

**SENATE . . . . . No. 2786**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Anne M. Gobi*

*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 protecting our public higher education system during the COVID-19 pandemic.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>5/4/2020</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>5/4/2020</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>5/4/2020</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>5/4/2020</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>5/4/2020</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>5/4/2020</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>5/5/2020</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>5/5/2020</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>5/5/2020</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>5/5/2020</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>5/5/2020</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>5/5/2020</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>5/5/2020</i>
<i>John C. Velis</i>	<i>4th Hampden</i>	<i>5/5/2020</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>5/5/2020</i>

<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>5/5/2020</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>5/7/2020</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>5/7/2020</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>5/7/2020</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>5/7/2020</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>5/7/2020</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>5/7/2020</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>5/7/2020</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>5/7/2020</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>5/7/2020</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>5/7/2020</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>5/7/2020</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/7/2020</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>5/7/2020</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>5/8/2020</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>5/8/2020</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>5/11/2020</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>5/19/2020</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>5/26/2020</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>5/26/2020</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>5/28/2020</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>6/1/2020</i>

**SENATE . . . . . No. 2786**

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By Ms. Gobi, a petition (accompanied by bill, Senate, No. 2786) (subject to Joint Rule 12) of Anne M. Gobi, Maria Duaine Robinson, Mindy Domb, Patricia D. Jehlen and other members of the General Court for legislation relative to protecting our public higher education system during the COVID-19 pandemic. Higher Education.

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**The Commonwealth of Massachusetts**

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

An Act relative to protecting our public higher education system during the COVID-19 pandemic.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to protect forthwith both the public health and the viability of the Commonwealth's public higher education sector in the face of the state, national, and global public health emergencies existing as a result of the COVID-19 pandemic, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

*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 6A of the general laws, as so appearing in the 2018 official edition,  
2 is hereby amended by inserting after section 16Z the following new section:-

3           Section 16AA. (a) As used in this section, the following words shall, unless the context  
4 clearly requires otherwise, have the following meanings:

5           “current student,” any individual who currently maintains the requirements of full-time or  
6 part-time student status at their respective institution of certificate, undergraduate or graduate

7 degree program of study. It shall not include individuals taking one or more classes not in the  
8 pursuit of a certificate, undergraduate or graduate degree.

9 “deferred or deferment,” shall be the forgiveness of payments currently owed; provided  
10 those payments, without penalty or additional interest charge, shall be added to the end of the  
11 payment schedule for the qualified education loan, as defined below.

12 “former student,” any individual who has satisfied the requirements of a certificate,  
13 undergraduate or graduate degree program of study at their respective institution, and has  
14 received said certificate, undergraduate or graduate degree; provided further that any individual  
15 who enrolled into a certificate, undergraduate or graduate degree program of study but did not  
16 complete said program, regardless of the reason, would still qualify as a former student for the  
17 purpose of this section.

18 “qualified education loan,” any indebtedness, including interest on such indebtedness,  
19 issued by or in coordination with the Massachusetts Education Financing Agency and incurred to  
20 pay tuition or other direct expenses incurred in the connection with the pursuit of a certificate,  
21 undergraduate or graduate degree by an applicant. It shall not include loans made by any person  
22 related to the applicant.

23 (b) Any resident of the Commonwealth of Massachusetts who is a current student at an  
24 institution of higher education, community college, or recognized certification training program,  
25 that is subject to payment of a qualified education loan shall see the payment obligations of said  
26 loan – whether interest, principal, or both – deferred for the duration of the governor’s March 10,  
27 2020 declaration of a state of emergency and a period of thirty days following the termination of  
28 the state of emergency declaration.

29 (c) Any resident of the Commonwealth of Massachusetts who is a former student and  
30 currently subject to payment of a qualified education loan shall see the payment obligations of  
31 said loan – whether interest, principal, or both – deferred for the duration of the governor’s  
32 March 10, 2020 declaration of a state of emergency and a period of thirty days following the  
33 termination of the state of emergency declaration.

34 SECTION 2. Section 1 of Chapter 32, as appearing in the 2016 Official Edition, is  
35 amended by inserting the following sentence in line 455 after the word “fund”:

36 In the case of part-time faculty employed at one or more of the public institutions of  
37 higher education, the full salary and wages received for teaching credit courses at one or more of  
38 the public institutions of higher education, including a division of continuing education,  
39 regardless of funding source, including but not limited to subsidiary account CC, shall be  
40 regarded as regular compensation and shall be included in the salary on which deductions are to  
41 be paid to the annuity savings fund.

42 SECTION 3. Section 2 ( e ) of chapter 32A of the General Laws, as appearing in the 2016  
43 Official Edition, is hereby amended in line 117 by inserting after the word “hours” the following:  
44 - “; or a faculty member who teaches the equivalent of at least two three or more- credit courses  
45 per semester, or four three or more- credit courses per calendar year at one or more of the public  
46 institutions of higher education in the state, as set forth in section 5 of chapter 15A, including a  
47 division of continuing education, regardless of funding source, including but not limited to  
48 subsidiary account CC, and regardless of the term of employment or participation or membership  
49 in a retirement system or plan; provided, that the commonwealth, not the public higher education  
50 institutions, shall bear the cost.”

51           SECTION 4. Notwithstanding Section 5 of Chapter 32A of the General Laws or any  
52 other special or general law to the contrary, any faculty member eligible for commission health  
53 coverage pursuant to Section 16 may elect to enroll in commission health coverage immediately  
54 upon passage of this act. This section shall expire 120 days after the passage of this act or 45  
55 days after the termination of the governor’s March 10, 2020 declaration of a state of emergency,  
56 whichever is sooner; provided, however, that the governor may postpone such expiration in  
57 increments of not more than 90 days; provided further, that the governor shall not postpone such  
58 expiration to later than 45 days after the termination of the declaration.