

**HOUSE . . . . . No. 693**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Jeffrey N. Roy and Kate Lipper-Garabedian***

*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 college in high schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>2/18/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>2/18/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/23/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/25/2021</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/25/2021</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/25/2021</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/25/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/26/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/26/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/26/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/26/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/26/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/26/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>2/26/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/26/2021</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/26/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>2/26/2021</i>

<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/10/2021</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>3/10/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/12/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/19/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/24/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>3/29/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/31/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>5/10/2021</i>

**HOUSE . . . . . No. 693**

By Representatives Roy of Franklin and Lipper-Garabedian of Melrose, a petition (accompanied by bill, House, No. 693) of Jeffrey N. Roy, Kate Lipper-Garabedian and others relative high schools providing and funding college programs. Education.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to college in high schools.

*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. Section 9B of chapter 15A, as appearing in the 2018 Official Edition, is  
2 amended by adding the following after the word “commonwealth” in line 6: “or any college in  
3 high school program administered pursuant to section 37 of chapter 69.”

4 SECTION 2. Section 16 of chapter 15A is amended by adding the following after the  
5 word “nursing” in line 5: “or any college in high school program administered pursuant to  
6 section 37 of chapter 69,”

7 SECTION 3. Chapter 15A of the General Laws is hereby amended by inserting after  
8 section 39 the following section:-

9 Section 39A. (a) All public institutions of higher education shall develop written policies  
10 and procedures for accepting for the purposes of course credit to satisfy degree requirements  
11 certain scores on the College Board’s advanced placement examinations, successful completion  
12 of college in high school courses as provided in section 37 of chapter 69, successful completion

13 of the International Baccalaureate Diploma Program, or and successful completion of dual  
14 enrollment courses. In the said policy, the institution shall:

15 (1) establish its conditions for granting course credit, including the minimum required  
16 scores on Advanced Placement examinations and examinations for courses constituting the  
17 International Baccalaureate Diploma Program; and

18 (2) establish whether credit will be granted for general education, major or elective  
19 requirements at the institution; and

20 (3) include procedures related to the transferability of these credits to another institution  
21 of higher education.

22 (b) On request of an applicant for admission as an entering student, a public institution of  
23 higher education, based on information provided by the applicant, shall determine and notify the  
24 applicant regarding:

25 (1) the amount and type of any course credit that would be granted to the applicant under  
26 the policy required in subsection (a); and

27 (2) any other academic requirement that the applicant would satisfy under the policy.

28 (c) All policies and procedures governing the award of credit shall be posted on the  
29 institution's website under the category of admission, which the institution shall update as  
30 necessary to reflect any changes in policies and procedures. In addition, each institution shall  
31 submit its policies and procedures, or any changes thereto, to the department of higher education  
32 which shall post each institution's policies and procedures on the department's website.

33 (d) The board of higher education, in is cooperation with the board of trustees of each  
34 public institution including the University of Massachusetts, shall annually review the college in  
35 high school course- granting policies of each public institution of higher education in accordance  
36 with the requirements of this section and file a report with its findings and any recommendations  
37 with the clerks of the senate and the house of representatives and chairs of the joint committee on  
38 higher education not later than July 1. Each public institution of higher education shall provide  
39 the board of higher education with all necessary data, in accordance with the federal Family  
40 Educational Rights and Privacy Act of 1974, to conduct the analysis.

41 SECTION 4. Chapter 29 of the General Law is hereby amended by inserting after section  
42 2CCCCC the following new section:-

43 Section 2DDDDD. (a) There shall be established and set up on the books of the  
44 commonwealth a separate fund to be known as the Massachusetts College in High School Trust  
45 Fund. The fund shall be administered by the commissioner of the department of elementary and  
46 secondary education. The fund shall be credited with: (i) revenue from appropriations or other  
47 money authorized by the general court and specifically designated to be credited to the fund; (ii)  
48 interest earned on such revenues; and (iii) funds from public and private sources such as gifts,  
49 grants and donations to further the rates of student preparedness for workforce and post-graduate  
50 success. Amounts credited to the fund shall not be subject to further appropriation and any  
51 money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

52 (b) Amounts credited to the fund may focus on underserved communities across the  
53 commonwealth, including those school districts with high concentrations of economically  
54 disadvantaged students.

55 (c) Amounts received from private sources shall be approved by the commissioner of  
56 elementary and secondary education and subject to review before being deposited in the fund to  
57 ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the  
58 implementation of college in high school programming that may be detrimental to the neutral  
59 education policy. The review shall be made publicly available.

60 (d) Annually, not later than October 1, the commissioner shall report to the clerks of the  
61 house of representatives and senate, the joint committee on education, the joint committee on  
62 higher education, and the house and senate committees on ways and means on the fund's activity.  
63 The report shall include, but not be limited to: (i) the source and amount of funds received; (ii)  
64 the amounts distributed and the purpose of expenditures from the fund, including but not limited  
65 to, funds expended to assist school districts in meeting the requirements in section 37 of chapter  
66 69; (iii) any grants provided to institutions of higher education and other stakeholder  
67 organizations; and (iv) anticipated revenue and expenditure projections for the next year.

68 SECTION 5. Chapter 69 of the General Laws is hereby amended by inserting after  
69 section 36 the following two sections:-

70 Section 37. (a) There shall be a Massachusetts Office of College in High School, herein  
71 the office. The office shall be overseen by the commissioner of the department of elementary and  
72 secondary education in consultation with the commissioner of the department of higher  
73 education. The office will administer innovative high school programs that expand student  
74 access to college and postsecondary opportunities through high-quality instructional  
75 programming, hereinafter referred to as college in high school, in order to increase the rates of

76 student success in postsecondary attainment and in the workforce. All programs established  
77 under this section shall:

78 (1) Offer a coherent sequence of courses that allows a student to earn a high school  
79 diploma and achieve at least one of the following:

80 (i) the accumulation of transferable college credits; provided that, academic courses that  
81 count for college credit shall be those agreed to by the institutions of higher education  
82 participating in the partnership with the high school,

83 (ii) an industry-recognized credential or certificate, including those determined to be  
84 necessary for occupations with high employment value as defined in section 38 of this chapter;  
85 or

86 (iii) participation in a registered apprenticeship, pre-apprenticeship, or apprentice  
87 readiness program;

88 (2) Prepare students adequately for future success in the workforce or in an institution of  
89 higher education;

90 (3) Encourage the cooperative or shared use of resources, personnel and facilities  
91 between public high schools, public and independent colleges or universities and employers;

92 (4) Emphasize parental involvement and provide consistent counseling, advising and  
93 parent conferencing so that parents and students can make responsible decisions regarding course  
94 selection and can track the student's academic progress and success;

95 (5) Develop methods for early identification of potential participating students in the  
96 middle grades and through high school and provide outreach to those students to promote  
97 academic preparation and awareness of college in high school programs; and

98 (6) Develop strategies to identify and engage underserved populations including by  
99 income, race, ethnicity, sex, English language learner status and students with disabilities.

100 (b) The office shall oversee all necessary college in high school programs, including but  
101 not limited to programs that incorporate one or more of the following: (1) early college; (2) dual  
102 enrollment; (3) industry-recognized credentialing in high school, including those for credentials  
103 determined to be necessary for occupations with high employment value as defined in section 38  
104 of this chapter; (4) advanced placement; (5) international baccalaureate programs; or (6)  
105 innovation pathways. The office may designate public high school schools to operate college in  
106 high school programs. The office shall develop and, as needed, refine all college in high school  
107 program designations offered in the Commonwealth and shall have the authority to set and raise  
108 credit attainment targets, recommend any designations to be awarded to applicants, administer all  
109 aspects of state support for the programs, track and report on the performance of participants in  
110 the aggregate and identify and pursue further innovative approaches. Academic courses that  
111 count for college credit shall be those agreed to by the institutions of higher education  
112 participating in the partnership with the high school.

113 (c) Pursuant to regulations to be promulgated by the board, all high schools shall offer an  
114 affordable college in high school program to students before the completion of their 12th grade  
115 year that incorporates one or more of the following: (1) early college; (2) dual enrollment; (3)

116 industry-recognized credentialing in high school; (4) advanced placement courses; (5)  
117 international baccalaureate programs or (6) innovation pathways.

118 (d) There shall be a College in High School Joint Committee, hereinafter the CIHS Joint  
119 Committee, charged with governing and overseeing the work of the office and making  
120 recommendations to the board of elementary and secondary education and the board of higher  
121 education. The CIHS Joint Committee shall develop recommendations that include but are not  
122 limited to the following: (1) helping drive the commonwealth's efforts to grow and expand  
123 college in high school programs; (2) assisting the office in establishing and monitoring robust  
124 performance requirements and targeted enrollments for all participating programs statewide and  
125 (3) aiding the office in identifying and certifying new college in high school programs. The  
126 CIHS Joint Committee shall consist of the secretary of the executive office of education or a  
127 designee; the commissioner of the department of elementary and secondary education or  
128 designee; the commissioner of the department of higher education or designee; two members of  
129 the board of elementary and secondary education, who shall be appointed by the chair of the  
130 board of elementary and secondary education; and two members of the board of higher  
131 education, who shall be appointed by the chair of the board of higher education.

132 (e) The office shall create and annually review a set of per- credit charges that the public  
133 and private institutions of higher education participating in a designated college in high school  
134 program require for providing credit-earning courses. The per- credit charge may be subject to  
135 factors, including but not limited to: (1) the segment of colleges offering certain courses; (2) the  
136 site where the course is taught; (3) whether the course has extra costs associated with enrollment  
137 and (4) whether there are minimum numbers of participating students per section offered.

138 (f) The office may develop, subject to the approval of the CIHS Joint Committee,  
139 recommendations for college in high school programs to continue to enroll participating students  
140 to extend and expand their graduation requirements such that they may continue to be considered  
141 students of the high school for purposes of chapter 70 calculations for up to two more years in  
142 order to complete certificates, degrees or up to two years of transferable credit to a four-year  
143 college.

144 (g) The office shall propose a budget to the commissioner of the department of  
145 elementary and secondary education that reflects the goals and objectives of the office.

146 (h) The college in high school programs shall be open to all enrolled students, on a space  
147 available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex,  
148 gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, special  
149 needs, proficiency in the English language or academic achievement. A lottery shall be held if  
150 more students apply than can be accommodated.

151 (i) Courses shall be taught by postsecondary faculty or secondary teachers endorsed by  
152 the office in consultation with the participating institution of higher education. For purposes of  
153 this subsection, an instructor is credentialed if the instructor holds:

154 (1) a doctoral or master's degree in the discipline that is the subject of the course;

155 (2) a master's degree in another discipline with a concentration that required completion  
156 of a minimum of 18 graduate semester hours in the discipline that is the subject of the course; or

157 (3) for a course credit that is not designed for transfer to a degree program:

158 (A) a degree described by subsections (i) or (ii);

159 (B) a baccalaureate degree in the discipline that is the subject of the course; or

160 (C) an associate degree and demonstrated competencies in the discipline that is the  
161 subject of the course, as determined by the office.

162 (j) The office shall establish the information and requirements it deems necessary to be  
163 included in any application for designation as a college in high school program in order to ensure  
164 a high-quality and rigorous college in high school program, which may include, but is not limited  
165 to, the following:

166 (i) the primary entry point grade and at least one later entry point opportunity for other  
167 students and a plan for introducing the college in high school program and for preparing students  
168 for the transition into the program;

169 (ii) the student academic pathways, which shall include the sequence of courses and other  
170 curricular experiences, including but not limited to internships, necessary to fulfill both  
171 secondary and postsecondary requirements;

172 (iii) the process and guidance support through which students will be exposed to  
173 sufficient information to select the pathway best suited for them and options to change pathways  
174 during the course of study;

175 (iv) the institutions of higher education with which the school will partner to provide  
176 academic courses taught on postsecondary campuses, or where not logistically feasible, a plan to  
177 provide postsecondary experiences;

178 (v) the plan to offer personalized academic advising and tutoring, which shall include  
179 specific provisions to address the particular needs of limited English proficient students, students

180 with disabilities and lower academic achievers, and which may include strategies to provide non-  
181 academic supports including, but not limited to, guidance counseling and financial literacy; and

182 (vi) the approaches to supporting participating students' exposure to a variety of career  
183 opportunities and workforce and career skills development, including, but not limited to,  
184 collaboration, teamwork, intercultural understanding, written and oral communication, critical  
185 and creative thinking, quantitative literacy, real-world-problem solving, interview preparation  
186 and career counseling, as well as experiential and workplace learning opportunities, including,  
187 but not limited to, internships and mentorships.,

188 (k) Where required, each designated college in high school program shall enter into an  
189 agreement with at least one postsecondary institution that provides students with opportunities to  
190 receive postsecondary credits during the student's participation in the program and transfer those  
191 credits to a postsecondary institution upon completion of the program. The agreement shall  
192 establish how the program will be sustainable on current funding plus any anticipated annual  
193 state supplement for designated college in high school programs as well as the designated duties  
194 for the high school, in the areas of program coordination, student support, faculty support, career  
195 partnership coordination and performance monitoring.

196 (l) Designation as a college in high school program shall be for an initial period of five  
197 years, subject to review after the first three years, and renewable subject to performance. The  
198 department of elementary and secondary education shall, subject to appropriation, provide  
199 additional funding to designated programs for each participating student.

200 (m) Annually, by July 1, each college in high school program shall file a report with the  
201 commissioner of the department of elementary and secondary education and the commissioner of

202 higher education, on performance measures, including, but not limited to the following  
203 categories:

204 (i) high school graduation rates of participating students;

205 (ii) percentage of participating students who complete the program;

206 (iii) percentage of participating students who gain any postsecondary credits;

207 (iv) credits earned by participating students in college in high school programs, including  
208 percentage of each program incorporating early college to gain at least 12 credits;

209 (v) percentage of participating students in a 6-year cohort who attain postsecondary  
210 degrees; and

211 (vi) college and career outcomes of participating students.

212 The commissioners shall prepare an aggregate report for the senate and house chairs of  
213 the joint committee on higher education, and the joint committee on education.

214 (n) The office shall propose, subject to approval by the CIHS Joint Committee and the  
215 boards of elementary and secondary education and higher education, multi-year goals for the  
216 commonwealth for the attainment of college degrees and qualifying, industry-recognized  
217 certificates for students participating in college in high school programs. Such goals shall include  
218 overall goals as well as goals for historically underserved populations including by income, race,  
219 ethnicity, sex, English language learner status and students with disabilities. Goals should  
220 include statewide-, district-, and school-level goals. The office shall be responsible for ensuring  
221 annual, timely public reporting of progress statewide and by district and school towards those  
222 goals.

223 (o) The office shall establish a publicly accessible online dashboard using data from the  
224 reports filed pursuant to subsections (g) and (h) of the section to generate information on each  
225 college in high school program. The purpose of the dashboard shall be to create user-friendly  
226 displays of the overall success of the individual programs in achieving the goals and shall be  
227 written in terms understandable to the general public and to help students and their families  
228 identify available college in high school opportunities.

229 SECTION 6. Chapter 69 of the General laws, as appearing in the 2018 official edition, is  
230 hereby amended by adding the following section:-Section 38.

231 (a) As used in this section, “Executive Office” shall mean the Executive Office of Labor  
232 and Workforce Development.

233 (b) As used in this section, “employment value” is an assessment of the value of a  
234 particular occupation based on the entry wage, growth rate in employment for such occupation,  
235 and average annual openings for such occupation.

236 (c) The Executive Office shall provide the department annually with a list of occupations  
237 in high need of additional skilled employees that either require an industry-recognized  
238 certification or for which such a certification would materially enhance a job applicant’s chances  
239 for either employment or compensation or both. The Executive Office shall rank the list based on  
240 employment value. The top 20 percent of the list shall be deemed occupations of high  
241 employment value, provided, however, that no occupation shall be included on the list if it leads  
242 to an occupation with wages less than 70 percent of the average annual wage in the  
243 commonwealth unless the certification for such an occupation is stackable to another industry

244 certification and is required for the next level of occupation, which does meet the 70 percent  
245 wage criterion.

246 (d) The department shall make the current list available to all school districts in the  
247 Commonwealth and to the public on the Department's website.

248 (e) Subject to appropriation, the department shall remit to each school district a  
249 certification award calculated as follows:

250 (i) \$750 for each student in the district who earns an industry-recognized certification for  
251 an occupation that has high employment value or an industry recognized certification that is  
252 recognized by any public institution of higher learning in the commonwealth as a basis for  
253 academic credit at such institution, and

254 (ii) \$600 for each student in the district who earns an industry-recognized certification  
255 that does not meet the criteria of the previous paragraph but addresses regional demands  
256 identified by the local MassHire Workforce Board.

257 The school district receiving a certification award shall allocate at least 80 percent of any  
258 certification award to the school whose students obtained the qualifying certification. The  
259 allocation may not be used to supplant funds otherwise provided for the basic operation of the  
260 school. The school receiving a certification award shall use the award to support or maintain the  
261 program, including the payment of stipends for instructors and the subsidization of fees for low-  
262 income students to obtain the certification.

263 (f) Subject to appropriation, the department may remit a certification development award  
264 to a school district to support the development of programs to assist students in obtaining

265 industry-recognized certifications described in subsection 3(a)(i). School districts may use a  
266 certification development award to develop instructors able to prepare students to obtain  
267 certification, to obtain equipment and other instructional materials to be used for such  
268 preparation, or for any other purpose directly related to developing programs to assist students in  
269 obtaining a qualifying certification.

270 (g)The department shall each year prepare an annual report on the progress made under  
271 this section including:

272 (i) The number of public school students who are seeking certifications for high demand  
273 occupations, identifying the number of such students who are low-income, English language  
274 learners and students with disabilities;

275 (ii) The certifications earned by such students, including the number of each such  
276 certifications earned; and

277 (iii) An analysis of the extent, if any, to which the funding provided for the program  
278 during the year was insufficient to make the awards under section 3.

279 SECTION 7. Section 2 of chapter 70, as amended by chapter 132 of the acts of 2019, is  
280 hereby amended in the paragraph starting with the term “Foundation enrollment” in line 5 of that  
281 paragraph by adding following the new phrase after the words “vocation schools”:

282 “Early College”

283 SECTION 8. Section 3 of chapter 70 of the general laws, as amended by chapter 132 of  
284 the acts of 2019, is hereby amended by inserting the following new row in table 1:-

285           Early College 496.93 834.15 4,305.34           656.38           135.01           856.65  
286 656.59 530.85           947.43           1,610.72  
287           0.00 11,030.05

288           SECTION 9. Chapter 71 of the General Laws is hereby amended by adding the  
289 following section:-

290           Section 98. All public high school students shall complete and submit a free application  
291 for federal student aid (FAFSA) or an application with the Massachusetts Educational Financing  
292 Authority (MEFA). The Massachusetts Office of College in High School, established in section  
293 37 of chapter 69, shall promulgate regulations and provide guidelines for implementation of this  
294 subsection, subject to the approval of the board of elementary and secondary education. A  
295 student is not required to comply with this section if: (1) the student’s parent or legal guardian  
296 submits a signed form indicating that the parent or legal guardian authorizes the student to  
297 decline to complete and submit the financial aid application; or (2) the student signs and submits  
298 a form on the student’s own behalf if the student is 18 years of age or older.

299           SECTION 10. The commissioner may expend funds from the Twenty-First Century  
300 Education Trust Fund established in section 35NNN of chapter 10 for college in high school  
301 programs.

302           SECTION 11. The first annual report required under section 38 of chapter 69, established  
303 in section 2 of this act shall be submitted no later than July 1, 2023.