

Chapter 192 of the Acts of 2007

AN ACT ESTABLISHING THE COMMONWEALTH CORPS.

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

SECTION 1. Section 121 of chapter 6 of the General Laws is hereby repealed.

SECTION 2. Sections 209 to 213, inclusive, of said chapter 6 are hereby repealed.

SECTION 3. Section 13 of chapter 19A of the General Laws is hereby repealed.

SECTION 4. Chapter 78A of the General Laws is hereby repealed.

SECTION 5. As used in sections 5 to 11, inclusive, of this act the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Agency”, the non-profit organization with whom the commission contracts pursuant to section 7 for the operation of corps projects.

“Commission”, the commonwealth corps commission established pursuant to section 6.

“Commonwealth student corps”, the commonwealth student corps established pursuant to section 9.

“Community service-learning”, a pedagogical approach to learning and a methodology for teaching, incorporating the study of local community problems and larger social issues into the classroom curriculum, using real world scenarios as the basis for learning curricular content and developing skills including, but not limited to, critical and creative thinking, problem solving, reasoning, communications and collaboration skills.

“Corps”, the commonwealth service corps established pursuant to section 6.

“Corps members”, individuals who commit to no more than 12 months of full or part-time service in the commonwealth service corps pursuant to this act.

“Corps projects”, programs established pursuant to this act to satisfy unmet community needs.

“Corps sponsors”, non-profit and public entities that participate in corps projects.

“Council”, the community service-learning advisory council established pursuant to section 10.

“Massachusetts campus compact”, an organization of presidents of public higher education institutions engaged in developing a statewide collaboration to promote service as a critical component of higher education.

“Public higher education institutions”, shall include the University of Massachusetts at Amherst, Boston, Dartmouth, Lowell and Worcester; Bridgewater State College, Fitchburg State College, Framingham State College, the Massachusetts College of Art and Design, the Massachusetts Maritime Academy, Massachusetts College of Liberal Arts, Salem State College, Westfield State College, Worcester State College, Berkshire Community College, Bristol Community College, Bunker Hill Community College, Cape Cod Community College, Greenfield Community College, Holyoke Community College,

Massachusetts Bay Community College, Massasoit Community College, Middlesex Community College, Mount Wachusett Community College, Northern Essex Community College, North Shore Community College, Quinsigamond Community College, Roxbury Community College and Springfield Technical Community College.

“Unmet community needs”, needs including, but not limited to, those pertaining to education, public health, public safety, the environment and other human needs in underserved populations and areas in the commonwealth.

SECTION 6. (a) There shall be a commonwealth service corps to be composed of a limited number of carefully selected men and women of all ages to be made available for a limited time for projects directed toward satisfying unmet community needs. The corps shall be governed by a commission consisting of the commissioner of education and 14 members to be appointed by the governor; 1 of whom shall be a member of the Massachusetts Municipal Association; 1 of whom shall be a member of the Massachusetts AFL-CIO; 1 of whom shall be a member of the Associated Industries of Massachusetts; 1 of whom shall be an individual between the ages of 16 and 25 who is a participant or supervisor in a corps program; 1 of whom shall be a representative of a national service program described in 42 U.S.C. section 12572(a); 1 of whom shall be an individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth; 1 of whom shall be an individual with experience in promoting the involvement of older adults in service and voluntarism; and 1 of whom shall be a representative of a community-based organization. Not more than 8 of the members appointed by the governor shall be from the same political party. Each member shall serve for a term of 3 years and shall serve without compensation. A person appointed to fill a vacancy in the office of a member of the board shall be appointed in a like manner and shall serve for only the unexpired term of such member. A member shall be eligible for reappointment. Unless the governor has applied for and received approval pursuant to 42 U.S.C. § 12638 to utilize an alternative administrative agency, said commission shall serve as the commonwealth’s commission on community service and volunteerism pursuant to 42 U.S.C. § 12638. A chairman of the commission shall be elected annually from the membership. The executive office of the governor shall provide administrative support to the commission as requested.

(b) The duties of the commission shall include, but not be limited to: administering projects to address unmet community needs by recruiting and placing corps members in non-profit organizations and public entities; providing grants and administrative support to assist these projects; reviewing and approving the commonwealth corps plan and annual updates prepared by the agency; and reviewing the agency’s performance in carrying out its responsibilities pursuant to this act. The commission shall, subject to appropriation, contract with a non-profit organization incorporated pursuant to the provisions of chapter 180 of the General Laws for the operation of corps projects.

SECTION 7. (a) Corps members shall be residents of the commonwealth who are at least 18 years of age. Members shall be the responsibility of the corps sponsors with support from the agency. Corps members shall undertake meaningful service projects addressing unmet community needs in areas including, but not limited to, the environment, education, health and basic human services and may serve full or part-time;

but, members having direct contact with minor children or vulnerable adults shall be required to pass a background check.

(b) The agency and the corps sponsors shall, to the extent practicable, ensure that corps members are placed with corps projects that match their interests, geographic constraints, skills and abilities. The agency may prescribe additional standards and procedures in consultation with the commission. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a corps member. Corps sponsors shall seek to enroll individuals who are economically, geographically, ethnically, socially, physically or educationally diverse.

(c) A corps member shall not be subject to chapter 31 or section 9A of chapter 30 of the General Laws. Corps members shall not be considered to be an employee of the commonwealth entitled to the benefit of chapter 152 of the General Laws, nor shall a corp member be considered to be an employee of the commonwealth for any other purpose.

SECTION 8. (a) The agency shall, without limitation and subject to a duly executed contract with the commission, administer the corps and the student corps and in so doing shall: (1) provide the personnel necessary to satisfy its obligations pursuant to the contract with the commission; (2) recruit corps sponsors; (3) coordinate among agencies of the commonwealth and other organizations using community service and volunteerism as a strategy to assist in the solution of local, regional and statewide problems; (4) initiate studies and analyses of proposed and implemented service and volunteer projects, which will aid in solving local, regional and statewide problems; (5) evaluate current community service-learning projects in the commonwealth's public schools and make recommendations to the governor for the expansion of existing programs; (6) recommend expansion of corps opportunities to address all community needs, such as education, environment, public safety, public health and employment and training; (7) encourage the corporate community of the commonwealth to become an active partner in the support, advocacy and promotion of community service and volunteer opportunities in the commonwealth; (8) develop a grant application and selection process using the criteria set forth in subsection (b) for non-profit organizations and public entities, including schools and educational institutions, seeking to participate in the commonwealth corps; (9) review grant applications from non-profit organizations and public entities, including schools and educational institutions and selecting grant awardees; (10) establish criteria and procedures for recruiting residents of the commonwealth who are 18 years or older to serve as corps members; (11) establish procedures for matching and placing corps members with corps projects; (12) establish personnel policies and procedures for corps members; (13) determine the appropriate financial match support levels by private business, community groups, foundations, public agencies and individuals; (14) assist corps sponsors in the development of scholarships and matching funds from private businesses, community groups, foundations, public agencies and individuals in order to support a portion of a corps member's stipend and benefits; (15) monitor corps members and corps sponsors for compliance with all state and federal laws and funding agreements; and (16) encourage corps sponsors to assist full-time corps members seeking

to defer federally funded student loan payments during their period of service.

(b) The agency shall give projects meeting the following criteria preference: (1) projects addressing a well-established unmet community need; (2) projects articulating measurable goals, including an assessment of the impact on the corps members and on the targeted community; (3) projects providing services to communities and organizations throughout the commonwealth; (4) projects not using corps members to replace previously budgeted positions or to reduce overtime, hours of work or opportunities for advancement for employees or members of corps sponsors; and (5) projects falling within 1 or both of the following categories: (i) direct service projects that give corps members opportunities to provide direct services addressing unmet community needs including, but not limited to, tutoring or mentoring, providing health care education, providing services to the homeless, enhancing historic, cultural, and natural resources of the commonwealth, enhancing environmental restoration, enhancing emergency preparedness and response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit, train and support volunteers to participate in civic projects and to meet unmet community needs.

(c) The agency shall establish guidelines for projects and activities to reform, expand, replicate and implement community service and volunteer opportunities in the commonwealth. Corps sponsors shall submit data to the agency verifying compliance with the program requirements at least annually.

SECTION 9. (a) The commission, with the advice of the public higher education institutions, shall establish through the agency a pilot commonwealth student corps program to expand opportunities for students of environmental, educational, public health, and public safety professions to participate in public service projects that help meet unmet community needs. The program shall be designed to expand and coordinate public and private resources that promote community service by connecting supervised students with professionals in service projects that are consistent with students' areas of studies.

(b) The pilot commonwealth student corps program shall be administered through the agency at no more than 5 public higher education institutions over a 3-year period. Upon completion of the pilot program, the agency and the commission, with the input of public higher education institutions, shall evaluate the pilot program and make recommendations to the governor on the continued implementation of the curriculum-based community service programs. The commission, upon a majority vote, may extend service-learning beyond the period of the 3-year pilot program and to other public institutions of higher education.

(c) The board shall work in coordination with the Massachusetts campus compact, so-called, to review opportunities for students to be matched with accredited service sites. The agency, in cooperation with the Massachusetts campus compact, shall develop criteria for the accreditation of these service sites.

(d) The purpose and goals of the curriculum-based pilot commonwealth student corps shall include, but not be limited to: (1) increasing opportunities for students in the commonwealth to participate in real-world applied learning through curriculum-based service activities; (2) helping address the commonwealth's community needs; (3) strengthening communities through service; (4) enhancing the ethic of service; and (5) providing students academic credit for participation in community service-learning projects.

SECTION 10. (a) There shall be a community service-learning advisory council. The council shall consist of no more than 30 members to be appointed by the commission, 1 of whom shall be a board member of the agency; 1 of whom shall be a member of the Massachusetts Campus Compact; 1 of whom shall be a representative of the Massachusetts AFL-CIO; 1 of whom shall be a program coordinator; provided, however, that the commission shall appoint additional members from a range of professions, including, but not limited to, college or university presidents, faculty members of institutions of higher education, school board members, school superintendents, educators, counselors, students and members of the business community. Each member shall serve for a term of 3 years and shall serve without compensation. A person appointed to fill a vacancy in the office of a member of the council shall be appointed in a like manner and shall serve for only the unexpired term of the member. A member shall be eligible for reappointment. A chairman of the council shall be elected annually from the membership. The executive office of the governor shall provide administrative support to the council as requested.

(b) The duties of the council shall include, but not be limited to, the following: (1) coordinating with other private and public entities including the agency, the Massachusetts department of education, and the Massachusetts board of higher education to promote the development and advancement of service learning opportunities for students in the commonwealth; (2) conducting studies of projects to be approved by the agency; (3) delivering regular reports on the progress of the commonwealth student corps program to the governor and general court; (4) applying to private sources and the federal government for grants to implement studies and fund accredited service projects; but, the council shall deposit funds received from said grants in a separate account at the department of each participating state college or university; (5) entering into agreements with other entities as allowed by law for the purposes of implementing this act; (6) studying the feasibility of utilizing the services of retired professionals and other licensed and certified professionals; and (7) disseminating information identifying best practices related to service learning programs and policies to educational institutions in the commonwealth.

SECTION 11. The agency shall annually file with the commission, on or before January 1, a report, which shall include, but not be limited to, the following: (1) a financial statement summarizing its expenditures and available funds; (2) the number of projects and proposed placements submitted to it; (3) the number of volunteers assigned to corps sponsors; (4) the number of hours served by corps members; (5) the number of beneficiaries served by corps projects; (6) a description of corps projects and a summary

of the work completed; (7) a measure of outputs and outcomes; (8) organizations participating in the commonwealth student corps, community service-learning activities, commonwealth student corps activities; and (9) information on other pertinent service data as may be determined by the commission.

Approved November 27, 2007.