

HOUSE No. 4269

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 22, 2024.

The committee on Higher Education to whom was referred the petition (accompanied by bill, House, No. 1294) of Andres X. Vargas, Chynah Tyler and others for legislation to facilitate student financial assistance, reports recommending that the accompanying bill (House, No. 4269) ought to pass.

For the committee,

DAVID M. ROGERS.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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) (a) It is hereby declared to be the policy of the commonwealth to maximize federal
4 and 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 (b) A student is not required to comply with section (a) if: (1) the student 's parent or
9 guardian submits a signed form described in section (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 section (c) on the student 's own behalf if the
12 student is 18 years of age or older or legally emancipated; or (3) the student's school files the

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

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

30 (d) The commissioner shall provide guidance to districts related to the implementation of
31 this section regarding the distribution of information related to this requirement, reporting
32 requirements expected of school districts, and information to parents and guardians related to all
33 options for high school students. Provided further, each district must annually report to the
34 department of elementary and secondary education by September 30 the following: number of

35 students completing and submitting the free application for federal student aid; the number of
36 students who received an exemption to this requirement through paragraph (iv) subsections
37 (b)(1), (b)(2) and (b)(3) separately and in combination, provided further that this data be broken
38 down by race; ethnicity; primary city or town of residence and such other categories that the
39 department may determine.

40 SECTION 2

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

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

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

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

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

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