the student's parents or legal  
614 guardian and the public school in which the student is enrolled.

615 SECTION 27. To provide for a program of capital improvements to public higher  
616 education institutions, to provide support for these institutions in carrying out their educational  
617 missions and to enhance regional economic development through their educational initiatives,  
618 the sums set forth in this section, for the several purposes and subject to the conditions specified  
619 in this act, are hereby made available, subject to the laws regulating the disbursement of public  
620 funds, which sums shall be in addition to any other amounts previously appropriated for these  
621 purposes.

622 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

623 Division of Capital Asset Management and Maintenance

624 7066-XXXX For costs associated with planning and studies, dispositions, acquisition of  
625 land and buildings and interests therein by purchase or by eminent domain under chapter 79 of  
626 the General Laws and for the preparation of plans and specifications, repairs, construction,  
627 renovations, improvements, maintenance and repair, asset management and demolition at the  
628 state universities and community college campus facilities and grounds; provided, that all  
629 projects approved for design and construction by the division of capital asset management and

630 maintenance for the state universities and community colleges shall be consistent in priority and  
631 need with capital master plans developed by the division of capital asset management and  
632 maintenance, in consultation with the presidents of the state universities and community colleges  
633 and approved by the board of higher education; and provided further, that all maintenance and  
634 repair work funded by this item shall be included in the capital asset management information  
635 system administered by the division of capital asset management .....\$2,100,000,000

636           7100-XXXX For costs associated with planning and studies, dispositions, acquisition of  
637 land and buildings and interests therein by purchase or by eminent domain under chapter 79 of  
638 the General Laws and for the preparation of plans and specifications, repairs, construction,  
639 renovations, improvements, maintenance and repair, asset management and demolition at the  
640 university of Massachusetts campus facilities and grounds; provided, that all projects approved  
641 for design and construction by the division of capital asset management and maintenance for the  
642 university of Massachusetts shall be consistent in priority and need with capital master plans  
643 developed by the university of Massachusetts and approved by the board of trustees of the  
644 university of Massachusetts; and provided further, that all maintenance and repair work funded  
645 by this item shall be included in the capital asset management information system administered  
646 by the division of capital asset management .....\$2,100,000,000

647           SECTION 28. To meet the expenditures necessary in carrying out section 1, the state  
648 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
649 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
650 \$4,200,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their  
651 face, Public Higher Education Capital Expenditure Act of 2016, and shall be issued for a  
652 maximum term of years, not exceeding 30 years, as the governor may recommend to the general

653 court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be  
654 payable not later than June 30, 2055. All interest and payments on account of principal on these  
655 obligations shall be payable from the General Fund. Bonds and interest on bonds issued under  
656 this section shall, notwithstanding any other provision of this act, be general obligations of the  
657 commonwealth.

658 SECTION 29. The secretary of administration and finance shall submit a report on the  
659 progress and all expenditures related to any projects funded through the authorizations in section  
660 1 of this act to the secretary of education, the board of higher education, the chairs of the senate  
661 and house committees on ways and means, the senate and house chairs of the joint committee on  
662 higher education, and the chairs of the committees on Bonding, Capital Expenditures and State  
663 Assets. The report shall include, but not be limited to: the total amount appropriated for each  
664 project; the total estimated cost of each project; the amount expended for the planning and design  
665 of each project up to the time the report is filed; the amount expended on construction of each  
666 project up to the time the report is filed; the total amount currently expended on each project; the  
667 estimated lifetime maintenance schedule and cost of each project; the original estimated  
668 completion date of each project; and the current anticipated completion date of each project. The  
669 report shall be submitted on December 31 of each year for a period of 10 years from the effective  
670 date of this act.