

**SENATE . . . . . No. 276**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Karen E. Spilka**

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*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 to promote out-of school time programming and community education for children and families in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	Second Middlesex and Norfolk
David P. Linsky	5th Middlesex
Benjamin Swan	11th Hampden
Pam Richardson	6th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00361 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT TO PROMOTE OUT-OF SCHOOL TIME PROGRAMMING AND COMMUNITY EDUCATION FOR CHILDREN AND FAMILIES IN THE COMMONWEALTH.

*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 15 of the General Laws, as appearing in the 2006 official edition,  
2 is hereby amended by adding at the end thereof the following new section:-

3 Section 66. (a) It is hereby declared to be the goal of the commonwealth to make education and  
4 cultural and social development programs for children, youth and families more efficient,  
5 effective and productive; to increase the availability of high quality programs during after school  
6 and out-of-school time which help school aged children and citizens of all ages build academic,  
7 cultural and social competence; to make more complete and efficient use of existing schools and  
8 other community capital resources and to make schools centers of community life; to encourage  
9 collaboration among families and schools and other agencies in the community.

10       (b) The department of elementary and secondary education shall create a grant program to  
11 provide a comprehensive, collaborative system to support and maintain educational, recreational,

12 artistic, health-related and other opportunities during non-school hours for children, youth and  
13 families and to provide assistance and incentives to schools to become centers of community life.  
14 The department shall require matching contributions for said grants from other sources.  
15 Matching funds may include in-kind contributions. Grants are renewable annually, provided that  
16 said renewal is dependent on submission of an approved three year budget and program, which is  
17 to be updated annually. Nothing in this section shall be interpreted to preclude grant renewal  
18 funding after a third year when said renewal is conditioned upon a successful program  
19 evaluation. The department shall distribute grant funds geographically to rural, suburban, and  
20 urban communities.

21 Requests for proposals shall be developed by the department of elementary and secondary  
22 education in collaboration with the department of housing and community development and the  
23 executive office of health and human services. The commissioner of the department of  
24 elementary and secondary education shall be advised by a Commonwealth Coordinating  
25 Committee to Support Family, School and Community Collaboration, the interagency policy  
26 review committee whose members are representative of the executive office of public safety,  
27 executive office of health and human services, children's trust fund, department of early  
28 education and care, department of elementary and secondary education, housing and community  
29 development, public health, mental health, youth services, children and families, developmental  
30 services, transitional assistance, the Massachusetts Cultural Council and other agencies and  
31 departments of the commonwealth which provide services to children and families. The  
32 Committee shall review and advise on the implementation of the community education grant  
33 program and on program and policy development, review evaluation strategies and results, and  
34 support interagency relationships and program coordination.

35 (c) There shall be not more than one proposal funded for service to each municipality, provided  
36 that two or more municipalities may file a joint proposal. The proposal shall be created by a  
37 community education council comprised of the chief executive officer of the municipality or his  
38 designee, the superintendent of schools or his designee, the chief of police or his designee, and  
39 representatives from among the following groups: parents and youth representatives, senior  
40 citizens, directors of agencies serving children, youth and their families, including early  
41 childhood centers and school-aged programs, community development corporations,  
42 representatives of business, employee unions, higher education, cultural institutions, non-profit  
43 community based organizations, religious organizations, youth serving groups, health agencies,  
44 tenant groups and other local citizens concerned with the well-being of children, youth and  
45 families. At least fifty-one percent of the voting membership of said council shall be parents who  
46 are residents in said municipality or students attending school in the municipality. Council  
47 members shall be broadly representative of the racial and ethnic diversity of the community.  
48 An existing community based council, such as a school-linked services local partnership, a  
49 community partnership council established under section fifty-four. A health education advisory  
50 council, or some other council or coalition concerned with care and education, family support or  
51 preventative programs may be broadened or merged to meet the intent of this section. The  
52 department of early and secondary education may certify an existing council or a combination of  
53 existing councils to function as a community education council if it meets the aforementioned  
54 membership requirements.

55 (d) The council shall select a lead agency, which may be a school district, a community based  
56 non-profit organization, or a municipality. The council shall create a proposal which the lead  
57 agency shall submit to the department. The lead agency may subcontract with other public and

58 private agencies to provide services, provided that any teacher employed by a contracting school  
59 district is not displaced as a result of such contract.

60 (e) Proposals shall demonstrate a collaboration among health and social service providers and  
61 schools and a coordination with school academic programs. Proposals from communities that  
62 receive Academic Support Services funding from the department shall demonstrate how those  
63 resources will be coordinated with grant funds awarded pursuant to this section to provide  
64 comprehensive out of school time support in a manner that insures that such students shall not be  
65 excluded from out of school time programming. Community education councils shall function  
66 through participatory decision making and planning which may include needs and or resource  
67 assessments, including the needs of children and youth for services during out-of-school time  
68 based on surveys, polls and focus groups with potential program participants. Community  
69 education councils may initiate programs and expand existing programs, services and resources  
70 but shall avoid duplication of existing programs, services and resources. Programming shall be  
71 developmentally appropriate and responsive to the needs of children, youth and families within  
72 the service area. Proposals shall draw upon multiple resources and in-kind contributions,  
73 including public, private, federal, state and local contributions.

74 (f) Proposals pursuant to this section shall include, but not be limited to, the following: a  
75 statement of need; a description of unmet needs and existing resources, program objectives and  
76 implementation plan; plans and budgets for any necessary technical assistance and training for  
77 councils; contractual agreements with other service providers; and linkages and funding  
78 arrangements with other public and private agencies. Proposals shall demonstrate that no state  
79 funds expended under this grant program shall replace existing funding for existing services.

80 (g) Funds made available to local councils may be expended for purposes which include but are  
81 not limited to the following: personnel, including a full time coordinator and administrative  
82 support, needs and resource assessment, planning, evaluation of program effectiveness, program  
83 start-up costs, with the exception of facilities construction or renovation, model program and  
84 curriculum development, technical assistance to programs, including staff development,  
85 transportation planning, volunteer coordination, communication and information dissemination,  
86 and program operations and services. Councils may, through their lead agencies, accept grants,  
87 contracts, or gifts from charitable foundations, private businesses, individuals, the federal  
88 government, the commonwealth, a county or municipality or an agency thereof. Councils shall  
89 establish a fee structure that includes, where appropriate, a sliding scale of payments.

90 (h) Community education grant recipients shall report to the department of elementary and  
91 secondary education on expenditure of funds, demographic information of youth, children and  
92 families served, identity of other community based organizations engaged in collaboration,  
93 program activities and evaluations, and amount of resources received from other sources at the  
94 end of the fiscal year in which the grant was awarded, and other aspects of reporting and  
95 accountability which the department considers supportive of effective local practices. (i) The  
96 department of elementary and secondary education may expend funds for the administration of  
97 the grant program including providing technical assistance to councils and collecting and  
98 distributing information to communities concerning programs for children, youth, and families.  
99 The department must create the capacity to serve as an up-to-date repository and central point of  
100 contact for information on funding and technical assistance support available from all state  
101 agencies and other sources to support communities in creating and expanding after school  
102 programming and community schools. The department shall contract with a private organization

103 for an evaluation of the effectiveness of this grant program. The department shall file a report on  
104 the status of the community education grant program, including the above mentioned contract  
105 report, with the joint committee on education, arts and humanities and the joint committee on  
106 children, families and persons with disabilities one year after the effective date of this act. The  
107 department shall adopt regulations to implement this section.