

**HOUSE . . . . . No. 1294**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Andres X. Vargas and Chynah Tyler*

*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 facilitate student financial assistance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/10/2023</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>1/19/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/7/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/10/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/1/2023</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>3/9/2023</i>

**HOUSE . . . . . No. 1294**

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By Representatives Vargas of Haverhill and Tyler of Boston, a petition (accompanied by bill, House, No. 1294) of Andres X. Vargas, Chynah Tyler and others for legislation to facilitate student financial assistance. Higher Education.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act to facilitate student financial assistance.

*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 1D of Chapter 69 of the Massachusetts General Laws, as appearing  
2 in the 2018 Official Edition, is hereby amended by inserting after paragraph (iii) the following: -

3 (iv) It is hereby declared to be the policy of the commonwealth to maximize federal and  
4 state postsecondary financial aid options through the encouragement and requirement of  
5 graduating students to submit the applicable application for federal and state financial aid.

6 Before graduating from high school, each student must submit a free application for  
7 federal student aid, also known as FAFSA.

8 A student is not required to comply with subsection (a) if: (1) the student 's parent or  
9 guardian submits a signed form described in subsection (c) indicating that the parent or guardian  
10 authorizes the student to decline to complete and submit the financial aid application; or (2) the  
11 student signs and submits the form referenced in subsection (1c) on the student 's own behalf if  
12 the student is 18 years of age or older or legally emancipated; or (3) the student's school files the

13 form referenced in subsection (c)(2) to be approved by the school district, if the student has not  
14 reached 18 years of age.

15 The Massachusetts Department of Elementary and Secondary Education shall develop  
16 and all school districts shall adopt two forms to be used for the purposes of subsection (b), as  
17 follows: A form to be signed by a parent/guardian, or by a student over 18 years of age or legally  
18 emancipated. This form shall be written in accessible language, translated into families' preferred  
19 languages, and require no personal information except for student and parent/guardian (if  
20 applicable) name and signature. The form cannot require any information on citizenship status.

21 A form filed by the school district on behalf of a student under the age of 18 who is not  
22 legally emancipated. The form shall be signed by the principal of the student's school and shall  
23 include the following information: (a) attestation that the student meets all other graduation  
24 requirements; (b) attestation that the school has made a good faith effort to contact the family  
25 and to provide any support necessary to submit the FAFSA, including at least 3 personalized  
26 communications in the family's preferred language.

27

28 Prior to completion of high school, each school district shall ensure that every student  
29 complies with subsection (a) or (b) and must provide to each high school student and, if  
30 applicable, their parent or guardian any support or assistance necessary to comply with this  
31 Section.

32 The commissioner shall provide guidance to districts related to the implementation of this  
33 section regarding the distribution of information related to this requirement, reporting  
34 requirements expected of school districts, and information to parents and guardians related to all

35 options for high school students. Provided further, each district must annually report to the  
36 department of elementary and secondary education by September 30 the following: number of  
37 students completing and submitting the free application for federal student aid; the number of  
38 students who received an exemption to this requirement through paragraph (iv) subsections  
39 (b)(1), (b)(2) and (b)(3) separately and in combination; and students who are exempted through  
40 subsections (c) (1) and (c) (2) separately and in combination.

41 SECTION 2

42 Section 2. (a) There shall be established and set up on the books of the commonwealth a  
43 separate fund to be known as the FAFSA Trust Fund. The fund shall be administered by the  
44 Commissioner of elementary and secondary education. The fund shall be credited with: (i)  
45 revenue from appropriations or other money authorized by the general court and specifically  
46 designated to be credited to the fund; (ii) interest earned on such revenues; and (iii) funds from  
47 public and private sources such as gifts, grants and donations to aid districts in supporting  
48 students, parents, and guardians with Free Application for Federal Student Aid submission.  
49 Amounts credited to the fund shall not be subject to further appropriation and any money  
50 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

51 (b) Amounts credited to the fund may focus on underserved communities across the  
52 commonwealth, including those school districts with high concentrations of economically  
53 disadvantaged students, and may be expended, without further appropriation, by the  
54 commissioner for the following purposes: (i) to assist with the implementation and execution of  
55 subsection 1(a), including staff and administrator training; (ii) for the development of workshops  
56 and other support services and systems; and (iii) for the collaboration with stakeholder and

57 community organizations to support students, parents, and guardians with Free Application for  
58 Federal Student Aid submission.

59 (c) Amounts received from private sources shall be approved by the commissioner of  
60 elementary and secondary education and subject to review before being deposited in the fund to  
61 ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the  
62 implementation of FAFSA workshops or other programming that may be detrimental to students,  
63 parents, guardians, school districts, or that places limitations or restrictions on how funds can be  
64 used to support the implementation of this section. The review shall be made publicly available.

65 (d) Annually, not later than October 1, the commissioner shall report to the clerks of the  
66 house of representatives and senate, the joint committee on education and the house and senate  
67 committees on ways and means on the fund's activity. The report shall include, but not be limited  
68 to: (i) the source and amount of funds received; (ii) the amounts distributed and the purpose of  
69 expenditures from the fund, including but not limited to, funds expended to assist school districts  
70 in meeting the requirements in subsection 1(a); (iii) any grants provided to high schools and  
71 other stakeholder organizations; and (iv) anticipated revenue and expenditure projections for the  
72 next year.

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74 SECTION 3. Section 1 of this act shall take effect on October 1, 2026. Section 2 of this  
75 act shall take effect October 1, 2025.

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