

HOUSE No. 04035

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr. and Bruce E. Tarr

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 passage of the accompanying bill:

An Act relative to creating job opportunities through improving access to education, empowering vocational schools, and investment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>

<i>Matthew A. Beaton</i>	<i>11th Worcester</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>
<i>Paul Adams</i>	<i>17th Essex</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol, and Middlesex</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>

HOUSE No. 04035

By Representative Jones of North Reading and Senator Tarr, a joint petition (subject to Joint Rule 12 of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to access to certain institutions of higher education and vocational schools. Higher Education.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to creating job opportunities through improving access to education, empowering vocational schools, and investment.

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. Subsection (a) of section 13 of chapter 13 of the General Laws, as appearing in the
2 2010 Official Edition, is hereby amended by striking, in line 1, the figure "17" and inserting in
3 place thereof the following figure:- 18
- 4 SECTION 2. Subsection (a) of section 13 of said chapter 13, as so appearing, is hereby amended
5 by striking, in line 8, the word "consumers." and inserting in place thereof the following words:-
6 consumers; and a vocational-technical licensed practical nursing educator or administrator who
7 shall be selected from a group of three nominees, to be nominated by the Massachusetts
8 Association of Vocational Administrators.
- 9 SECTION 3. Section 32 of said chapter 13, as so appearing, is hereby amended by striking, in
10 line 4, the word "eight" and inserting in place thereof the following word:- nine

11 SECTION 4. Section 32 of said chapter 13, as so appearing, is hereby amended by inserting after
12 the word "forty-one.", in line 8, the following sentence:- One of the appointees shall be a
13 vocational-technical electrical educator or administrator, who shall be selected from a group of
14 three nominees, to be nominated by the Massachusetts Association of Vocational Administrators.

15 SECTION 5. Section 36 of said chapter 13, as so appearing, is hereby amended by striking, in
16 line 3, the word "nine" and inserting in place thereof the following word:- ten

17 SECTION 6. Section 36 of said chapter 13, as so appearing, is hereby amended by inserting, in
18 line 16, after the word "systems," the following words:- one of whom shall be a vocational-
19 technical plumbing educator or administrator who shall be selected from a group of three
20 nominees to be nominated by the Massachusetts Association of Vocational Administrators,

21 SECTION 7. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in
22 line 2, the word "seven" and inserting in place thereof the following word:- eight

23 SECTION 8. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in
24 line 35, the word "and".

25 SECTION 9. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in
26 line 36, the word "cosmetology" and inserting in place thereof the following words:-

27 cosmetology; and (c) one member shall be a vocational-technical cosmetology educator or
28 administrator who shall be selected from a group of three nominees, to be nominated by the
29 Massachusetts Association of Vocational Administrators.

30 SECTION 10. Section 101 of said chapter 13, as so appearing, is hereby amended by striking, in
31 line 4, the figure "5" and inserting in place thereof the following figure:- 6

32 SECTION 11. Subsection (a) of section 101 of said chapter 13, as so appearing, is hereby
33 amended by inserting, after the word “work,” in line 9 the following words:- , 1 of whom shall
34 be a vocational-technical sheet metal educator or administrator who shall be selected from a
35 group of three nominees, to be nominated by the Massachusetts Association of Vocational
36 Administrators,

37 SECTION 12. Section 16 of chapter 15A of the General Laws, as appearing in the 2010 Official
38 Edition, is hereby amended by inserting after the fifth paragraph the following new paragraph:-

39 There shall be a Finish-Line Scholarship Program to provide scholarships to cover the entire
40 cost of tuition and fees for the last year leading to an associate or bachelor’s degree at a
41 Massachusetts public college or university to residents of the Commonwealth in need of
42 financial assistance. The council shall establish guidelines governing the program which shall
43 include, but not be limited to eligibility requirements and selection criteria, including requiring
44 that the applicant show proof of eligibility to graduate by the end of the scholarship year and has,
45 with exceptions granted for illness, military service or other valid reasons, been a student in good
46 standing continuously since first enrolling in a public college or university; provided, further,
47 that no funds from this scholarship program may be used to pay the tuition or fees for any course
48 or program offered or administered by a non-public entity and that no student shall be eligible to
49 receive a scholarship from this program more than one time. If funds appropriated for this
50 program are insufficient to cover its costs, the council shall develop a pilot program that will
51 provide assistance to a subset of the eligible students.

52 SECTION 13. Section 21 of said chapter 15A, as so appearing, is hereby amended by inserting,
53 after the second paragraph, the following:-

54 For those public institutions of higher learning named in clause (iii) of section 5 of this chapter,
55 each community college's board of trustees shall designate a member or members to serve as a
56 non-voting member of the district trustees for vocational-technical schools that share the same
57 geographic region as the community college, provided that the board elementary and secondary
58 education shall promulgate regulations to ensure that each vocational-technical school board of
59 trustees is represented by a member from every community college in the region. The
60 designated member shall serve as a liaison between the two boards for the purposes of sharing
61 information and developing policies that will promote greater interaction between the
62 community college and the vocational-technical school while maximizing the educational
63 resources available to individuals seeking to learn a trade or develop targeted employment skills.

64 SECTION 14. Section 21 of said chapter 15A, as so appearing, is hereby amended by inserting
65 after the sixth paragraph the following paragraph:-

66 Each community college board of trustees shall also include a vocational school district trustee,
67 pursuant to section 5 of chapter 74, representing a vocational-technical school in the region, to
68 serve as a non-voting member.

69 SECTION 15. Chapter 15A of the General Laws, as so appearing, is hereby amended by
70 inserting after section 41, the following new section:-

71 Section 42. (a) The board shall coordinate and adopt a uniform policy requiring each public
72 institution of higher education to award educational credits to a student who is enrolled in such
73 an institution and who is also a veteran, as defined in clause 43 of section 7 of chapter 4, for the
74 student's military occupation(s), and military training and experience relevant to the
75 occupation(s), and for courses that were a component of the student's military training or

76 service; provided, that the occupation(s), training, experience, or courses meet the standards of
77 the American Council on Education or equivalent standards for awarding academic credit;
78 provided further, that the award of educational credit is based upon a institution's admissions
79 standards and is consistent with the mission of the commonwealth's system of public higher
80 education, as defined by the board, pursuant to section 1 of chapter 15A.

81 (b) The board shall consult and collaborate with the boards of trustees in implementing the
82 policy set forth in subsection (a) and the policy adopted by the board shall, to the greatest extent
83 possible, provide for consistent application by all the commonwealth's public institutions of
84 higher education and promote accurate and complete academic counseling.

85 (c) The board shall adopt all necessary rules, regulations, and procedures to implement the
86 provisions of this section, effective beginning January 1, 2013 and continuing thereafter.

87 SECTION 16. Chapter 21A of the General Laws, as appearing in the 2010 Official Edition, is
88 hereby amended by inserting after section 41 the following section:-

89 Section 42. Each community college board of trustees shall submit an annual report developed in
90 conjunction with the district trustees and advisory committees of vocational-technical schools in
91 the same geographic region as the community college, pursuant to geographic region
92 determinations made by the board of higher education. Said report shall be developed in
93 conjunction with employers, local workforce investment boards and regional economic
94 stakeholders. The report shall include, but not be limited to, an analysis of the collaboration
95 between the community college and regional vocational-technical schools and the training and
96 job development programs implemented by the community college and regional vocational-
97 technical schools. Copies of said report shall be filed with the board of higher education and the

98 house and senate chairs of the joint committee on labor and workforce development not later
99 than March 31, annually.

100 SECTION 17. Chapter 23A of the General Laws, as appearing in the 2010 Official Edition, is
101 hereby amended by inserting after section 10A the following new section:-

102 Section 10B. (a) There shall be established and set upon the books of the commonwealth a
103 separate fund to be known as the Student Entrepreneurial Development and Economic
104 Investment Fund, hereinafter referred to as the Student Investment Fund, to which shall be
105 credited any appropriations, bond proceeds, or other monies authorized by the general court and
106 specifically designated to be credited thereto and additional funds designated for deposit to the
107 student investment fund, including any pension funds, federal grants or loans, or private
108 donations made available to the secretary of economic development. The secretary of economic
109 development shall hold the student investment fund in an account separate from other funds or
110 accounts. Amounts credited to the student investment fund shall be available to the investment
111 board as established in subsection (b) to carry out the purposes of subsection (c).

112 (b) The investment board shall consist of the following members: the secretary of economic
113 development or his designee, who shall serve as the chairperson of the board; the chairman of the
114 board of higher education or his designee, who shall serve as the vice-chairperson of the board;
115 the president of the Massachusetts technology development corporation, or his designee; the
116 executive director of commercial ventures and intellectual property, or his designee; two private
117 Massachusetts-based investors to be chosen by the chairperson in consultation with the president
118 of the Massachusetts technology development corporation; one student representative selected by
119 the university of Massachusetts representative to the board of higher education; one student

120 representative selected by the state college representative to the board of higher education; and
121 one student representative selected by the community college representative to the board of
122 higher education. The chairman of the board of higher education shall establish a student
123 application program to aid the representatives of the board of higher education in the selection of
124 student members to the board.

125 Five members of the board shall constitute a quorum and the affirmative vote of five members
126 shall be necessary for any action taken by the board. No vacancy in the membership of the board
127 shall impair the right of a quorum to exercise all the rights and perform all the duties of the
128 board.

129 (c) The purpose of the student investment fund shall be to provide an opportunity for interested
130 students to gain experience in entrepreneurialism and early-stage business development while
131 fostering an economic environment that will attract students to the commonwealth and forge a
132 relationship between the public higher education system and the Massachusetts business
133 community with the intent of driving economic growth. Funds made available to the student
134 investment board from the student investment fund shall be used for a grant program
135 administered by the board for prototype funding of Massachusetts' student ideas in early
136 development stages; provided however, that the development of such ideas, plans, or business
137 occur within the commonwealth. The secretary of economic development shall promulgate rules
138 regarding the enforcement and penalties for recipients who relocate outside of the
139 commonwealth. The board shall not be limited in the number of grants distributed to students in
140 any one year; provided however, that the total monetary amount of all grants distributed by the
141 board in a fiscal year shall not exceed twenty percent of the fund's first year balance. The board
142 shall hold periodic hearings to allow selected students, who have submitted a statement of

143 interest and initial business plan, the opportunity to present a comprehensive business plan
144 describing characteristics and proprietary positions of the student's product or services; present
145 and future markets for such products or services; potential strategies for the future development
146 and funding of the prototype product or service; a statement of amount, timing and projected use
147 of the capital sought by the student; and a statement of the projected growth in employment or
148 other positive economic impacts. Comprehensive business plans may be written and reviewed in
149 consultation with the Massachusetts technology transfer center at the University of
150 Massachusetts.

151 (d) The board shall, by January 1 of each year, submit a report of its activities for the preceding
152 fiscal year to the governor, the joint committee on economic development and emerging
153 technologies, and the clerks of the house of representatives and senate. Each report shall set
154 forth a complete financial statement covering its operation during the year and shall also include
155 any requests for additional appropriations.

156 SECTION 18. Section 1 of chapter 74 of the General Laws, as appearing in the 2010 Official
157 Edition, is hereby amended by striking out the definition of "service programs" contained in
158 lines 43 to 44, inclusive, and inserting in place thereof the following definition:-

159 "Service programs", the preparation of students in occupational areas such as hotel and lodging,
160 cosmetology, child care or any service occupation that by its nature is characterized as being a
161 service, professional or non-professional. Such programs shall be in compliance with the
162 program approval criteria regulations published by the state board.

163 SECTION 19. Section 4 of said chapter 74, as so appearing, is hereby amended by adding at the
164 end thereof the following:-

165 Pursuant to section 21 of chapter 15A of the General Laws, one member of said board shall be
166 designated by the district trustees to serve as a non-voting member of the board of trustees for
167 any community college that shares the same geographic region as the independent vocational-
168 technical school, provided that the board of higher education promulgate regulations to ensure
169 that each community college board of trustees is represented by a member of every vocational-
170 technical school in the same geographic region as the community college. The designated
171 member shall serve as a liaison between the two boards for the purposes of sharing information
172 and developing policies that will promote greater interaction between the vocational-technical
173 school and the community college while maximizing the educational resources available to
174 individuals seeking to learn a trade or develop targeted employment skills.

175 SECTION 20. Section 6 of said chapter 74, as so appearing, is hereby amended by inserting, in
176 line 5, after the word “program,” the following words:-

177 representatives from the board of trustees of community colleges in the region,.

178 SECTION 21. Chapter 74 of the General Laws, as so appearing, is hereby amended by adding
179 after section 55 the following section:-

180 Section 56. The district trustees shall establish a program, in collaboration with the advisory
181 committee, the director of the department of career services and a representative of the local
182 workforce investment board, to expand not-for-credit vocationally-oriented instruction provided
183 through contracts with Massachusetts employers. The program shall allow interested business
184 partners to sponsor a prospective or current employee for training provided by the vocational
185 school at the expense of the employer. Each vocational school shall report not later than
186 December 31, annually, to the commissioner of education on the level of not-for-credit

187 vocationally-oriented instruction provided in the preceding fiscal year and the anticipated level
188 of such instruction in the current fiscal year. The report shall detail enrollment levels, revenues
189 received, sources of revenues, recruitment tools, the number of service contracts established with
190 Massachusetts employers and such other information as the commissioner may require. The
191 commissioner shall prepare a comprehensive report of the information and present copies of
192 which to the board of higher education and the house and senate chairs of the joint committee on
193 labor and workforce development not later than March 31, annually.

194 SECTION 22. Chapter 112 of the General Laws, as appearing in the 2010 Official Edition, is
195 hereby amended by inserting after section 1A the following new section:-

196 Section 1B. (a)The director and each of the boards of registration and examination under the
197 director's supervision, shall upon presentation of satisfactory evidence by an applicant for
198 certification or licensure, accept education, training, or service completed by an individual as a
199 member of the armed forces, as defined in clause 43 of section 7 of chapter 4; or the United
200 States military reserves toward the qualifications required to receive the license or certification in
201 question.

202 (b) The commissioner of public health and each of the boards of registration and examination
203 under the commissioner's supervision, shall upon presentation of satisfactory evidence by an
204 applicant for certification or licensure, accept education, training, or service completed by an
205 individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter 4, or
206 the United States military reserves toward the qualifications required to receive the license or
207 certification in question.

208 (c) Notwithstanding any general or special law to the contrary, if a licensee or certificate holder,
209 pursuant to chapter 112, is engaged in active service in the armed forces of the United States, as
210 defined in clause 43 of section 7 of chapter 4, the license or certification held by a licensee or
211 certificate holder shall remain valid until the licensee or certificate holder is released from active
212 duty and for a period of not less than 90 days following said release.

213 (d) The director and each of the boards of registration and examination under the director's
214 supervision shall adopt all necessary rules, regulations, and procedures to implement the
215 provisions of this section, effective beginning January 1, 2013.

216 (e) The commissioner and each of the boards of registration and examination under the
217 commissioner's supervision shall adopt all necessary rules, regulations, and procedures to
218 implement the provisions of this section, effective beginning January 1, 2013.

219 SECTION 23. Chapter 147 of the General Laws, as appearing in the 2010 Official Edition, is
220 hereby amended by inserting after section 61 the following new section:-

221 Section 62. (a) The commissioner shall coordinate and adopt a uniform policy within the
222 department to, upon presentation of satisfactory evidence by an applicant for certification or
223 licensure under the authority of the department, accept education, training, or service completed
224 by an individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter
225 4, or the United States military reserves toward the qualifications required to receive the license
226 or certification in question.

227 (b) Notwithstanding any general or special law to the contrary, if a licensee or certificate holder,
228 who received a license or certificate under the authority of the department, is engaged in active
229 service in the armed forces of the United States, as defined in clause 43 of section 7 of chapter 4,

230 the license or certification held by a licensee or certificate holder shall remain valid until the
231 licensee or certificate holder is released from active duty and for a period of not less than ninety
232 days following said release.

233 (c) The commissioner and the department shall adopt all necessary rules, regulations, and
234 procedures to implement the provisions of this section, effective January 1, 2013.