

HOUSE No. 1364

The Commonwealth of Massachusetts

PRESENTED BY:

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 establishing tuition free community college in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>2/18/2021</i>
<i>Martin J. Walsh, Mayor</i>	<i>1 City Hall Square #500</i>	<i>2/18/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/18/2021</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/19/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/26/2021</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/26/2021</i>

HOUSE No. 1364

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 1364) of Chynah Tyler and others for legislation to authorize a waiver of tuition and mandatory fees for community college courses for certain low income and low- and moderate- income students. Higher Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1245 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act establishing tuition free community college in Massachusetts.

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. Chapter 15A of the General Laws is hereby amended by inserting after
2 section 15G the following section:-

3 Section 15H. (a) This section shall be known and may be cited as the “Massachusetts
4 Promise Program.”

5 (b) As used in this section, the following words shall, unless the context clearly requires
6 otherwise, have the following meanings:-

7 (1) “Academic year” shall mean a period of time, typically 9 months, in which a full-time
8 student is expected to complete the equivalent of at least 2 semesters of academic work;

9 (2) "Board of higher education" shall have the same meaning as defined in section 4 of
10 chapter 15A of the General Laws;

11 (3) "Certificate" shall mean a credential, other than a degree, the receipt of which
12 indicates satisfactory completion of training in a program of study, conferred on students by an
13 eligible postsecondary institution;

14 (4) "Continuous enrollment" shall mean a student is enrolled in the fall and spring
15 semesters of a single academic year. Enrollment in summer semester or inter-session terms is not
16 required;

17 (5) "Cumulative grade point average" shall mean the grade point average as calculated by
18 the eligible postsecondary institution;

19 (6) "Degree" shall mean a two-year associate degree conferred on students by an eligible
20 postsecondary institution;

21 (7) "DHE" shall mean the Massachusetts Department of Higher Education as defined in
22 section 6 of chapter 15A of the General Laws;

23 (8) "Eligible postsecondary institution" shall mean any of the following institutions of
24 higher education: Berkshire Community College, Bristol Community College, Bunker Hill
25 Community College, Cape Cod Community College, Greenfield Community College, Holyoke
26 Community College, Massachusetts Bay Community College, Massasoit Community College,
27 Middlesex Community College, Mount Wachusett Community College, Northern Essex
28 Community College, North Shore Community College, Quinsigamond Community College,
29 Roxbury Community College, and Springfield Technical Community College, and any other

30 community college established after November 1, 1989; or, if any such community college shall
31 be abolished, any institution succeeding to the principal functions thereof.

32 (9) "FAFSA" shall mean the Free Application for Federal Student Aid;

33 (10) "Full-time" shall mean enrollment in at least 12 semester hours during each semester
34 of attendance;

35 (11) "GED" shall mean a general educational development credential awarded by a state-
36 approved institution or organization;

37 (12) "Gift aid" shall mean scholarships and grants from any source that do not require
38 repayment. Student loans and work-student awards shall not be considered gift aid;

39 (13) "HiSET" shall mean a high school equivalency test credential awarded by a state-
40 approved institution or organization;

41 (14) "Low income" shall be defined using the income limits set by the United States
42 Department of Housing and Urban Development;

43 (15) "Low- and moderate- income" shall be defined using the income limits set by the
44 United States Department of Housing and Urban Development;

45 (16) "Program" shall mean the Massachusetts Promise Program, as described in this
46 section;

47 (17) "Resident" shall be defined by the eligible postsecondary institution; and

48 (18) "Semester" shall mean fall, spring, or summer semester at an eligible postsecondary
49 institution, if the institution is on a semester system, or the equivalent, if the institution is on a
50 system other than a semester system.

51 (c) The DHE shall administer the Program. Subject to appropriation and notwithstanding
52 any general or special law or regulation to the contrary, the DHE shall establish a fund to provide
53 a waiver of tuition and mandatory fees for community college courses held in the fall, spring, or
54 summer semesters at eligible postsecondary institutions to low income and low- and moderate-
55 income residents of the commonwealth who meet the criteria described in subsections (e) and (f)
56 of this section. Such waiver shall be a grant and limited as provided in subsection (h) of this
57 section.

58 (d) Application. Students seeking to participate in the Program shall file a FAFSA or
59 renewal FAFSA each year of Program participation. The FAFSA must be submitted by mail or
60 electronically as directed in the FAFSA instructions. Students shall file the FAFSA or renewal
61 FAFSA according to the deadlines set by the eligible postsecondary institution.

62 The FAFSA shall serve as the only application for the Program. No additional application
63 shall be required.

64 (e) Eligibility. (1) To be eligible for the Program, a student shall:

65 i. be admitted to and enrolled full-time in a DHE-approved certificate program or
66 associate degree program at an eligible postsecondary institution within two years of graduation
67 from high school or completion of the GED or HiSET. Exceptions to initial enrollment may be
68 made for extenuating circumstances as provided in rules and regulations promulgated by the
69 board of higher education;

- 70 ii. file the FAFSA prior to the beginning of each academic year;
- 71 iii. be eligible for a Pell Grant, as determined by the FAFSA;
- 72 iv. have been a resident of Massachusetts for at least two years immediately preceding
- 73 the date of application for the Program; and
- 74 v. be considered a low income person or a low- and moderate- income person.

75 (2) An eligible postsecondary institution seeking to determine eligibility as required by
76 this section may require a student to provide proof of Massachusetts residency.

77 (3) A student shall not be required to meet any academic standard at the time of
78 enrollment to the eligible postsecondary institution.

79 (f) Continued eligibility. (1) Requirements for continued eligibility in the Program,
80 including but not limited to maintaining minimum grade point average, years of participation
81 covered by the Program, and date of high school graduation, shall be determined by the board of
82 higher education based on available funding.

83 (2) A student who satisfies the criteria set forth in subsections (e)(1) and (f)(1) of this
84 section shall remain eligible for a grant under this section until the occurrence of the first of the
85 following events:

- 86 i. The student has earned a certificate or associate's degree; or
- 87 ii. The sum of the number of years the student attended an eligible postsecondary
- 88 institution, exclusive of approved leaves of absence, equals three years from the date of the
- 89 student's initial enrollment at an eligible postsecondary institution.

90 (g) The Program shall also require that graduates of the Program remain and work in
91 Massachusetts for a period of two years upon completion of their degree or certificate.

92 (h) Awards. The total amount of a grant awarded under this section shall be based on
93 each semester that a student is enrolled full time in applicable courses and determined by the
94 DHE. After the amount of tuition for the student is reduced by any amounts received by the
95 student in state and federal gift aid, the student shall be eligible for a grant under this section in
96 an amount that equals:

97 (1) Not less than the student's actual combined cost of tuition and mandatory fees; and

98 (2) Not more than the student's actual combined cost of tuition, mandatory fees, and
99 books.

100 (i) Residents with Temporary Protective Status or covered by the Deferred Action for
101 Childhood Arrivals Program. Subject to appropriation and except as provided by any general or
102 special law or regulation to the contrary, the Program shall establish a fund to assist with the
103 tuition and mandatory fees of residents with Temporary Protective Status or residents covered by
104 the Deferred Action for Childhood Arrivals Program who are not eligible to submit a FAFSA.

105 (j) Powers. The DHE shall promulgate any rules and regulations necessary: (1) to
106 effectuate the purposes of this section, including but not limited to those related to the
107 determination of initial and continued eligibility, the designation of approved certificate
108 programs, the prescription of grant calculations for students dually enrolled in eligible
109 postsecondary institutions, the establishment and maintenance of a fund for the tuition and
110 mandatory fees for residents with Temporary Protective Status or covered by the Deferred
111 Action for Childhood Arrivals Program, and the distribution of funds appropriated for grants

112 under the Program; and (2) to administer the Program, including administering requirements
113 related to the evaluation of the impact of the Program such as data reporting and collection
114 requirements.

115 SECTION 2. This act shall take effect 90 days after passage.