

SENATE No. 2558

The Commonwealth of Massachusetts

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

SENATE, October 14, 2021.

The committee on Senate Ways and Means, to whom was referred the Senate Bill relative to military spouse-licensure portability, education and enrollment of dependents (Senate, No. 2502),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2558).

For the committee,
Michael J. Rodrigues

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

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

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for military spouse-licensure portability, education and enrollment of dependents, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public 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 Whereas, The deferred operation of this act would tend to defeat its purpose, which is to
2 immediately provide for military spouse-licensure portability, education and enrollment of
3 dependents, therefore it is hereby declared to be an emergency law, necessary for the immediate
4 preservation of the public convenience.

5 SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after
6 section 6A the following section:-

7 Section 6B. (a) As used in this section, “military-connected student”, shall mean a student
8 who is an unemancipated person whose parent or guardian is in (i) the active military service of
9 the United States; or (ii) a full-time status during active service with the National Guard of any
10 state.

11 (b) A military-connected student whose parent or guardian is being relocated to the
12 commonwealth under military orders and is transferred to or is pending transfer to a military
13 installation within the commonwealth shall be deemed a resident pupil of the applicable school
14 district for the purposes of enrollment. A school district shall permit a military-connected student
15 to enroll preliminarily by remote registration without charge and shall not require a parent or
16 guardian of the military-connected student or the student themselves to physically appear at a
17 location within the district to register the student; provided, however, that a parent or guardian
18 shall present evidence of military orders that the parent or guardian will be stationed in the
19 commonwealth during the current or following school year. To enroll a student, the parent or
20 guardian shall use an address that is: (i) within the school district where the military-connected
21 student is to be enrolled; and (ii): (A) a temporary on-base billeting facility; (B) a purchased or
22 leased home or apartment; or (C) federal government or public-private venture off-base military
23 housing. Proof of residency shall not be required at the time of the remote registration but shall
24 be required within 10 days of the student's attendance in the school district.

25 SECTION 2. The first paragraph of section 38G of said chapter 71, as appearing in the
26 2020 Official Edition, is hereby amended by inserting after the definition of "Board" the
27 following definition:-

28 "Military spouse certificate", a license to teach that the commissioner of education shall
29 issue to a person who is the spouse of a service member who is: (i) in the armed forces of the
30 United States, a reserve unit of the armed forces of the United States or the National Guard of
31 another state; and (ii) serving in the commonwealth or in a bordering state while residing in the
32 commonwealth, when such spouse holds a valid teaching certificate from another state in good
33 standing but has not satisfied the certification testing requirements in this section. The military

34 spouse certificate shall be valid for not less than 3 years. Service under a military spouse
35 certificate shall be counted as service in acquiring professional teacher status, contingent upon
36 the teacher passing the applicable certification tests necessary for acquiring professional teacher
37 status.

38 SECTION 3. Said section 38G of said chapter 71, as so appearing, is hereby amended by
39 inserting after the word “temporary,” in line 63, the following words:- “military spouse”.

40 SECTION 4. Section 94 of said chapter 71, as so appearing, is hereby amended by adding
41 the following subsection:-

42 (u) For the purposes of this section, an unemancipated person whose parent or guardian is
43 a member of the armed forces of the United States shall be considered a resident of the
44 commonwealth and a resident of the applicable school district if: (i) the member is being
45 relocated to or within the commonwealth under military orders and is transferred to or is pending
46 transfer to a military installation in the commonwealth; or (ii) the unemancipated person was
47 previously enrolled in high school in the commonwealth and does not reside in the
48 commonwealth due to the person’s parent’s or guardian’s military deployment or transfer.

49 SECTION 5. Said chapter 71 is hereby further amended by adding the following section:-

50 Section 98. (a) For the purposes of this section, “military-connected student” shall mean a
51 student who is an unemancipated person whose parent or guardian is: (i) a current, reserve or
52 former member of the United States Army, United States Navy, United States Marine Corps,
53 United States Coast Guard, Army Nurse Corps, Navy Nurse Corps, United States Air Force, Air
54 National Guard or Army National Guard; or (ii) a member of a military or reserve force under
55 clause (i) who was killed in the line of duty.

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

58 (c) To qualify as a Purple Star Campus, a school shall:

59 (i) designate a staff member as a military liaison, whose duties shall include: (A)
60 identifying military-connected students enrolled at the school; (B) serving as the point of contact
61 between the school and military-connected students and their families; (C) determining
62 appropriate school services available to military-connected students; and (D) assisting in
63 coordinating school programs relevant to military-connected students;

64 (ii) maintain on the school internet website an easily accessible website that includes
65 resources for military-connected students and their families, including information regarding:
66 (A) school relocation, enrollment and registration, including the transferring of records; (B)
67 academic planning, course sequences and advanced classes available at the school; and (C)
68 counseling and other support services available for military-connected students enrolled at the
69 school;

70 (iii) maintain a transition program led by students, where appropriate, that assists
71 military-connected students in transitioning into the school;

72 (iv) offer professional development for staff members on issues related to military-
73 connected students; and

74 (v) offer at least 1 of the following initiatives: (A) a resolution showing support for
75 military-connected students and their families; (B) recognition of the Month of the Military
76 Child or Military Family Month with relevant events hosted by the school; or (C) a partnership

77 with a local military installation that provides opportunities for active-duty military members to
78 volunteer at the school, speak at an assembly or host a field trip.

79 (d) To comply with subsection (c), a school may partner with the school district to
80 provide: (i) an internet website required under said subsection (c) if the school does not have an
81 internet website; (ii) professional development required under said subsection (c); or (iii) an
82 initiative required under subsection (c).

83 (e) The department shall promulgate rules and regulations necessary to implement this
84 section.

85 SECTION 6. Section 1B of chapter 112 of the General Laws, as amended by section 48
86 of chapter 39 of the acts of 2021, is hereby further amended by striking out subsections (d) and
87 (e) and inserting in place thereof the following 2 subsections:-

88 (d) Notwithstanding any general or special law to the contrary, the commissioner of
89 public health and each of the boards of registration and examination under the supervision of the
90 commissioner shall, upon presentation of satisfactory evidence by an applicant for certification
91 or licensure, expedite the issuance of a license or certification to an applicant: (i) who is certified
92 or licensed in a state other than the commonwealth; (ii) whose spouse is a member of the armed
93 forces in the United States; (iii) whose spouse is the subject of a military transfer to the
94 commonwealth; and (iv) who left employment to accompany the person's spouse to the
95 commonwealth. The procedure shall include, but not be limited to, not later than 30 days
96 following the receipt of an application: (i) issuing the applicant a license or certificate; (ii)
97 issuing the applicant a temporary license or certificate to allow the applicant to perform services
98 while completing any specific requirements that may be required in the commonwealth but were

99 not required in the state in which the applicant was licensed or certified; (iii) providing
100 notification to the applicant that the applicant's experience does not satisfy the requirements for
101 licensure and specify the criteria or requirements that the applicant failed to meet and the basis
102 for that determination; or (iv) providing notification to the applicant that there is insufficient
103 information to make the determination and that specifies the needed information and outstanding
104 materials.

105 (e) Notwithstanding any general or special law to the contrary, the commissioner of the
106 division of occupational licensure and each of the boards of registration and examination under
107 the supervision of the commissioner shall, upon the presentation of satisfactory evidence by an
108 applicant for certification or licensure, expedite the issuance of a license or certification for the
109 applicant: (i) who is certified or licensed in a state other than the commonwealth; (ii) whose
110 spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of
111 a military transfer to the commonwealth; and (iv) who left employment to accompany a spouse
112 to the commonwealth. The procedure shall include, but not be limited to, not later than 30 days
113 following the receipt of an application: (i) issuing the applicant a license or certificate; (ii)
114 issuing the applicant a temporary license or certificate to allow the applicant to perform services
115 while completing any specific requirements that may be required in the commonwealth but were
116 not required in the state in which the applicant was licensed or certified; (iii) providing
117 notification to the applicant that the applicant's experience does not satisfy the requirements for
118 licensure and specify the criteria or requirements that the applicant failed to meet and the basis
119 for that determination; or (iv) providing notification to the applicant that there is insufficient
120 information to make the determination and that specifies the needed information and outstanding
121 materials.