

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.