

SENATE No. 2429

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 military spouse-licensure portability, education and enrollment of dependents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>3/9/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/10/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/10/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/10/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/10/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/11/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>3/12/2021</i>

SENATE No. 2429

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 2429) of Walter F. Timilty, Michael O. Moore, Bradley H. Jones, Jr., James B. Eldridge and other members of the General Court for legislation relative to military spouse-licensure portability, education and enrollment of dependents. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

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

An Act relative to military spouse-licensure portability, education and enrollment of dependents.

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. Paragraph (d) of Section 1B of Chapter 112 of the General Laws, as
2 appearing in the 2020 Official Edition, is hereby amended by striking out the phrase “if, in the
3 opinion of the department, the requirements for licensure or certification of such other state are
4 substantially equivalent to the requirements for licensure or certification in the commonwealth.”

5 SECTION 2. Paragraph (e) of Section 1B of Chapter 112 of the General Laws, as
6 appearing in the 2020 Official Edition, is hereby amended by striking out the phrase “if, in the
7 opinion of the department, the requirements for licensure or certification of such other state are
8 substantially equivalent to the requirements for licensure or certification in the commonwealth.”

9 SECTION 3. Chapter 33 of the General Laws, as appearing in the 2020 Official Edition,
10 is hereby amended by adding the following section 140 entitled “Expedited Licensure”:

11 “Section 140. EXPEDITED LICENSURE.

12 No later than 15 days following receipt of an application from (i) any person who is a
13 member of the armed forces or (ii) the spouse of any person who is a member of the armed
14 forces, the commissioner of the division of professional licensure and each of the boards of
15 registration and examination under the commissioner’s supervision shall either issue a license or
16 notify an applicant when the applicant’s military training or experience does not satisfy the
17 requirements for licensure and specify the criteria or requirements that the applicant failed to
18 meet and the basis for that determination.”

19 SECTION 4. Section 38G of Chapter 71, as appearing in the 2020 Official Edition, is
20 hereby amended by adding the following paragraph immediately following the paragraph
21 beginning with “Temporary Certificate”:

22 “‘Military spouse certificate’, a license to teach which the commissioner of education
23 shall issue to a person who is the spouse of a service member, and the spouse and service
24 member reside in the Commonwealth of Massachusetts as a result of the service member’s
25 service in the U.S. armed forces, a Reserve unit of the U.S. armed forces, or the National Guard
26 of any state, when such spouse holds a valid teaching certificate from another state in good
27 standing but has not satisfied the certification testing requirements contained in this section. The
28 military spouse certificate shall be valid for at least three years. Service under a military spouse
29 certificate shall be counted as service in acquiring professional teacher status, contingent upon
30 the teacher passing the applicable certification tests.”

31 SECTION 5. Chapter 71 of the General Laws, as appearing in the 2020 Official Edition,
32 is hereby amended by adding the following section 98 entitled “Purple Star Campus”:

33 “Section 98. PURPLE STAR CAMPUS.

34 (a) In this section, “military-connected student” shall mean a student who is a dependent
35 of:

36 (1) a current or former member of:

37 (A) the United States military serving in the Army, Navy, Air Force, Marine Corps, or
38 Coast Guard on active duty;

39 (B) Massachusetts National Guard; or

40 (C) a reserve force of the United States military; or

41 (D) a member of a military or reserve force described by Subdivision (A), (B), or (C)
42 who was killed in the line of duty.

43 (b) The department shall designate a school district campus as a Purple Star Campus if
44 the campus applies and qualifies for the designation under this section.

45 (c) To qualify as a Purple Star Campus, a campus must:

46 (1) designate a staff member as a military liaison, whose duties include:

47 (A) identifying military-connected students enrolled at the campus;

48 (B) serving as the point of contact between the campus and military-connected students
49 and their families;

50 (C) determining appropriate campus services available to military-connected students;

51 and

52 (D) assisting in coordinating campus programs relevant to military-connected students;

53 (2) maintain on the campus Internet website an easily accessible web page that includes
54 resources for military-connected students and their families, including information regarding:

55 (A) relocation to, enrollment at, registration at, and transferring records to the campus;

56 (B) academic planning, course sequences, and advanced classes available at the campus;

57 and

58 (C) counseling and other support services available for military-connected students
59 enrolled at the campus;

60 (3) maintain a transition program led by students, where appropriate, that assists military-
61 connected students in transitioning into the campus;

62 (4) offer professional development for staff members on issues related to military-
63 connected students; and

64 (5) offer at least one of the following initiatives:

65 (A) a resolution showing support for military-connected students and their families;

66 (B) recognition of the Month of the Military Child or Military Family Month with
67 relevant events hosted by the campus; or

68 (C) a partnership with a local military installation that provides opportunities for active
69 duty military members to volunteer at the campus, speak at an assembly, or host a field trip.

70 (D) To comply with a requirement under Subsection (c)(2), (4), or (5), a school district
71 campus may partner with the district to provide:

72 (1) an Internet website web page required under Subsection (c)(2) if the campus does not
73 have an Internet website;

74 (2) professional development required under Subsection (c)(4); or

75 (3) an initiative required under Subsection (c)(5).

76 (E) The department shall promulgate rules and regulations as necessary to administer this
77 section.”

78 SECTION 6. Section 94 of Chapter 71 of the General Laws, as appearing in the 2020
79 Official Edition, is hereby amended by adding a new paragraph (u) to read as follows:

80 “(u) For the purposes of this chapter:

81 (1) a dependent of a member of the United States Armed Forces who has received orders
82 to relocate in this state; or

83 (2) a dependent of a member of the United States Armed Forces who was previously
84 enrolled in high school in this state and does not reside in this state due to military deployment or
85 transfer;

86 shall be considered a resident of this state and the applicable local school system.”

87 SECTION 7. Chapter 71 of the General Laws, as appearing in the 2020 Official Edition,
88 is hereby further amended by adding a new section 6B to read as follows:

89 “Section 6B. ADMISSION OF STUDENTS WHO ARE MILITARY DEPENDENTS.

90 If one or both of a pupil’s parents or guardians are being relocated to the State under
91 military orders, as a result of the parents or guardians' service in the U.S. armed forces, a Reserve
92 unit of the U.S. armed forces, or the National Guard of any state, a school district shall allow
93 remote registration of the student and shall not require the parent or legal guardian of the student
94 or the student himself or herself to physically appear at a location within the district to register
95 the student. Proof of required residency shall not be required at the time of the remote
96 registration but shall be required within fourteen days of the student’s attendance in the school
97 district.”

98 SECTION 8. Subsection (t) of Section 9 of chapter 15A of the General Laws is hereby
99 amended striking out subsection (t), and inserting in place thereof the following subsection:

100 “(t) issue regulations defining resident of the commonwealth and proof of the same for
101 the purpose of admission and tuition expenses of public institutions of higher education and
102 prepare uniform proofs of residence to be used by all public institutions; provided, however, that
103 insofar as the Massachusetts Maritime Academy is designated a regional maritime academy by
104 the United States maritime administration, residents of the states comprising the designated
105 region and attending the Massachusetts Maritime Academy shall be considered Massachusetts
106 residents for the purposes of admission and tuition; and, that insofar as any person who is (i) a
107 member of the armed forces and stationed in this state pursuant to military orders, (ii) the spouse
108 of any person who is a member of the armed forces and stationed in this state pursuant to
109 military orders, or (iii) an unemancipated person whose parent is a member of the armed forces
110 and stationed in this state pursuant to military orders, shall be considered Massachusetts residents
111 for the purposes of admission and tuition.”

112 SECTION 9. Chapter 15A of the General Laws, as appearing in the 2020 Official
113 Edition, is hereby amended by adding the following section 191/3 entitled “In-state tuition
114 continuity.”

115 “Section 191/3. IN-STATE TUITION CONTINUITY FOR MEMBERS OF THE
116 ARMED FORCES AND THEIR DEPENDENTS.

117 Any person who is a member of the armed forces and stationed in this state pursuant to
118 military orders shall be entitled to classification as an in-state student. The person, (i) while in
119 residence after the his or her acceptance for matriculation at a constituent unit of the state system
120 of higher education in a course of study leading to an associate, bachelor or advanced degree,
121 shall not lose classification as an in-state student if the person is thereafter transferred on military
122 orders or retires.

123 The spouse of any person who is a member of the armed forces and stationed in this state
124 pursuant to military orders shall be entitled to classification as an in-state student. The spouse,
125 while in residence after the spouse's acceptance for matriculation at a constituent unit of the state
126 system of higher education in a course of study leading to an associate, bachelor or advanced
127 degree, shall not lose classification as an in-state student if the member of the armed forces is
128 thereafter transferred on military orders or retires

129 An unemancipated person whose parent is a member of the armed forces and stationed in
130 this state pursuant to military orders shall be entitled to classification as an in-state student. The
131 student, (i) while in continuous attendance toward the degree for which the student is currently
132 enrolled, or (ii) while in residence after his or her acceptance for matriculation at a constituent
133 unit of the state system of higher education in a course of study leading to an associate, bachelor

134 or advanced degree, shall not lose classification as an in-state student if his or her parent is
135 thereafter transferred on military orders or retires.”

136 SECTION 10. This act shall take effect immediately.