

## Chapter 168 of the Acts of 2006

### AN ACT ESTABLISHING CERTAIN EDUCATIONAL FUNDS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to compensate forthwith certain court employees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 29 of the General Laws is hereby further amended by inserting after section 2RRR the following 5 sections:—

Section 2SSS. There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Educational Rewards Grant Program Fund, hereinafter referred to as the fund. The fund shall provide grants to students in accredited post-secondary certificate or vocational technology programs or associate degree programs in targeted high-demand occupations. The department of workforce development and the board of higher education in consultation with the Massachusetts Workforce Board Association, the state workforce investment board, the reach higher initiative and the workforce accountability task force established pursuant to section 11 of chapter 23H shall determine the eligible high demand occupations. If a Bachelor's degree program is needed for a profession in critical demand, it may be added to the eligible programs. Of the appropriation for grants, up to 1/3 may be used for students enrolled as full-time students and at least 2/3 of the total grant amount shall be reserved for students enrolled 1/2 time or less. Grant recipients shall be limited to dislocated workers or those with incomes at or below 200 per cent of the federal poverty level or other standards or criteria as may be established by the department and the board in consultation with the workforce

accountability task force established pursuant to section 11 of chapter 23H. Grants from the program fund shall be a maximum of \$3,000 and shall be used to fund tuition, fees and books; provided, however, that up to 30 per cent of the grant amount may be applied to fund living expenses. The grant program shall serve as a last resort, after other federal and state grants have been exhausted. The department of workforce development and the board of higher education shall jointly administer the grant program.

Section 2TTT. (a) There is hereby established and set up on the books of the commonwealth a separate fund known as the CITI Fund for the continuation of the Commonwealth Information Technology Initiative, or CITI, statewide. The University of Massachusetts shall hold the CITI Fund in an account or accounts separate from other funds or accounts. Amounts credited to the CITI Fund shall be used by the President of the University of Massachusetts or his designee, in accordance with subsection (b) and in consultation with the advisory board established in subsection (d).

(b) The public purpose of the CITI Fund shall be to provide funding for a collaborative approach to information technology education through a series of open competitions for grants to K-20 educational institutions in the areas of: (1) educator development - to ensure that K-20 faculty in all public higher education institutions and elementary and secondary schools have the skills to teach courses that meet industry's current and future information technology needs; (2) curriculum enhancement - to update existing courses and programs of computer science, management information systems and computer engineering in public higher education and to update academic discipline courses to facilitate the acquisition of knowledge through the understanding and application of information technology in the K-12 level; (3) IT across the curriculum - to implement the integration of information technology education into all aspects of non-technical disciplines and areas of study; and (4) regional cooperation - create geographically-based alliances among schools and industry to leverage faculty, courses and other resources for information technology education.

(c) The president of the University of Massachusetts shall, no later than July 1, annually report to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, the joint committee on labor and workforce development, the joint committee on education and the joint committee on higher education. The report shall include: (i) a list of grant recipients; (ii) the associated grant amounts; (iii) the amounts of nonstate funding leveraged as a result of the grants, including in-kind and other non-cash contributions; (iv) the purposes of the grants; (v) an annual statement of cash inflows and outflows detailing the sources and uses of funds; (vi) a forecast of future payments based on current binding obligations; and (vii) a detailed breakdown of the purposes and amounts of administrative costs charged to the fund.

(d) There shall be an advisory board for the CITI Fund which shall consist of 12 members, 8 of whom shall be appointed by the governor – of which at least 2 shall be employed by a public institution of higher education in the commonwealth, at least 2 shall be employed at a public school for grades K-12 and at least 2 shall be employed by a corporation based in the commonwealth. One member shall be appointed by the speaker of the house, 1 member shall be appointed by the minority leader of the house of representatives, 1 member shall be appointed by the president of the senate and 1 member shall be appointed by the minority leader of the senate. The advisory board shall meet at least quarterly or when called by the president of the University of Massachusetts.

Section 2UUU. (a) There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Board of Higher Education Scholar-Internship Match Fund, hereafter referred to as the Scholar/Internship Match Fund. The board of higher education shall hold the Scholar-Internship Match fund in an account separate from other funds or accounts. Amounts credited to the Scholarship/Internship Match Fund shall be used by the chancellor of higher education or her designee, in accordance with

the purpose set forth in this section and in consultation with participating industry and public higher education institutions. An amount not to exceed \$100,000 shall be spent each year to promote the existence of the Scholar-Internship Match Fund with the goal of attracting and maximizing industry participation.

(b) The public purpose of the Scholar-Internship Match Fund shall be to provide a match for industry scholarships given to Massachusetts students going on to study for a post-secondary degrees at Massachusetts public higher education institutions. The amount to be matched through the Scholar-Internship Match Fund shall not exceed \$5,000 per student, contingent upon receiving a corresponding industry scholarship or internship of up to the same amount.

(c) The chancellor of higher education shall, not later than July 1, annually report to the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, the joint committee on labor and workforce development, the joint committee on education and the joint committee on higher education. The report shall include: (i) a list of matching scholarship recipients; (ii) the associated match amount; (iii) the amounts of non-state funding as a result of the match; (iv) the purposes of the match; (v) whether there was an internship associated with the industry match; (vi) an annual statement of cash inflows and outflows detailing the sources and uses of funds; (vii) a forecast of future payments based on current binding obligations; and (viii) a detailed account of the purposes and amount of administrative costs charged to the fund. The chancellor shall include in annual report a detailed 5 year legislative review of the Scholar-Internship Match Fund for consideration for recapitalization.

Section 2VVV. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the international education and foreign language grant program fund, hereinafter referred to as the international education fund, to which shall be credited any appropriations, bond proceeds or other monies authorized by the general court and specifically designated to be credited thereto and additional funds designated for deposit to the international

education fund, including any pension funds, federal grants or loans, or private donations made available to the commissioner of education for such purpose. The Commissioner of Education shall hold the international education fund in an account or accounts separate from other funds or accounts. Amounts credited to the international education fund shall be used by the commissioner of education, in consultation with the chairman of the board of higher education, and the global education advisory council to carry out the purposes of subsection (b).

(b) The public purpose of the international education fund shall be to increase the number of Massachusetts students, teachers, administrators and education policymakers participating in international studies, international exchange programs, and other activities that advance cultural awareness and promote mutual understanding and respect for citizens of other countries. In furtherance of this public purpose and in consultation with the chairman of the board of higher education and the global education advisory council, the Commissioner of Education shall employ the international education fund in support of programs and activities that advance cultural awareness, including the awarding of grants to local or regional school districts that use the funds to support international education programs and promote the study of foreign languages, including programs that establish foreign language and two-way bi-lingual education classes, teacher training, and curriculum development to encourage students, teachers, administrators and educational policy makers to participate in international studies, international exchange programs and other activities.

Section 2WWW. (a) There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Workforce Competitiveness Trust Fund, hereinafter called the fund. The fund shall be administered by the department of workforce development which shall contract with the Commonwealth Corporation to administer the fund. The objectives of the fund shall include, but shall not be limited to, the following: supporting, in conjunction with other private, public and philanthropic resources, the development and

implementation of employer and worker responsive programs to enhance worker skills, incomes, productivity and retention and to increase the quality and competitiveness of Massachusetts firms; training and helping the unemployed find suitable employment; improving employment opportunities for low-income individuals and low wage workers; improving wages to a level sufficient to support a family or to place individuals on a career path leading to such employment and wages; training vulnerable youths to master basic academic skills, including the attainment of a high school degree and encouraging students to advance educationally and receive post-secondary degrees at colleges or post-secondary vocational schools or beyond; developing occupational skills and becoming employed in jobs that have career potential; and training older workers for new occupations. The department shall utilize these projects to improve the workforce development system by integrating employer and worker needs more fully into program design and delivery. The department shall support, through grants, partnership programs and planning, grant applications from the following eligible applicants to provide an integrated continuum of education and training: employers and employer associations; local workforce investment boards; labor organizations; community-based organizations, including adult basic education providers; institutions of higher education; vocational education institutions; one-stop career centers; local workforce development entities; and nonprofit education, training or other service providers. The fund shall leverage employer, public, philanthropic and other contributions and shall be available as a state match for federal funds that meet the requirements of the fund. The fund shall be an expendable trust fund and not subject to appropriation. Grants from the fund shall be offered on a competitive basis for a maximum of 3 years and shall not exceed \$500,000.

(b) The director of workforce development shall appoint an advisory committee to represent significant constituencies and beneficiaries of the fund including, but not limited to, high growth or critical industries; the workforce development system; public education; adult basic education; the department of transitional

assistance; public higher education; labor; community-based organizations and nonprofit education, training or other service providers; and advocates of customer populations, including representatives of education, training and the one-stop career center provider coalitions, including a minimum of 2 labor representatives selected by the President of the Massachusetts AFL-CIO and 2 representatives of the Massachusetts Workforce Board Association. The director shall serve as chair of the committee. The committee shall supply constituent focused labor market information, review general programmatic parameters and guidelines, assist with the identification of issues and barriers to the fund's efficiency and effectiveness and the dissemination of relevant information about the fund and support the general oversight of the fund's implementation. The committee shall meet from time to time, but not less frequently than quarterly.

(c) The Commonwealth Corporation shall be the administrator of the fund and shall maintain the fund as a separate fund and shall cause it to be audited by an independent accountant on an annual basis in accordance with generally-accepted accounting principles.

(d) There shall be credited to the fund any revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, and any gifts, grants, private contributions, investment income earned on the fund's assets and all other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

(e) Partnership programs may include costs for support services including, but not limited to, transportation and childcare, to eliminate barriers to participation in the training program. For any unionized employer participating as a partner in a grant application, the impacted union shall be an active participant in the design and implementation of the grant.

(f) A competitive grant program shall be established that provides support to partnerships and eligible applicants as described above, and that leverages applicant co-investment of at least 30 per cent of the grant amount from

employers, philanthropic and public or private organizations. The period of grant operations may be up to 3 years in duration. Grants may be targeted to specific populations, such as educationally or economically disadvantaged youth, low-income, low-skilled and low-wage workers, disabled citizens or industries that are deemed to be of critical consequence to the commonwealth. Special grant programs and funding allocations shall be determined by the committee and shall be distributed by a regionally-based competitive bid process, which shall require the defining of economic regions based on labor market factors as determined by the committee. Each municipality shall be accounted for in a designated region. A formula for regional distribution shall be created and competition for formula grant funds shall occur within each identified region and shall be subject to the rules and regulations established by the committee in consultation with regional partners. Respondents to the local competitions shall notify, in writing, the region's workforce investment board of their intent to respond to the request for proposals. A planning grant may be offered to define employer needs; to make necessary curriculum and other programmatic improvements to align with employer and worker needs; to determine the feasibility of a proposed workforce development intervention; to plan for and coordinate strong partnerships among stakeholders; to identify educational and skill needs of workers and program participants; to link training initiatives with employer-based career ladders; and to develop case management and additional support services that would address barriers to participation.

(g) A portion of the grant fund shall be used to support the current and future labor force needs of the healthcare industry. This portion of the fund shall support projects that address barriers and gaps in the healthcare workforce development pipeline. Small planning and needs assessment grants may be offered. A project grant program shall be designed by Commonwealth Corporation in consultation with a Healthcare subcommittee of the fund committee, which shall include, at a minimum, appointments made by the following organizations: the Massachusetts Hospital Association; the

Massachusetts Extended Care Federation; the Home and Health Care Association of Massachusetts; the Massachusetts Workforce Board Association; and the Massachusetts AFL-CIO, as well as representatives of the other mandatory advisory committee constituencies.

(h) A portion of the grant fund shall be used to support the current and future labor force needs of the travel and tourism industry. This portion of the grant fund shall be used to support the development of career ladder and wage improvement strategies, including employee ownership and profit-sharing strategies, within the travel and tourism industry. Small planning and needs assessment grants may be offered. A project grant program shall be designed by Commonwealth Corporation in consultation with the travel and tourism advisory committee, which shall include the primary industry associations that represent the industry in the commonwealth or, in their absence, a cohort of relevant industry employers, as well as representatives of the other mandatory advisory committee constituencies.

(i) Project grants shall be for a maximum of 3 years, shall be competitively based and shall not exceed \$500,000. The committee shall determine how to apportion the grant fund between the healthcare industry, the travel and tourism industry and the general grant program; provided, however, that not more than 7.5 per cent of the funds appropriated in this subsection may be expended for the administration of each grant.

(j) The director of workforce development shall annually, not later than December 31, report to the secretary of administration and finance, the house and senate committees on ways and means, the joint committee on community development and small business, the joint committee on education, the joint committee on economic development and emerging technologies, the joint committee on labor and workforce development and the joint committee on public health on the status of grants awarded under this section, including the number of educational and eligible service providers receiving grants; the number of participants receiving services; the number of participants placed in employment;

the salary and benefits that participants receive after placement; the cost per participant; and job retention or promotion rates 1 year after training ends.

(k) The establishment of the Workforce Competitiveness Trust Fund, or any other worker training fund, shall not be determined to replace, displace or serve as a substitute for the Workforce Training Fund established in section 2RR.

**House of Representatives**, July 13, 2006.

This Bill having been returned by His Excellency the Governor with his objections thereto in writing (**see House 5166**) has been passed by the House of Representatives, notwithstanding said objections, two-thirds of the House (*139 yeas to 18 nays*) having agreed to pass the same.

**Sent to the Senate for its action.**

[Salvatore F. DiMasi](#), *Speaker*.

Steven T. James, *Clerk*.

**Senate**, July 13, 2006.

Passed by the Senate, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present (*31 yeas to 5 nays*) having approved the same.

[Robert E. Travaglini](#), *President*.

William F. Welch, *Clerk*.

*July 21, 2006.*

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