

SENATE No. 2433

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

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>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/18/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>3/1/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/9/2021</i>
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>3/9/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/10/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>5/7/2021</i>

SENATE No. 2433

By Mr. Velis, a petition (accompanied by bill, Senate, No. 2433) of John C. Velis, Thomas M. Stanley, David F. DeCoste, Steven G. Xiarhos 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 appearing
2 in the 2021 Official Edition, is hereby amended by striking out the words:-

3 if, in the opinion of the department, the requirements for licensure or certification of such
4 other state are substantially equivalent to the requirements for licensure or certification in the
5 commonwealth.

6 Section 2. Paragraph (e) of Section 1B of Chapter 112 of the General Laws, as appearing
7 in the 2021 Official Edition, is hereby amended by striking out the words:-

8 if, in the opinion of the department, the requirements for licensure or certification of such
9 other state are substantially equivalent to the requirements for licensure or certification in the
10 commonwealth.

11 Section 3. Chapter 33 of the General Laws, as appearing in the 2021 Official Edition, is
12 hereby amended by inserting after section 139:-

13 Section 140. EXPEDITED LICENSURE.

14 No later than 30 days following receipt of an application from (i) any person who is a
15 member of the armed forces or (ii) the spouse of any person who is a member of the armed
16 forces, the commissioner of the division of professional licensure and each of the boards of
17 registration and examination under the commissioner’s supervision shall either issue a license or
18 notify an applicant when the applicant’s military training or experience does not satisfy the
19 requirements for licensure and specify the criteria or requirements that the applicant failed to
20 meet and the basis for that determination.

21 Section 4. Chapter 71 of the General Laws, as appearing in the 2021 Official Edition, is
22 hereby amended by inserting after section 97:-

23 Section 98. PURPLE STAR CAMPUS.

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

26 (1) a current or former member of:

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

29 (B) Massachusetts National Guard; or

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

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

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

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

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

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

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

40 (C) determining appropriate campus services available to military-connected students;
41 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66 (E) The department shall promulgate rules and regulations as necessary to administer this
67 section.

68 Section 5. Section 94 of Chapter 71 of the General Laws, as appearing in the 2021
69 Official Edition, is hereby amended by inserting after the last paragraph the following
70 paragraph:-

71 (u) For the purposes of this chapter:

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

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

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

78 Section 6. Chapter 71 of the General Laws, as appearing in the 2021 Official Edition, is
79 hereby amended by inserting after Section 6A the following section:-

80 Section 6B. ADMISSION OF STUDENTS WHO ARE MILITARY DEPENDENTS.

81 (a) As used in this chapter, the following words shall, unless the context clearly requires
82 otherwise, the following meanings:-

83 "military-connected student", a student who is the dependent of either a person in the
84 active military service of the United States or in a full-time status during active service with a
85 force of the United States organized militia.

86 (b) A military-connected student whose parent or guardian is being relocated to the state
87 under military orders and is transferred to or is pending transfer to a military installation within

88 the state, shall be deemed to be a resident pupil of a school district for the purposes of
89 enrollment. A school district shall permit military-connected students to enroll preliminarily by
90 remote registration without charge and shall not require the parents or guardians of the military-
91 connected student or the student himself or herself to physically appear at a location within the
92 district to register the student, if the parents or guardians present evidence of military orders that
93 a parent or guardian will be stationed in this state during the current or following school year.
94 The parents or guardians may use an address within the school district where the military-
95 connected student is to be enrolled of a temporary on-base billeting facility, a purchased or
96 leased home or apartment, or federal government or public-private venture off-base military
97 housing. Proof of required residency shall not be required at the time of the remote registration
98 but shall be required within ten days of the student's attendance in the school district.

99 Section 7. Subsection (t) of Section 9 of chapter 15A of the General Laws is hereby
100 amended striking out subsection (t), and inserting in place thereof the following subsection:

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

111 stationed in this state pursuant to military orders, shall be considered Massachusetts residents for
112 the purposes of admission and tuition.

113 Section 8. Chapter 15A of the General Laws, as appearing in the 2021 Official Edition, is
114 hereby amended by adding the following section 191/3 entitled “In-state tuition 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 his or her acceptance for matriculation at a constituent unit of the state system of
120 higher education in a course of study leading to an associate, bachelor or advanced degree, shall
121 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 9. This act shall take effect immediately.