

HOUSE No. 538

The Commonwealth of Massachusetts

PRESENTED BY:

Frank A. Moran and Adam Scanlon

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 to Improve access, opportunity, and capacity in Massachusetts vocational-technical education.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|-----------------------|------------------|
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>1/13/2023</i> |
| <i>Adam Scanlon</i> | <i>14th Bristol</i> | <i>1/13/2023</i> |
| <i>Marcus S. Vaughn</i> | <i>9th Norfolk</i> | <i>1/24/2023</i> |
| <i>William M. Straus</i> | <i>10th Bristol</i> | <i>1/25/2023</i> |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>1/25/2023</i> |
| <i>Steven Owens</i> | <i>29th Middlesex</i> | <i>1/25/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/27/2023</i> |
| <i>David F. DeCoste</i> | <i>5th Plymouth</i> | <i>1/27/2023</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/27/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>1/27/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>1/27/2023</i> |
| <i>Carol A. Doherty</i> | <i>3rd Bristol</i> | <i>1/31/2023</i> |
| <i>Christopher Hendricks</i> | <i>11th Bristol</i> | <i>1/31/2023</i> |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>2/1/2023</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | <i>2/1/2023</i> |
| <i>John Barrett, III</i> | <i>1st Berkshire</i> | <i>2/1/2023</i> |
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | <i>2/2/2023</i> |

| | | |
|---------------------------------|---|------------------|
| <i>Samantha Montaño</i> | <i>15th Suffolk</i> | <i>2/2/2023</i> |
| <i>Antonio F. D. Cabral</i> | <i>13th Bristol</i> | <i>2/2/2023</i> |
| <i>Andres X. Vargas</i> | <i>3rd Essex</i> | <i>2/2/2023</i> |
| <i>Daniel M. Donahue</i> | <i>16th Worcester</i> | <i>2/6/2023</i> |
| <i>Alan Silvia</i> | <i>7th Bristol</i> | <i>2/6/2023</i> |
| <i>Todd M. Smola</i> | <i>1st Hampden</i> | <i>2/6/2023</i> |
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>2/6/2023</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>2/6/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/8/2023</i> |
| <i>Patricia A. Duffy</i> | <i>5th Hampden</i> | <i>2/8/2023</i> |
| <i>Natalie M. Blais</i> | <i>1st Franklin</i> | <i>2/8/2023</i> |
| <i>Estela A. Reyes</i> | <i>4th Essex</i> | <i>2/8/2023</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>2/8/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>2/9/2023</i> |
| <i>Hannah Kane</i> | <i>11th Worcester</i> | <i>2/9/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>2/9/2023</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>2/9/2023</i> |
| <i>Patricia A. Haddad</i> | <i>5th Bristol</i> | <i>2/9/2023</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>2/10/2023</i> |
| <i>F. Jay Barrows</i> | <i>1st Bristol</i> | <i>2/10/2023</i> |
| <i>Kate Donaghue</i> | <i>19th Worcester</i> | <i>2/14/2023</i> |
| <i>Patrick M. O'Connor</i> | <i>First Plymouth and Norfolk</i> | <i>2/15/2023</i> |
| <i>Kip A. Diggs</i> | <i>2nd Barnstable</i> | <i>2/17/2023</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>2/21/2023</i> |
| <i>Steven George Xiarhos</i> | <i>5th Barnstable</i> | <i>2/21/2023</i> |
| <i>Carlos González</i> | <i>10th Hampden</i> | <i>2/21/2023</i> |
| <i>Tram T. Nguyen</i> | <i>18th Essex</i> | <i>2/22/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>2/22/2023</i> |
| <i>Shirley B. Arriaga</i> | <i>8th Hampden</i> | <i>2/23/2023</i> |
| <i>Daniel Cahill</i> | <i>10th Essex</i> | <i>2/27/2023</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Norfolk</i> | <i>3/1/2023</i> |
| <i>Paul R. Feeney</i> | <i>Bristol and Norfolk</i> | <i>3/2/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>3/6/2023</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> | <i>3/6/2023</i> |
| <i>Marc T. Lombardo</i> | <i>22nd Middlesex</i> | <i>3/15/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>3/15/2023</i> |
| <i>Paul A. Schmid III</i> | <i>8th Bristol</i> | <i>3/15/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>3/16/2023</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | <i>3/16/2023</i> |

| | | |
|-------------------------------------|----------------------------------|------------------|
| <i>Kelly W. Pease</i> | <i>4th Hampden</i> | <i>3/21/2023</i> |
| <i>Christopher Richard Flanagan</i> | <i>1st Barnstable</i> | <i>3/27/2023</i> |
| <i>Norman J. Orrall</i> | <i>12th Bristol</i> | <i>3/29/2023</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>4/3/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>5/23/2023</i> |
| <i>David T. Vieira</i> | <i>3rd Barnstable</i> | <i>1/29/2024</i> |

HOUSE No. 538

By Representatives Moran of Lawrence and Scanlon of North Attleborough, a petition (accompanied by bill, House, No. 538) of Frank A. Moran, Adam Scanlon and others for legislation to provide for a program of capital investments for vocational-technical education programs and regional vocational-technical schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to Improve access, opportunity, and capacity in Massachusetts vocational-technical education.

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. To create a new capital infrastructure and investment tool within the
2 Massachusetts School Building Authority, established under section 1A of Chapter 70, to
3 provide for a program of capital investments for vocational-technical education programs and
4 regional vocational-technical schools, as defined in Chapter 74 of the General Laws, for
5 investment in equitable access to public education and industry-relevant workforce and
6 economic development infrastructure; to support greater access to vocational-technical education
7 programs and regional vocational-technical schools as defined in Chapter 74; to fund
8 replacement and renovation of school infrastructure to meet workforce demands of regional
9 employers and increase equitable access for all students applying to Chapter 74 programs and
10 schools; and to support the purchase of critical training equipment for the purposes of teaching
11 and learning, the sums set forth in this section, for the purposes and subject to the conditions

12 specified in this act, are hereby made available, subject to the laws regulating the disbursement
13 of public funds, which sums shall be in addition to any other amounts previously appropriated
14 for these purposes; provided, that the amounts specified for a particular project may be adjusted
15 in order to facilitate projects authorized in this act. For costs associated with initiatives, projects
16 and expenditures to replace or make improvements to the quality, consistency, efficiency and
17 delivery of any Chapter 74 program or regional school for the benefit of the public high school
18 students in Chapter 74 programs and regional school districts and their preparation for post-
19 secondary and career opportunities.\$3,000,000,000

20 SECTION 2. Section 10 of Chapter 70B of the General Laws, as appearing in the 2020
21 Official Edition, is hereby amended by adding the following new subsection:

22 (d) Notwithstanding any state law, state regulation or agency policy to the contrary, the
23 authority shall be authorized and directed to add twenty (20) percentage points to the project
24 reimbursement rates for regional vocational-technical high school and county, regional and
25 independent agricultural high school construction so that reimbursement rates for such projects
26 are not less than 75% nor more than 90% of the eligible costs. Further, the authority shall add
27 five (5) percentage points to the reimbursement rate for any project that includes state-approved
28 vocational-technical education programs as defined in Chapter 74 of the General Laws aligned
29 with priorities specifically identified in the Regional Labor Market Blueprint for the region in
30 which the school is located. However, additional percentage points shall not be awarded unless
31 the school currently offers five (5) or more Chapter 74 programs. In no case shall the total
32 reimbursement for a project exceed 90% of eligible costs.

33 Funds for this Section shall come from revenue generated by the Fair Share Amendment
34 passed by voters in November of 2022 and which amended Article XLIV of the Massachusetts
35 Constitution.

36 SECTION 3. Section 21C of Chapter 59 of the General Laws, as appearing in the 2020
37 Official Edition, is hereby amended by adding after subsection (n) the following new
38 subsection:- (o) The local appropriating authority may, by accepting this paragraph, provide that
39 taxes may thereafter be assessed in excess of the amount otherwise allowed by this section,
40 solely for payment, in whole or in part, of debt service charges incurred for the construction of a
41 regional-vocational technical high school that the school board responsible for determining the
42 debt service charges certifies were not in fiscal year two thousand and twenty-one paid by local
43 taxes.

44 SECTION 4. Chapter 69 of the Massachusetts General Laws is hereby amended by
45 adding the following section:-

46 Section 37. For the purposes of sections 38 through 42, inclusive, the following terms
47 shall have the following meanings, unless the context clearly requires otherwise:-

48 “Office”, shall mean the office of vocational-technical education.

49 “District of residence”, shall mean the school district of the city or town where a student
50 resides.

51 “School of residence”, shall mean the middle school or junior high school a student
52 attends within their district of residence.

53 Section 38. (a) There is hereby established within the department of elementary and
54 secondary education an office of vocational-technical education whose purpose is to develop and
55 implement policies and promulgate regulations to promote, enhance, and expand vocational-
56 technical education programs, as defined in Chapter 74 of the General Laws, in the
57 commonwealth.

58 (b) The office shall:

59 (i) oversee all Chapter 74 approved programs and ensure compliance with M.G.L.
60 Chapter 74 and related regulations;

61 (ii) establish a statewide marketing campaign to promote the success of vocational-
62 technical education and careers in Massachusetts and to raise the level of awareness and
63 understanding of such education among parents, students, businesses, labor unions, and the
64 general public;

65 (iii) work to increase awareness of vocational-technical education and career
66 opportunities among students in elementary schools, junior high schools, and middle schools;

67 (iv) ensure that schools offering Chapter 74 programs are provided reasonable access
68 during the school day at schools of residence to meet with all students and distribute information
69 about vocational-technical education and careers to said students, including English language
70 learners, students with disabilities, students of color, and other student populations, to ensure that
71 such information is provided equitably to all learners;

72 (v) ensure that schools offering Chapter 74 programs are given the opportunity during the
73 school day to host middle school tours, with transportation costs paid by the school hosting the

74 tour, for all middle school students in member communities, including English language
75 learners, students with disabilities, students of color, and other student populations to ensure that
76 such opportunities are provided equitably to all learners; and further ensure that the school of
77 residence may not count middle school student tours of vocational schools or programs during
78 the school day as unexcused absences if the vocational school or program confirms the student's
79 participation, and may not unreasonably withhold student access to tours of vocational schools
80 and programs during the school day.

81 (vi) require that schools offering Chapter 74 programs are given the opportunity to
82 provide middle and junior high school students with information about vocational-technical
83 programs and careers through mail and email.

84 (vii) require all middle schools and junior high schools in member communities to
85 establish and implement a Chapter 74 Access Policy, in accordance with state requirements
86 promoting equitable access to Chapter 74 programs, outlining specific ways in which the middle
87 schools will collaborate with regional vocational-technical high schools and agricultural high
88 schools to:

89 provide staff members from Chapter 74 schools with direct school day access to all
90 middle school students, to inform them about opportunities in vocational-technical and
91 agricultural education and to distribute materials about such opportunities to them;

92 provide all middle school students an opportunity to tour, during regular middle school
93 hours, the regional vocational-technical high school and/or county agricultural school of which
94 the middle school's city or town is a member, with the transportation costs of all such tours being
95 borne by the school hosting the tours;

96 provide contact information for all seventh-grade and eighth-grade middle school
97 students, including a student's name and mailing address, a student's personal email address, and
98 the parent's/guardian's email address by October 15 of each school year;

99 (viii) establish, in addition to the minimum requirements outlined in the preceding
100 subsections, such additional requirements for Chapter 74 Access Policies as the office deems
101 reasonable and necessary to promote equitable access by all students to information about
102 vocational-technical and agricultural education;

103 (ix) require all sending school districts which are members of a regional-vocational
104 school district or whose community is located in the county or district of an agricultural high
105 school to:

106 submit the Chapter 74 Access Policy annually to the office;

107 annually attest in writing that the Chapter 74 Access Policy is being implemented
108 equitably and that all students are being provided with information, access, and tours in
109 accordance with this section and with federal and state civil rights laws, regulations, and policies;

110 post the Chapter 74 Access Policy on its district website and provide written copies to
111 students and parents, upon request;

112 (x) create a mechanism to enforce timely implementation of Chapter 74 Access Policies;

113 (xi) establish a system to ensure that students who live in communities that are not
114 members of or affiliated with a regional vocational-technical high school district or agricultural
115 high school annually are provided with information about their high school options, including
116 their option to seek an education in a vocational-technical or agricultural high school;

117 (xii) support the attainment of Industry Recognized Credentials in Chapter 74 programs;

118 (xiii) support the use of both longitudinal and pre- and post-student assessment as a
119 means of obtaining meaningful data for curricular improvement. Data may be utilized for
120 facilities improvement, equipment investments, mission success, and professional development;

121 (xiv) encourage and work to increase the use of articulation agreements with community
122 colleges and public universities and other dual credit programs to allow vocational-technical
123 students to earn credit leading to an associate's or bachelor's degree;

124 (xv) provide technical support to schools seeking to offer Chapter 74 programs that meet
125 regional labor market demands and do not duplicate existing programs in the region;

126 (xvi) support the continuation of state grant programs that provide funding for equipment
127 purchases and facility expansion; and

128 (xvii) support the continuation of demonstration programs that provide opportunities in
129 vocational-technical education for students unable to secure a seat in an approved Chapter 74
130 program due to lack of enrollment capacity.

131 SECTION 5. Section 3A of Chapter 70B of the General Laws, as appearing in the 2020
132 Official Edition, is hereby amended by striking the number "17" and inserting "19" in place
133 thereof, and further by inserting, after "Fire Chiefs' Association of Massachusetts, Inc." the
134 following:- "Massachusetts Association of Vocational Administrators, Inc., Alliance for
135 Vocational Technical Education,"

136 SECTION 6. Chapter 70 of the General Laws is hereby amended by inserting the
137 following new section: --

138 Section 10A. Expansion Grants for Regional Vocational-Technical Schools

139 (a) In addition to the funding otherwise provided pursuant to this chapter, any regional or
140 county vocational or agricultural school shall, subject to appropriation, receive a one-year
141 expansion grant in any fiscal year in which its foundation enrollment increases by more than two
142 percent over its foundation enrollment for the previous fiscal year.

143 (b) The amount of said expansion grant shall be calculated by multiplying the number of
144 additional students in its foundation enrollment, over its foundation enrollment for the previous
145 fiscal year, by its per-student foundation budget amount. The per-student foundation budget
146 amount shall be calculated by dividing the district's foundation budget amount for the current
147 year by its foundation enrollment for the prior fiscal year.

148 (c) The department shall annually solicit information from all regional and county
149 vocational and agricultural schools as needed to estimate the amounts required to fund expansion
150 grants in the coming fiscal year for all such schools, and the department shall request
151 appropriation of the amount required to fully fund such expansion grants.

152 (d) If the amount appropriated for expansion grants in a fiscal year is less than the amount
153 required to fully fund such grants, then each eligible regional or county vocational or agricultural
154 school shall receive a share of the appropriated funds proportional to the share that its expansion
155 grant, calculated pursuant to subsection (b), constitutes of the total amount of expansion grants
156 for all schools, pursuant to said subsection.

157 SECTION 7. Notwithstanding any general or special law to the contrary, to meet the
158 expenditures necessary in carrying out section 1, the state treasurer shall, upon receipt of a
159 request by the governor, issue and sell bonds of the Commonwealth in an amount to be specified

160 by the governor from time to time but not exceeding, in the aggregate, \$3,000,000,000. All
161 bonds issued by the commonwealth, as aforesaid, shall be designated on their face
162 Commonwealth Vocational-Technical Education Expansion Act of 2023, and shall be issued for
163 a maximum term of years, not exceeding 30 years, as the governor may recommend to the
164 general court pursuant to section 3 of Article LXII of the Amendments to the Constitution;
165 provided, however, that all such bonds shall be payable not later than June 30, 2057. All interest
166 and payments on account of principal on such obligations shall be payable from the General
167 Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding
168 any other provision of this act, be general obligations of the Commonwealth.