Advocacy for Policy Change

Brandeis students work to reform Massachusetts law

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**Advocacy for Policy Change** is a part of a new national program, ENACT: The Educational Network for Active Civic Transformation. ENACT is made possible by a generous gift from Ethics Center International Advisory Board Member Norbert Weissberg and his wife, former Board Member Judith Schneider. The program is also supported by the Rice Family Foundation.

> Norbert Weissberg and Judith Schneider at “Present and Defend: Projects from Advocacy for Policy Change,” April 2011.

For more information about the projects in this report, visit [www.brandeis.edu/ethics/atbrandeis/advocacy](http://www.brandeis.edu/ethics/atbrandeis/advocacy)

To learn about ENACT: The Educational Network for Active Civic Transformation, and to sign up for updates, visit [go.brandeis.edu/ENACT](http://go.brandeis.edu/ENACT)

Photos: David J. Weinstein except page 3: Mike Lovett, and page 5 (bottom): courtesy Massachusetts State House

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Advocacy for Policy Change: Brandeis students work to reform Massachusetts law
Introduction

Melissa Stimell

In the spring semester of the 2009-10 academic year, I embarked on an experiment with 13 dedicated Brandeis University undergraduate students and the logistical, financial and intellectual support of the International Center for Ethics, Justice and Public Life, and the Legal Studies Program at Brandeis University. Together we created “Advocacy for Policy Change.”

This course combines an investigation of the ethical dilemmas that arise in the process of lawmaking with hands-on advocacy work at the state level. Students are encouraged to think deeply about the complexities of shaping laws for constituents who hold diverse viewpoints about what is right and good for society and how to best progress through the legislative process. Students choose existing laws they feel could be credibly challenged on ethical or moral grounds, and advocate for state legislative change.

Now in its eighth year, “Advocacy for Policy Change” is dedicated to the creation of citizen advocates: individuals prepared and motivated to create a just society through legislative advocacy. In 2017, we anointed 24 citizen advocates for such issues as immigrant rights, healthcare for women and disability rights.

Working in teams, the students research their chosen issues and design and implement models of legislative advocacy. State legislators and advocacy organizations advise each team to help them understand the lawmaking process, connect with colleagues, and set realistic goals. Each student completes a series of assignments related to the project, in formats relevant to advocacy work, such as an “elevator speech,” an op-ed, and a short video. (The full list of assignments is on page six.) This anthology contains excerpts from these assignments, updates on the bills, and links to more information on the relevant issues or organizations.

Once again, I must thank several people whose support over the past eight years has been invaluable. This course would not exist without the ongoing support of Professor Richard Gaskins, my mentor and the Director of the Legal Studies Program. He and Daniel Terris, Director of the International Center for Ethics, Justice and Public Life, took the kernel of a unique idea and made it a reality. Massachusetts State Representative and Ethics Center Board member Jay Kaufman ’68, MA ’73 helped me create a course worthy of Brandeis University. An expanding list of exceptional teaching assistants made the course a reality: David Duhalde, Andrew Hart, Roz Kabrhel, Benjamin Kreider, Melissa Ross, Doug Smith, and Cynthia Tschampl.

This course is part of a new national program based at Brandeis University, called ENACT: The Educational Network for Active Civic Transformation. In May 2016, the inaugural cohort of 15 ENACT Faculty Fellows gathered at Brandeis for a five-day institute. Since the fall of 2016, the Fellows have been teaching their ENACT courses at colleges and universities in or near state capitals across the US. Students in ENACT courses, like those in “Advocacy for Policy Change,” learn how to work with community organizations, state legislators and legislative staff members to
ENACT is becoming a major voice in addressing challenges to American democracy by engaging young people around the country in civic activism built on knowledge, cooperation, justice and integrity. ENACT is supported by generous multi-year commitments from International Center for Ethics, Justice and Public Life International Advisory Board member Norbert Weissberg and his wife, former Board member Judith Schneider, and is also supported by the Rice Family Foundation. The students, Faculty Fellows and I are very grateful to them for their ongoing support. For more information, see go.brandeis.edu/ENACT.

Brandeis University students are committed to combining academic rigor with hands-on work in pursuit of social justice. Each year a new cohort of advocacy students develops skills that will serve them far beyond one semester. We look forward to supporting the next cohort of inspirational citizen advocates in Advocacy for Policy Change at Brandeis University and with the national expansion of ENACT.

Melissa Stimell
Academic Director, ENACT: The Educational Network for Active Civic Transformation
Professor of the Practice in Legal Studies
Chair, Social Justice and Social Policy Program
Director of Internships, Legal Studies Program
The wonderfully engaged, bright, and energetic students in the “Advocacy for Policy Change” course bring new ideas and new energy to public policymaking.

Grounded in a realistic look at what it takes to advocate for and make significant change in the public arena, they dig into difficult “real world” problems and meaningfully interact with the state’s change agents and would-be (or should-be) change agents.

I have no doubt that their probing questions, insights and ideas have made me a better legislator, and help make for better policy in the Commonwealth of Massachusetts.

As a Brandeis University alum, I am particularly gratified to have had the opportunity to help establish and nurture this valuable course, which continues the Brandeis tradition of active engagement with the pressing issues of the time.

I am honored to also serve as the Distinguished Legislator for ENACT: The Educational Network for Active Civic Transformation, a national expansion of the important work we have been doing at Brandeis University. We’ve created a great model here at Brandeis and the Massachusetts State House that is now inspiring and supporting engaged citizens across the nation. The network of students, faculty, activists and legislators we are building in ENACT is more important than ever, and I am excited to be a part of its growth and development.

Jay Kaufman is a member of the International Advisory Board of the International Center for Ethics, Justice and Public Life.
The reports in this volume are excerpted from the material required of each student team in “Advocacy for Policy Change” (Legal Studies 161b) in Spring 2017. The assignments were designed to develop and demonstrate the students’ understanding of the issues and the advocacy process.

Required Project Components

Storybook
One of the most crucial components of the advocacy process is the sharing of personal stories. For this assignment, students were directed to connect with individuals impacted by their issues and collect and recount their stories.

Research Report
The legislative research report is an in-depth document containing facts and analysis of the bill or budget item that a legislator or staffer can reference during the legislative process.

Elevator Speech
A prepared advocate should be able to give someone a general idea of the issue and a plan of action within about 30 seconds – the time it takes to ride an elevator. Students were instructed to imagine riding an elevator or walking a hallway at the State House with a legislator or aide.

Letter to the Legislator
Ten handwritten (or typed) letters to a legislator have more impact on him or her than 100 emails. The main purposes of this letter to the legislator are to convey that constituents are watching his or her actions on an issue, and to recommend a legislative course of action.

Script for an In-Depth Meeting with House Ways and Means Staff
All bills pass through the House Ways and Means Committee for an analysis of their impact on the state budget. For this assignment, students were to write up an accessible and personalized speech to be given in a 5-10 minute meeting with the chair of the House Ways and Means Committee.

Campaign Journal
The campaign journal was an opportunity for students to reflect upon at least two substantive meetings with coalition organizations or policymakers.

Op-Ed
The op-ed section of The Boston Globe presents a wide array of opinions from community members. Students wrote their own op-ed pieces, sharing their opinions on their advocacy issues in 750 words or less.

Advocacy Video
Using either original footage or existing YouTube films, students created “media mash-ups” to present their issues through video.

Final Oral Presentation: “Present and Defend”
Bringing everything together, on May 1st, 2017, students gave brief oral presentations of their legislative advocacy projects and responded to questions from audience members.
The Safe Communities Act ("An Act to protect the civil rights and safety of all Massachusetts residents"), was filed on January 20, 2017 by Sen. James B. Eldridge (HD.3052) and Juana Matias (SD.1596) as a response to Trump’s travel ban on visitors from seven Muslim majority countries. The policies implemented by this bill would protect civil rights of all Massachusetts residents, including but not limited to the right to keep private personal information (e.g., race or religion) withheld by such departments as the Registry of Motor Vehicles (RMV) from law enforcement agencies, which directly responds to Trump’s plans to create Muslim registry, as well as the right to decline an interview with Immigration and Customs Enforcement (ICE) agencies for immigrants held in local or state facilities, etc. The policies proposed by The Safe Communities Act are sanctuary in their nature.

The Bill

S.1305/H.3269: An Act to protect the civil rights and safety of all Massachusetts residents

Elevator Speech

Hello, we are José Castellanos and Sara Bezrukavnikov, and we’re students at Brandeis University. We came to this country looking for new opportunities. The philosophy of acceptance, which has always been a cornerstone of our democracy, facilitated our success. The present administration has repeatedly threatened hardline action against Muslims and undocumented immigrants who are well established as vital members of our communities. Immigrants do not threaten public safety. Rather, the threat comes from allowing local and state law enforcement agencies to cooperate with DHS and ICE to act against undocumented immigrants. Several studies, such as Robert Adelman et al. in Journal of Ethnicity in Criminal Justice, have actually shown that immigrants are significantly less likely to commit crime than people born in the United States. The Safe Communities Act protects the rights of Muslims and undocumented immigrants by preventing the creation of registries on the basis of race and religious affiliation, and prohibiting
law enforcement agencies from disclosing immigration and citizenship status to DHS and ICE, as well as from participating in raids. As proponents of the bill SD.1503 and residents of Massachusetts, we strongly encourage the Joint Committee on Public Safety and Homeland Security to vote the Safe Communities Act out of committee favorably.

**Excerpt from the Storybook**

*Alexander’s Story*

To people like Alexander Perez, a college student in Massachusetts, the impact of ICE and DHS raids on largely immigrant communities is all too real. Alexander points out that the possibility or threat of raids causes a sense of unease and insecurity in these communities, especially among people who are otherwise law-abiding citizens and would have nothing to fear. “To support raids on local immigrant families is to support attacks on innocent civilians who have no intention of bringing harm to the community in which they live.”

**Op-Ed**

*Jose*

It’s a cruel irony that a country founded by immigrants has taken the word “immigrant” and given it a deeply negative connotation. Immigrants are no longer seen by many as part of the greater American society, but rather are seen as “others”. For a long time, these sentiments were often considered to be part of a fringe ideology, but the November election has brought anti-immigrant sentiments into power, and it’s crucial to now consider any opportunities that can protect the immigrant communities of the Commonwealth from unjust persecution. In the face of injustice, these opportunities are oftentimes rare, however, the Safe Communities Act is one such opportunity with the potential to create an immense positive impact in the Commonwealth.

In short, the Safe Communities Act is a set of protections for undocumented immigrants, ensuring due process rights for people detained by DHS and ICE, and ensuring that local and state officials cannot act in immigration enforcement acts, as well as prohibiting the creation of a registry on a number of categories, such as race, religion, ethnicity, and gender identity. Massachusetts would in essence become a Sanctuary State. The Trump administration has continuously threatened hardline action, such as deportation and prosecution, against already disenfranchised peoples so it’s absolutely critical that these protections get passed into law to make sure that these people, who are already active and vital members of our communities, can be protected.

However, that is not to say that the Act is without opponents. The most prominent is Governor Charlie Baker, who has dismissed the possibility of Massachusetts becoming a sanctuary state and has stated multiple times that he intends on vetoing the Act, largely due to the Justice Department’s threat to cut police funding from sanctuary jurisdictions. However, Judge William Orrick of the Northern District Court of California recently ruled that it would be unconstitutional for the Trump administration to revoke police funding for sanctuary jurisdictions, effectively dismissing Baker’s concerns.

The Safe Communities Act would be a historical piece of legislation, and would almost definitely inspire other states to pass similar bills. Many states, in fact, already have. The passage of the Act shouldn’t be a matter of partisan politics because it’s not a partisan issue. Most studies performed have shown that communities with higher immigrant populations actually have lower crime rates than predominantly native-born communities, so there isn’t a threat to public safety in allowing immigrants to continue living safely in the Commonwealth. Rather, the threat to public safety comes from allowing unchecked police and administrative powers to perform raids against peaceful and otherwise law-abiding citizens.

To oppose the Safe Communities Act would be to encourage the separation of families and continued discrimination against immigrants in Massachusetts. To oppose the Safe Communities Act would be to encourage fear mongering and scapegoating of vital members of our churches, schools, and neighborhoods. To oppose the Safe Communities Act would be to encourage hate and prejudice in the Commonwealth.

The Safe Communities Act is the piece of legislation drawing the most media attention this session, and for good reason. The bill is far-reaching and its potential impact would be tremendous. Although it does have a number of supporters both inside and outside of the State House, it’s still going to be challenging to pass. To that end, it’s up to the people of the Commonwealth to speak up and support the Safe Communities Act. By calling legislators, showing up to peaceful demonstrations and rallies, and contacting the Governor’s office, the people of Massachusetts can show that they’re different from the national norm, and won’t stand for prejudice.

**House Ways and Means Script**

My name is Sara Bezrukavnikov, and I, along with my colleague Jose Castellanos, am a student of Brandeis University and resident of Waltham, Massachusetts. As representatives of the immigrant youth of America, we
want to address the criminalization of immigrants in Massachusetts. On January 25th, 2017 Donald Trump issued an executive order that has already changed the lives of millions of American residents. In that order, he, among other things, has rapidly increased the number of immigrants considered a priority for deportation. Under that order, immigrants with even minor crimes, or even if merely accused of such criminal activity, are prioritized for removal from the United States. That order has resulted, among other things, in deportation of Guadalupe Garcia de Rayos, the mother of two living in Arizona whose only crime was falsification of the Social Security card to work at an Arizona water park. To quote the Mayor of Phoenix Greg Stanton, “Rather than tracking down violent criminals and drug dealers, ICE is spending its energy deporting a woman with two American children who has lived here for more than two decades and poses a threat to nobody.” For that reason, we want you to support Senate Bill 1305: An Act to Protect the Civil Rights and Safety of all Massachusetts Residents, or The Safe Communities Act. By supporting that bill, you will prevent separation of families of people whose only mistake is a stamp in the wrong document.

In addition to immigration enforcement, during his campaign Trump has spoken about establishing a registry that would track Muslims in America. Even though he has not acted on this promise yet, given his current political course, it may very well come true in the nearest future. The Safe Communities Act prevents a creation of such a database, or any other database that would keep track of people’s race, gender, sexual orientation, religion, or national or ethnic origin, within Massachusetts. Furthermore, it ensures that the police force is used to fight crime, not separate families. The Act therefore prohibits the police participation in immigration enforcement activities, “including inquiries, investigations, raids, arrests or detentions that are based solely on immigration status”. In the same interest of minimization of immigration enforcement, it prohibits any agreements with Department of Homeland Security that enable local officers as immigration enforcement agents. Finally, it protects captives detained in state and local facilities for civil immigration violations.

Unlike many bills in the legislature this session, the Safe Communities Act was carefully drafted by Rep. Matias and Sen. Eldridge in such a way that its fiscal impact is very much limited. In fact, it could actually end up saving the Commonwealth money, as it would prevent state resources from being diverted towards assisting ICE/DHS raids and the creation of a Muslim registry, or in fact, any registry on a number of protected categories. Additionally, the idea behind the Safe Communities Act is not unique to Massachusetts. Sanctuary policies are already widespread, with a number of states, such as Connecticut and Colorado, and a number of cities, such as New Orleans and Baltimore, already taking similar measures to ensure protections for undocumented immigrants, at no cost to public safety. Immigrants have already been proven to have lower rates of crime than American-born citizens, and permitting the federal government to target these communities can actually pose a risk to public safety by threatening the wellbeing of vital members of our communities, as well as creating a tense and uneasy atmosphere.

The Safe Communities Act represents an opportunity to show that Massachusetts is different, and that we, as a state, will not stand for discriminatory policies that unjustly target people of already disenfranchised communities. The actions taken by the administration are targeted at people of color and religious minorities, and federal judges have repeatedly found these actions to be unconstitutional. However, we must ensure that the measures that are needed to protect these communities are codified into law, and for that, we need to pass the Safe Communities Act.

Letter to the Legislator

My name is Sara Bezrukavnikov and I, along with my colleague Jose Castellanos, am a student at Brandeis University who resides in Waltham, Massachusetts. I am writing to request your support of the SD 1305: An Act to Protect the Civil Rights and Safety of all Massachusetts Residents, known as The Safe Communities Act. Governor Baker, on January 28th of this year you publicly opposed the immigration ban President Trump imposed on migrants and refugees. You opposed “applying religious tests to the refugee system” and expressed a belief that “focusing on countries’ predominant religions will not make the US any safer.” Indeed, the religion of the refugees and migrants who flee to America in search of a better life does not indicate if they are a threat to the American society. On the contrary, studies have showed that areas with higher migrant and refugee populations have significantly lower crime rates. Moreover, rates of economic prosperity are higher in areas containing more migrants and refugees — from higher median household income, less poverty, and less reliance on public assistance to higher labor force participation, higher employment-to-population ratios, and lower unemployment. Thus, as you have justly claimed, applying religious tests and refusing a shelter based on a migrant’s national identity will not bring any benefit to the American population.

Senator Eldridge and Representative Matias’ Safe Communities Act expresses the same values. First of all, it opposes applying religious tests to the population of Massachusetts via the creation of a so-called ‘Muslim Registry’ or any other database that would keep track of people’s race,
gender, sexual orientation, religion, or national or ethnic origin within the state. Second of all, the Act ensures that the police force is used to fight crime, not separate families. The Act therefore prohibits police participation in immigration enforcement activities, “including inquiries, investigations, raids, arrests or detentions that are based solely on immigration status.” In the same interest of the minimization of immigration enforcement, it prohibits any agreements with Department of Homeland Security that enable local officers to as immigration enforcement agents. Finally, it ensures basic due process rights for the people detained in state and local facilities for civil immigration violations. Thus, the Safe Communities Act aims to ensure the safety and wellbeing of all Massachusetts residents, regardless of their religious, national, or ethnic background.

In February, you expressed your concerns regarding the bill in relation to the president’s threats to cut the federal budget from sanctuary cities or states. It is important to note that the largest sources of federal funds are exempt from Trump’s edict. Thus, payments to individuals, such as Social Security or health benefits from Medicare, Medicaid, or the Affordable Care Act, as well as highway funding and aid to disadvantaged schools and other programs like subsidized housing vouchers, heating subsidies for the poor, and food stamps, are exempt. The discretionary grant programs, which hypothetically are within Trump’s edict’s jurisdiction, are only limited to a handful of smaller programs within the departments of Justice and Homeland Security. Therefore, the passing of the bill will yield no serious financial change to the wellbeing of Massachusetts.

I ask of you to publicly support and then sign The Safe Communities Act to ensure safety and wellbeing for all the residents of Massachusetts.

■ Excerpts from Campaign Journals

Sara
Meeting with the legislators, their aides and workers of the advocacy groups helped us shape our understanding of the bill and its place in the political landscape of Massachusetts. Most importantly, however, it helped us see what we do NOT understand about the bill. Any question from a legislator the answer to which we could not come up with immediately was more helpful to us than a reassuring smile and a promise of “looking more into it.”

For instance, Ms. Meg Kilcoyne’s asking us about the financial implications of the bill taught us to emphasize the fact that the bill, in fact, has no impact on the budget whatsoever in our future advocacy for it. That question also prompted us to ask Rep. Juana Matias about it, and she told us that lack of financial implications was a result of careful planning and is one of the bill’s greatest appeals.

Jose
A week and a half after the rally was Passover break. Given that my classwork over break would be minimal, I set out to do two things: film footage that could be used as filler for the video, and get the story of someone who represents the ideal immigrant, someone hardworking who is beloved by a community and strives to help others. On April 13th, I accomplished both those goals. I took a camera and went to the towns of Lexington and Concord to get patriotic imagery for the backdrop shots of the video. It only seemed appropriate to use the cradle of the American Revolution to talk about why immigrants make America great.

Afterwards, I drove back to Waltham and spoke to Olga, an older woman who owned a bakery in town. She came from Guatemala years ago, and I briefly spoke to her about the Safe Communities Act and what these protections would mean to her, before getting permission to film her as testimony for the video. Speaking to Olga was frankly sobering. Throughout the semester I would constantly feel detached from the true impact that the Act would have, and speaking to her was a reminder that there were real people who would be impacted if the Safe Communities Act were to become law.

■ Update
The bill was scheduled for a hearing on June 9, 2017.

For more information

View the Bill: malegislature.gov/Bills/190/H3269

Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition: miracoalition.org
Bill S.698, An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities, sponsored by Senator Barbara L’Italien, intends to remove the barriers that are currently preventing individuals with these disabilities from accessing public higher education. Through 14 sections of changes and amendments to the portions of the General Laws of Massachusetts pertaining to education for individuals with disabilities as well as higher education, this bill aims to include students with intellectual disabilities, autism spectrum disorders, and other developmental disabilities in all the experiences higher education offers.

The Bill
S.698: An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities

Elevator Speech
Hi I’m Nicole and I’m Francesca, and we are students at Brandeis University. Access to higher education remains an unfulfilled fundamental value of the Commonwealth of Massachusetts. Therefore, in order to bolster our community we must provide fair opportunities for individuals with intellectual disabilities within public institutions of higher education. In 2011, only 23% of students with such disabilities enrolled in either a 2 year or 4 year university. We are concerned because college teaches students essential independent life skills and provides them skills necessary to enter the workforce. For this reason, we must fully integrate students with intellectual disabilities in order to ensure their success as adults.

You can support these individuals by reporting favorably on S.698, scheduling a hearing as well as supporting its passage through the Joint Committee On Higher Education.

Excerpt from the Storybook
Expert Testimony: Maura Sullivan, The Arc of Massachusetts
“S. 698 is on the top of our priority list right now. What people need to understand is that this bill will be beneficial for all of Massachusetts’ constituents because it will ultimately lead to an increase in access to higher education for students with disabilities.”

Francesca DiLapi ’18 and Nicole Kovalevsky ’17
in employment rates for people with disabilities, thereby reducing the amount of individuals who rely on SSI benefits for basic needs like food, shelter, clothing. We believe that education is the source of improved outcomes for people with disabilities, which is why we are really pushing for the passage of it in this session.”

Expert Testimony: Tom Sannicandro (Former Legislator/Current Disability Education Lawyer and father of a man with Down Syndrome)

When my son with Down Syndrome was in high school, I was the chair for his school, a successful attorney, and had administrative experience in disability education law, and yet as a parent, I felt powerless to help my own son succeed. Since creating the pilot program of the ICEI in 2007, 1,200 Massachusetts students with IDs have been fully integrated in Massachusetts colleges, and based on findings in 2014 by a task force on higher education for people with IDs, DDs, and autism, this program has helped students gain independence, social skills, and access to meaningful employment. If these students have the opportunity to go to college, they can learn the skills necessary to support themselves, cutting down on SSI benefits and increasing the labor force. I support S.698 because people need to see that the lack of options for students with disabilities as they are about to transition are detrimental to the potential success these people can have if they would just be given the opportunities afforded to other students.

Op-Ed
Francesca DiLapi

Maybe it’s because I am an impatient and naive millennial, but I actually expect all people to be treated equally under the law of the United States. Regardless, I find it baffling that it took until 2017 for the Supreme Court to determine that the free and appropriate public education in the least restrictive environment provisions of the Individuals with Disabilities Education Act should require “that schools must do more than provide a ‘merely more than de minimis’ education for students with disabilities. The decision explicitly states that schools must now provide these students with the opportunity to make ‘appropriately ambitious’ progress in line with the federal education law.” It is 2017 and lawmakers are finally required up until the age of 22, and yet up until now most students have been left in high school settings with kids who are younger than them, not learning skills that would allow them to be independent in the adult world, which completely goes against the recent Supreme Court ruling. This is problematic, especially in a state such as Massachusetts, which is lauded for its liberal values but still has more than 3,700 students ages 18-22 living with these disabilities, only 23 percent of whom will go to college.

Luckily there is a piece of legislation that will increase access to college level education for these students, significantly improving their chances of a successful life. Known as Bill S.698: “An Act creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities,” this bill removes the barriers to enrolling in public institutions of higher education to fully integrate these students within the university.

Through amendments to the Massachusetts General Laws, S.698 offers provisions that will ensure easier access to higher education. For instance, students with developmental disabilities, autism, and intellectual disabilities will no longer be required to meet state requirements, the requirements of aptitude tests, class requirements, or obtain a high school degree. Instead, universities will provide students with supports and services that will allow them to take public college classes with their peers on either a credit-bearing or audit-bearing basis.

This bill also extends public education services to these students at the college level by codifying the Inclusive Concurrent Enrolment Initiative grant, which provides funding for partnerships between public high schools and colleges to promote the successful integration of students with disabilities into public institutions of higher education.

Through bill S.698, students have the opportunity to establish new social networks, participate in activities, use public transportation, and gain employment through university connections.

Not only does this bill complement the decision in Endrew F v. Douglas County School District, but it also provides university students the chance to become more accepting of differences. According to Dr. Lisa Battaglino, Dean, College of Education and Allied Studies at Bridgewater State, a school that has already implemented an ICEI program, “the ICE student made the course better for every single person in the class…The ICE student brought a sense of community, kindness, and camaraderie to the college classroom, an element that is often missing due to the diverse
make-up and busy lives of university students.” This is testimony to the fact that students with intellectual disabilities can indeed benefit from a college education and other students can benefit from interacting with them.

Bill S.698 is currently sitting in the Joint Committee on Higher Education, waiting for a hearing. For the well-being of the constituents of the Commonwealth, as well as the fact that a bill like this is way overdue, it is imperative that citizens pressure the committee to vote the bill out favorably as soon as possible, so the thousands of constituents living with intellectual disabilities can finally have the free and (actually) appropriate public education in the least restrictive environment that they deserve. You can help by calling your local representatives and requesting to talk about inclusive higher education for students with intellectual disabilities, autism and other developmental disabilities.

**House Ways and Means Script**

As students of Brandeis University and residents of the Commonwealth of Massachusetts, we have benefited from countless opportunities, which have enabled us to become independent as well as successful constituents. The top-notch tools provided to students in the Commonwealth’s higher education institutions foster skills which promote independence, and confidence to ensure that Massachusetts’s residents remain prosperous and content members of society. Typical young adults prepare to study at an institution of higher education from a young age, focusing only on which school they should attend. However, “more than 3,700 students ages 18-22 with severe disabilities statewide” struggle to access college level education due to their unique situations. Unlike their peers, these students contemplate questions such as, “Will I be able to attend college? And if not, what will happen to me after I finish high school?”

While Massachusetts has made great strides in its attempt to increase opportunities for students with intellectual and developmental disabilities, the percentage of intellectually disabled individuals who attend college has remained low. In 2011, only 23% of eligible students with these severe disabilities enrolled in two or four year universities. Meanwhile, 85% of individuals with such disabilities spent numerous hours in unpaid work environments, and only 18% of young adults with such disabilities from the ages of 16 to 21 had a form of employment. Without accessing higher education, these students do not have the chance to attend classes, live in dorms with peers of their own age, participate in extracurricular activities, learn how to gain meaningful employment through internships, or develop the skills necessary to live independent lives.

Bill S.698 removes the barriers to enrolling in public institutions of higher education with the purpose of fully integrating these disabled students into both academic and nonacademic settings within the university. Through 14 sections of amendments to the Massachusetts General Laws, this bill offers provisions that will ensure easier access to higher education. For instance, students with developmental disabilities, autism, and intellectual disabilities will no longer be required to meet state requirements, the requirements of aptitude tests, class requirements, or obtain a high school degree. Instead, universities will provide students with supports and services that will allow them to take public college classes with their peers on either a credit-bearing or audit-bearing basis. This bill also extends public education services to these students at the college level. Additionally, bill S. 698 codifies the ICEI grant, which provides funding for partnerships between public high schools and colleges to promote the successful integration of students with disabilities into public institutions of higher education.

Some may argue that bill S.698 might prove problematic in its reliance on state funding. However, while allocations for supports provided to these students will require state funds, the appropriation will come from money already given to the Inclusive Concurrent Enrollment Initiative through the Executive Office of Education. The ICEI currently receives 1 million dollars in funding, but experts estimate that a budget of 2 million dollars would best accommodate the supports and services guaranteed by bill S. 698. Ultimately, the money invested in these students’ education will cut down on SSI benefits they will receive, due to the fact that they will have gainful employment. In offering students with developmental disabilities, autism, and intellectual disabilities a well-rounded education, students will in turn become contributing members of society.

Another concern some may have is that the full integration of students with severe disabilities may interfere with the progress of other students and professors within the university setting. Students with disabilities differ from their peers, and their differences may initially confuse members of the university. However, the 15 public institutions of higher education in Massachusetts that already participate in the Inclusive Concurrent Enrollment initiative, have only provided positive feedback in response to implementing such a program. According to Dr. Lisa Battaglino, Dean, College of Education and Allied Studies at Bridgewater State, one of the participating schools, “What I found was that the ICE student made the course better for every single person in the class... The ICE student brought a sense of community, kindness, and camaraderie to the college classroom, an element that is often missing due to the diverse make-up and busy lives of university students.”
Due to the positive impacts of bill S.698, along with the promise of equal opportunities for all citizens of the commonwealth to pursue higher education, we support this bill and urge the House Ways and Means Committee to vote on it favorably.

Letter to the Legislator

As a father of five children and a member of the Board of Directors of the Boys & Girls Club, we know we can count on you to support equal access to higher education within the Commonwealth of Massachusetts. Currently, individuals with intellectual, autism spectrum disorders, and developmental disabilities struggle to obtain a higher education in their transition from students to young adults. This particular group of disabled individuals remains grossly underrepresented and marginalized as members of society. In 2011, only 23% of students with intellectual and/or developmental disabilities enrolled in a two-year or four-year university, and only 18% of young adults from the ages 16 to 21 obtained employment.

S.698 recognizes the influential role universities play in fostering independence, offering extracurricular activities, as well as providing unique internship opportunities for students. Therefore, this bill provides fair opportunities and seeks to improve outcomes for individuals with intellectual disabilities by removing barriers to attending public institutions of higher education, as well as promoting full integration of disabled individuals in both academic and nonacademic settings.

Under the bill, students have the option to take courses for credit or audit with any individualized supports and services necessary for success in and out of the classroom. Although universities may feel pressured to allocate additional funds for accommodating intellectually disabled students, S.698 guarantees that public universities will not need to grow their previously established budget. Furthermore, S.698 reinforces any expenses established in students’ Individualized Education Program, while also recognizing the role of supplemental aids in covering the costs of supports. Thus, as advocates for disability rights we implore you to discuss the bill with your colleagues and assist S.698’s passage through the Joint Committee on Higher Education.

Excerpts from Campaign Journals

Francesca

Meeting with Maximo P, MAICEI Student and Intern at Massachusetts Advocates for Children and Julia Landau, Senior Program Director at Massachusetts Advocates for Children

By this point in our campaign for bill S.D 698, Nicole and I had become slightly frustrated by the lack of positive responses we had received from legislators. There was no opposition to the bill, but there seemed to be apathy towards disability issues in general, possibly because legislators did not understand what it was like to meet people with disabilities. Having been beaten down slightly, Nicole and I were nervous for this meeting, because we felt like this could either be a turning point for us or it could show us what we had already seen. At first, when we talked to Julia, she seemed to confirm our fears by saying that despite disability issues being important to those directly affected or by advocates such as ourselves, people just didn't think about disability enough, which made our job harder. I admit that this brief encounter with Julia simply deflated me, but then she introduced Maximo, and I was reminded why I was passionate about this issue in the first place.

Maximo is a MAICEI student, and he told us his story of finally being in an inclusive school setting at his university. He desperately wants people to understand that he is a caring person who wants other students to be able to benefit from education, like he did. Maximo already has an internship with MAC, he is taking three courses, and he knows what he wants to do in the future, which is hard to do for any college student. By participating in inclusive higher education, Maximo has come to the realization that he wants to be a human services worker in a school or organization. Because of this program, he believes that students with disabilities can succeed in anything they put their minds to.

Hearing Maximo’s story made me realize that this is what people need to see. Legislators need to hear stories such as this, so they can understand this population better. There are over 3,700 students with intellectual disabilities in Massachusetts who could benefit from MAICEI programs, and it is time for their voices to be heard. As advocates, it must be our job to find these students and help them show the government what they are capable of when given the chance.

Nicole

On April 3rd I attended a 10 a.m. Arc meeting discussing the governor’s budget. This coalition meeting took place in the new Arc building and consisted of three members from the Arc as well as 9 coalition members. The meeting proved very timely as I had just finished my budget report of Turning 22. Coincidentally, my line-item was on the agenda for the
meeting. Thus, coordinators from the Arc requested that I give a brief presentation on the line-item. After stressing the points mentioned above one of the coordinators requested that I consolidate my findings in a document to be shared with the Arc. In addition to T22, we also discussed the Arc’s 10 prioritized bills which included S.698 as well as the Abuse Registry bill and Dental Therapist Expansion bills. The committee discussed both of these bills in length. The former one seeks to create a registry of caretakers who have abused disabled individuals, and the latter seeks to improve dental health treatment by providing more specialized training to staff on how to treat patients with IDs, autism, and/or DDs.

Although I received a packet with the agenda as well as information on the specific line-items and bills prioritized by the Arc, I found it difficult to follow some of the discussion. Throughout the meeting I had to reassure myself of the fact that it was my first meeting and I had only become educated on my designated bill and line-item. After discussing the bills, committee members shared their experiences lobbying/advocating on behalf of the Arc. Even though I did not partake in this reflective part of the discussion, my contributions were generally helpful in introducing/describing my line-item. The meeting went well and committee members thanked me for sharing my time.

■ Update
The bill was scheduled for a hearing July 13, 2017.

For more information

View the Bill: malegislature.gov/Bills/190/S698
The Arc of Massachusetts: thearcofmass.org
The Electronic Privacy Act is a means to protect the 4th and 14th Amendment rights of Massachusetts citizens. This legislation will ensure that law enforcement agents are following fair procedure by requiring probable cause and obtaining a warrant to access the private electronic information of citizens.

Electronic Privacy

Add protection from unwarranted gathering of information from cell phones, laptops, and other electronic devices

The Bill

S.943: An Act to protect electronic privacy

Elevator Speech

We are Matthew Yan, Francesca Pinto, and Ashley Morales — and we are students of Brandeis University.

It is important that we, as American people, protect the freedom that our founding fathers fought for. As of right now, that freedom is at risk. Only through a simple extension of current electronic privacy law can we keep our personal information protected and maintain our constitutional freedom.

Based on the Electronic Communications Privacy Act passed in 1986, law enforcement can obtain electronic information without a warrant if it’s older than 180 days without informing you. This includes text messages, emails, records about your GPS location, and any other information that is stored online. These days, we carry almost all of our personal information at the convenience of our fingertips. This law is out of date and has left a gaping hole for law enforcement to manipulate. The fact that law enforcement can gain access to our personal information without a warrant if it’s older than 180 days is clearly a violation of our privacy.

The Electronic Privacy Act, H.2332, S.943, will close this gaping hole left by federal law by requiring law enforcement to get a warrant before obtaining personal information from a phone or internet company. Additionally, it will require a warrant in order to use an interception device known as a Stingray to trick your phone into giving out information. This piece of legislation will uphold our constitutional freedom through ensuring that law enforcement will follow fair procedure and obtain a warrant before receiving any private information. Will (insert name here) hold a hearing and vote the Electronic Privacy Act favorably out of the Joint Committee of the Judiciary?
Excerpt from the Storybook

Do You Use a Computer or Cell Phone?

The privacy of your electronic information is at risk. Under current law, law enforcement can obtain your personal information without a warrant if it’s older than 180 days. The Electronic Privacy Act will protect the information we carry in our phones and computers.

David Sabato, a physician, a husband, and a father, expresses his concerns with outdated digital privacy laws: “There is a huge risk without monitoring... the law should reflect justice based on technologies that are vital to living and surviving in this age”.

There is a bipartisan nationwide privacy push currently underway – various bills relating to electronic privacy are being introduced in 16 states, with bills already being passed in Virginia and West Virginia.

The Current Law is Outdated

The Electronic Communications and Privacy Act of 1986 was passed before the internet existed. This outdated act permits law enforcement to obtain electronic information without a warrant if it’s older than 180 days. Electronic info includes the contents of your emails and texts, your GPS location, and any information you store online. Current electronic law is simply out of date and has left a gaping hole in our protection of privacy.

Op-Ed

Francesca

Pushing for Privacy: Time to Update the Law

Photos of your graduation, text messages from your significant other, emails to your boss, Snapchat group messages with your best friends, private Instagram photos, Facebook messages, direct Twitter messages, your GPS location. You carry all of this information around with you every day on your cellphone. Only you have access to this personal electronic information. Well, maybe not.

That’s right. Based on the Electronic Communications Privacy Act passed in 1986, law enforcement can obtain your electronic information without a warrant if it’s older than six months. But wait a minute, wasn’t 1986 over 30 years ago? There have not been any amendments to the Electronic Communications Privacy Act in over 30 years. It’s not like there has been much technological innovation since then.

Police have a special device, called a Stingray, that they use to trick your phone into giving them information. Basically, what they do is they set up the Stingray in a certain location and the device gives them access to all the phones in a given radius. Let’s say that you are in a mall with a nearby Stingray. Without your knowledge, your phone is giving your personal electronic information to that Stingray device. Pretty intrusive, right? Well, there’s more.

Not only does the device acquire your data without your knowledge, but it holds onto all of that data. So even if police don’t need any of your data, the Stingray will keep it. This could have very well happened to you without your knowledge. Your text messages, your photos, and even emails that you drafted but never sent could all be stored on a Stingray device right now. Worried?

The Electronic Privacy Act, drafted by State Senator Karen Spilka, will require state law enforcement to obtain a warrant before acquiring any data from your phone or computer. In addition, it will require police to get a warrant before using a Stingray device. Once a Stingray is used, police will be required to erase all the data that the device collected that is not needed for an investigation.

Critics of the Electronic Privacy Act may claim that this bill will hinder police investigations by making them go through the extra step of getting a warrant. But what’s more important: completely violating our privacy rights to get the job done, or making police take an extra step to ensure our rights? This bill does not stop police from doing their job, it merely requires police to get a warrant before snooping into our lives.

Many people are unaware of the lack of electronic privacy and how law enforcement is taking advantage of obsolete federal laws. If your privacy is important to you and you feel uncomfortable with law enforcement accessing your personal electronic information without a warrant, call your local state legislators and tell them to support the Electronic Privacy Act, S.943, H.2332.

House Ways and Means Script

We, as residents of the state of Massachusetts, are surprised and concerned about the lack of public knowledge and understanding of electronic privacy. It is apparent that very few people are aware of the capability of law enforcement to access our private data. We understand that the chair – Representative Brian Dempsey – has a wife and three children, and we know that he wants nothing more than that Julie, Ryan, Tyler and Brittany are safe and to know that their rights are protected as people of this country. By supporting the Electronic Privacy Act, you would be helping to maintain their rights and freedoms as American citizens afforded by the Constitution.

While there are a number of concerns regarding privacy in unwanted access to photos, messages, and even personal health records, we would like to inform you specifically about law enforcement’s violation of our privacy by way of their near unhindered access.
The current state of law as it relates to access to your digital information is based on the Electronic Communications Privacy Act passed in 1986, which is an outdated piece of legislation that no longer protects the privacy of citizens in this digital age. Current law allows for law enforcement to obtain electronic information without a warrant if it’s older than 180 days; including text messages, emails, records about your GPS location, and any other information that is stored online.

As technology is constantly developing and smartphone and cloud technology are becoming ever more present and necessary in day-to-day life, the legislation should be properly updated to reflect change in how digital information is housed as their own private spaces. This includes limiting the use of stingray technology, which tricks cell phones in the area into transmitting location and other identifying information that does not only gather the information of the targeted individual, but countless others who also happen to be nearby as innocent bystanders. That law enforcement is able to manipulate this gaping hole in current precedent without any need to notify that they would be doing so is a clear and overt violation of privacy.

The bill proposes that law enforcement obtain a warrant before demanding information – such as your emails, private social media messages and pictures, information you have on the cloud, and your contacts – from companies that store it. Massachusetts is not alone in the fight for privacy, 15 other states – in a bipartisan effort - are also fighting for legislation to maintain our freedoms, with bills having already been passed in Virginia and West Virginia.

Law enforcement may show some opposition to this bill, stating it would act as a potential barrier to their current procedure in acquiring information. However, the bill simply provides a fair system that protects the constitutional rights of citizens. It merely updates legislation with a more contemporary view on the privacy and acquisition of information at no additional financial cost to the Commonwealth.

Representative Dempsey, this bill is a proponent of progress and protection of our rights and freedoms. We ask that when the Electronic Privacy Act comes to the Ways and Means Committee you will vote favorably on it as a no-cost update to outdated legislation.

As young leaders of this generation, we need your help to protect our freedom, including your own. We are certain that someone such as yourself has a lot of important electronic information stored on your cellphone. How would it make you feel to know that law enforcement has the ability to access that private information without a warrant? Emails to your colleagues, text messages to your family, photographs, and information about your location all have the potential to be accessed without your permission.

The Electronic Privacy Act (S.943) closes a gaping hole left by an obsolete federal law that says law enforcement can obtain your information without a warrant if it’s older than 180 days. Under federal law, the government can claim authority to read all your old correspondence, and even emails you drafted but decided to NOT send.

The new bill would merely require law enforcement to obtain a warrant before demanding information such as search queries, emails, chats and texts, private social media messages, and other electronic information. In addition, there would be no financial implications as the bill would act as an update to current legislation to reflect our privacy rights as they regard the current state of technology and digital information.

It is imperative that we update the law to reflect the way we use technology today. The Electronic Privacy Act will implement a fair procedure for police to follow while maintaining our constitutional rights.

As of now, the Electronic Privacy Act is in the Joint Committee on the Judiciary. Will you speak in support of the Electronic Privacy Act with your colleagues who sit on the Committee on the Judiciary in order to help the bill get voted out favorably?

■ Excerpts from Campaign Journals

Ashley

Meeting with Representative John J. Mahoney’s office

I thought this meeting was very important because I really found the meetings where I could inform people about the bill and teach them something they didn’t really know. I remember this meeting was the first time that we were asked a question that we couldn’t answer and had been asking ourselves a lot through the process of investigating our bill—how much are the police really using stingrays and searching through citizens’ data?

It was a big milestone in having to admit that we didn’t know, but also that it wasn’t really possible to check because the police don’t really report this information. This question also helped illustrate to me what people who don’t know the bill really are interested in knowing when deciding if the Electronic Privacy Act is of importance to them or not; based
Advocacy for Policy Change: Brandeis students work to reform Massachusetts law

Francesca

Matt and I went to the State House and met with Aaron Carty, who is an associate counsel for the Senate Committee on Ways and Means. He works for Senator Karen Spilka, who is presenting the Electronic Privacy Act, and helped to draft the bill. He was an extremely helpful person to meet with because he clarified a lot of information and language in the bill that was difficult for me to understand. Additionally, he went through the entire legislative process with us which helped me to better understand where the bill was at that point in time and what exactly needed to happen in order for the bill to pass.

Not only did Aaron clarify the bill and current problems with privacy laws, but one extremely useful tool he provided us with was who we needed to speak with to start bringing awareness to privacy issues and help get this bill passed. Aaron explained that this bill had been passed multiple times through the Senate, but not through the House. He suggested that we meet with as many House members as we could and explain the bill since many people don’t know that much about it, especially the way police utilize Stingray technology.

Something else I took away from our meeting with Aaron is the importance of following up and maintaining relationships with who you meet. Since our meeting with Aaron, I have kept in contact with him through email. There have been multiple times over the course of the past few months that I have had specific questions about the Electronic Privacy Act which Aaron has been able to help me with. I think that following up and maintaining relationships with who you meet is vital, especially in the legislative process.

Matt

The Electronic Privacy Act is, for the most part, an issue of an uninformed public. By no fault of their own, they are unaware of law enforcement tools (stingrays) used to invade privacy because law enforcement worked to make sure that it remained unknown. We asked Ms. Hearn and Mr. Barash about how much they knew about the issue, and they both had vague, cursory knowledge – both knew that law enforcement might have the ability to track phones, but know less about the specifics of stingray technology. We introduced the issue as one where current legal precedent needs to be updated, explained what information stingrays are able to see/take, and ended with the demands of the bill (requiring a warrant before stingray usage so that the 180-day rule would no longer be in effect).

They both asked us quick questions about the context for the bill, to which we typically brought up the state of technology in 1986, when the original piece of legislation was passed that has near to no relevance to our current tech usage, and simple terminology like IMSI (International Mobile Subscriber Identity) to explain the scale of privacy invasion. We were also asked about immediate effects: ex. “If police set a stingray outside the statehouse, they would be able to access all of our information right now.” To which we answered “Yes.”

I do not think we made very deep connections with these legislators, but I think we achieved our goal of informing them of the issues that hopefully they will keep in mind further down the line.

Update

The bill was scheduled for a hearing on June 5, 2017.

For more information

View the Bill:
malegislature.gov/Bills/190/S943

American Civil Liberties Union:
aclu.org/issues/privacy-technology

on how much they think their privacy is being abused, they see why we need this bill to pass. I left this meeting thinking about how to address this point in our legislative report and upcoming advocacy projects in order to stress why the Electronic Privacy Act is important.
Most of us take it for granted every day, but nothing is more important than the health and welfare of ourselves and our loved ones. To think that working parents are forced to choose between receiving a wage to put food on the table and caring for themselves or their children in the event of a medical emergency or childbirth is concerning. By passing S.1048 and H.2172, establishing a paid family and medical leave insurance program, the Commonwealth of Massachusetts will be able to take pride in becoming a state that provides its working families protection against commonplace economic insecurities. With a combined effort from employers, employees, and state administrators, Massachusetts can implement a bill that reduces inequality amongst employees, and shares the costs amongst insurance holders in a way that eliminates crises for both small businesses and the self-employed.

■ The Bill

S.1048, H.2172: An Act to establish a paid family and medical insurance program

■ Elevator Speech

As strong proponents of a sense of community, we believe that working families should not be forgotten and left to struggle when faced with trying circumstances. I’m Jesse Feldstein, a Massachusetts voter and senior at Brandeis University, and I’m advocating with my classmate Kyle Robinson on behalf of working families. Together, we are worried about the 1.2 million Commonwealth workers who risk losing their jobs to take time off to care for themselves, a loved one in need or a newborn child. For the small cost of $3.24 per covered employee per week, we can provide an insurance program that protects families against the impossible choice between providing dinner for children and caring for sick family members. Will you join us in supporting H.2172 and S.1048 by ensuring these bills get voted favorably out of committee?
Excerpt from the Storybook

The Expert Economist

“This bill is important to me as I think it is a very important way to reduce gender, racial, and class inequality. I have both an intellectual and moral commitment to that outcome.”

– a professor of economics

This expert has helped develop a model that estimates the number of employment leaves taken, their length, and their associated costs given any changes in legislation. According to her model, very few additional leaves would be taken as a result of the new law (only 13,000 statewide annually), bringing the total to 521,000 leaves per year, more than 80% of which are taken for personal medical reasons.

The Affected Employee

“Sure, I can go in for a day or two if I’m sick, but if something long term came up, it’s a different story.”

– Michael, independent contractor

Michael is an independent contractor in Massachusetts who is currently paying college tuition for his second child. Self-employed workers like Michael have to think about the prospect of family illness quite a bit, as an injury effectively means a halt in income. In February of 2010, Michael lost his wife to cancer. “I remember when my wife became disabled, there was worry about money, and we relied on my income.” Michael is in favor of paid insurance programs that help those who face unexpected circumstances, which can cause panic and anxiety.

House Ways and Means Script

Since 1993, unpaid family medical leave has disproportionately helped white workers in higher socioeconomic classes, while leaving the marginalized in a position in which they must choose: finance routine living expenses or support their family’s health and well-being. As S.1048 has progressed, many have worried about the fiscal implications of the bill. We will demonstrate that any fiscal stress is merely a fraction of the benefit provided to the Commonwealth, especially for those who are most vulnerable. We are asking for your support of Senate Bill 1048, “An Act to provide a paid family and medical insurance program,” thereby strengthening a sense of community and security for our fellow Massachusetts citizens.

Although the Senate and House bills vary slightly in the details, both provide a plan to establish a paid program for employees to take time off in the event of a childbirth, personal illness or family illness. Funds would be administered from a trust (or a private and approved insurance) paid into by employers (who could require employees to pay up to 50% of the contributions). Allotments would be proportionate to employee salaries, and would not exceed $1,000 per week.

The bill garners universal support from employees who will be guaranteed coverage where they otherwise were not. According to Randy Albeda and Alan Clayton-Matthews, employees are currently taking fewer and shorter leaves from work than necessary. Notably, low-income, Black, Latino/a and female workers are the least likely to have access to wage replacement. This program would introduce a system that shares the economic risk of taking leaves across the workforce, enabling lower turnover costs and greater equity. Albeda and Clayton-Matthews devised a model that adjusts for increased leaves and other anticipated changes associated with the program. The model predicts that covered employees could expect a $1.62 tax per week (outside of administration costs).

Nevertheless, some believe the passage of the bill could cause small business owners to face higher costs, forcing them to push higher prices onto consumers, or close their businesses altogether. “It’s one of the most frightening things businesses have looked at this entire session,” said Jon Hurst, president of the Retailers Association of Massachusetts.3 Not only do small business owners fear these costs, but lawmakers might be hesitant to pass a bill that requires $12 million in additional program start-up costs. Though a daunting figure, this cost is a small fraction of the monies to be collected, which amount to more than $400 million annually.

While weighing the costs and benefits of this bill we observe concrete up-front costs weighed against the savings and positive externalities that all companies will enjoy through lower turnover, greater productivity, higher morale, and the influx of greater talent to the state of Massachusetts. Small businesses are most anxious about this bill, but through observation of a similar program in California, we see that positive results for these small companies will far outweigh the costs. For instance, 93% of companies and 99% of companies documented a decrease in turnover and an increase in morale, respectively. Data suggests that the rate of attrition in women who give birth is now equivalent to the attrition rate for those who take leave for medical reasons; the former rate used to be twice as high. Also, the passage of this bill will attract the best talent in the region, which will naturally increase productivity in the workforce.

Not only will Massachusetts companies be more competitive, but also small businesses in Massachusetts will be able to compete with larger companies for talent due to a mandated benefit structure that was once only offered by the biggest corporations. Another substantial reason why small businesses should promote the passage of the bill is because
it would decrease turnover. With fewer hiring resources, replacing an employee can cost up to double the annual salary of the employee that is being replaced. This is a benefit that effectively acts as a progressive tax, in that the small companies turning the lowest profits benefit the most.

In sum, research institutes, economists, legislators and the public support this initiative. To keep the Commonwealth on the forefront of progressive economic policy, it is imperative that we take this crucial step to provide working families such a necessary economic security. By sharing the costs of a paid leave, we can protect businesses and employees against the sudden changes imposed by taking leave while also increasing productivity for employers and making the Commonwealth a more attractive workspace for employees. Please vote in favor of this bill, as any associated fiscal concerns or worries are outweighed by the innumerable advantages.

■ Letter to the Legislator
I am writing to you because I am concerned about working families in our state. As residents of Newton, you and I are mostly exposed to white collar workers who enjoy many benefits, financial and otherwise. The problem is, there are people in Massachusetts who are choosing between caring for themselves/their family members and continuing to earn a wage to pay the bills. By promoting “An Act to establish a paid family and medical leave insurance program,” we can ensure that working families will not have to make that choice.

I’ve been speaking to economists, coalition organizers, and most importantly, everyday workers who need this bill to pass. Under current laws, 1.2 million employees in the Commonwealth risk losing their jobs if they were to take time off to care for a newborn child or ill loved-one. The words that these employees use to describe the situation are recurring: worry, anxiety and panic. As the first ever psychologist to serve in the Massachusetts legislature, I am sure you have an appreciation for the mental fitness of our workers.

I am imploring you to speak to your colleagues about this bill and promote its efficacy and necessity. For the small cost of $3.24 per covered employee per week, we can lead the nation in providing paid leave benefits. You’ve already accomplished so much for the city and people of Newton and the state of Massachusetts, so I am confident in asking you to be a leader for this cause. Please consider assisting working families in need by supporting “An Act to establish a paid family and medical leave insurance program.”

■ Excerpts from Campaign Journals

Jesse
All told, I had the most memorable experience in the State House meeting with Rep. Brodeur. Not only did the representative introduce us to multiple staff members, but he also engaged in a 20-minute conversation (during his lunch break) in a private room. Representative Brodeur was completely honest with us, and did not hesitate in expressing his doubt that the bill would go to a hearing prior to the end of the semester. He also anticipated opposition and counterarguments to the bill and asked Kyle and me to rebut these points. Rep. Brodeur and his aides could tell that Kyle and I had done our homework as we were able to introduce both quantitative and qualitative evidence to substantiate our stance on the issue of paid family and medical leave. We left the meeting with business cards and requests to follow up on questions regarding associated costs and statistical proof of benefits from other states. Securing a positive relationship with the chair of the committee allowed us a sense of confidence that our work would make a difference. We had the right ear, and he seemed to be listening if we were willing to do our part.

Kyle
This first meeting Jesse and I had was with Edwin Argueta of Raise Up Massachusetts. We drove to a rundown suburb of Boston, and met Edwin in a small office where it was him and one other employee/advocate. I immediately was shocked by the size, and assumed a much larger operation. Edwin was extremely helpful, but also the idea of meeting him made both Jesse and I prepare which enabled us to fully understand the bill to ensure that we had a beneficial talk.

Edwin primarily explained the function of Raise Up Massachusetts, and what their plan was in order to ensure or make it more likely that a paid medical insurance program would be established in Massachusetts. He then continued to talk about the strategies they were implementing and how we could help. He fully elaborated upon the power that the Democratic Party had in the progressive state, and therefore they focused on assuring the democratic support for a bill that tended to raise support from this group anyhow.

This was a great learning experience for both Jesse and me, and we stayed in contact with Edwin in order to see if there was anything we could help the coalition with, and asking for help from him when creating advocacy tools. This was all beneficial. My only disappointment with the talk was the fact that at no time were we added onto an email list or chain in order to get updates on events and such. When we
did reach out specifically Edwin was hard to get a hold of, and when we got a hold of him many of the events were workweek mid-day.

**Update**
The bill was scheduled for a hearing on June 13, 2017.

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**For more information**

View the Bill:
malegislature.gov/Bills/190/H2172

Raise Up Massachusetts:
raiseupma.org
Decriminalizing Nonviolent Student Misconduct

Ensuring that students are not arrested for nonviolent misconduct

Blake Linzer ’19
Jeongmi Seo ’18

Research has shown that in Massachusetts schools, students may be arrested for nonviolent misconduct such as “Disturbing the Peace” or “Disrupting a Lawful Assembly.” Further, it has been shown that in Massachusetts students with behavioral and learning disabilities are disproportionately arrested for nonviolent student misconduct. Arresting students for nonviolent misconduct results in A) children dropping out from school, which leads them to have less productive futures (and oftentimes leads them to become lifelong prisoners), B) diminishes the quality of the educational experience for all children, and C) misdiagnosis of mental disease as delinquent behavior and thus inadequate treatment. Therefore, it is essential that Massachusetts ensure that no more students are arrested for nonviolent misconduct.

The Bill

S.876/H.328: An Act to decriminalize non-violent and verbal student misconduct

Elevator Speech

My name is Jeongmi Seo/Blake Linzer. Justice requires fair punishment, especially for vulnerable children. Vulnerable children’s chances at a productive and happy future are taken away by unjust involvement with law enforcement.

Studies show that in Massachusetts in 2013-2014 there were about 1,000 school arrests, and that African American and Hispanic students and students with behavioral and learning disabilities are disproportionately arrested. Currently, school-based law enforcement officers can arrest students on ambiguous nonviolent charges such as disturbing the peace. These officials are not required to be trained in child and adolescent behavior or implicit bias. S 876/H328: “An Act to decriminalize non-violent and verbal student misconduct” will set specific standards to hire school-based law enforcement, or school resource officers, who are trained in behavioral disability and implicit bias. Furthermore, it will prevent school-based law enforcement from arresting students under ambiguous offenses such as 'disturbing the peace.” Would you speak personally with Senator Brownsberger/Representative Peisch to request an immediate hearing on this essential bill?
Excerpt from the Storybook

Jeongmi witnessed an arrest of a boy of about 12 years of age while she interned in Herberg Middle School in Pittsfield, MA. Although the student was talking back to the teacher, he showed no violent behavior. Still, the student was arrested regardless of the degree of disruption. While she worked with “troublesome” students, she learned that they just needed extra care and attention to fit into class.

“Kids [are] always going to test boundaries, [thus the punishment] must be incredibly consistent,” said Professor Teresa Mitchell of the Brandeis University Department of Psychology. When asked about impact of arrests on students who are not arrested, Professor Mitchell replied “…if there are these unpredictable arrests and escalations, that’s going to disrupt your kid’s learning.”

Op-Ed

Jeongmi

Just two days after the turn of new year, the internet went viral with a video of a 12-year-old black girl being extremely roughly treated by a police officer at school. The video was taken by a fellow student showing how the girl was violently thrown to the floor – you wouldn’t even throw your backpack on the floor the same way. A small child without any weapon could not have been such a harm to an adult male, who is trained to work against violence.

Maybe she caused a serious problem. Maybe she deserved it. One may argue so. Probably the police officer himself, or even the teacher may say so. The teachers know their students the best in schools, but it is very easy for them to get trapped in their first impression. Once labeled a problematic student, forever a troublemaker. That label soon blinds not only the teachers, but also society.

If you think that this cannot be happening in Massachusetts of all states, you are mistaken. In fact, just about half a year ago, seven officers were sued for consistent overuse of force on civilians. Judge Katherine A. Robertson wrote in the ruling that there is “a consistent pattern of rejecting civilian complaints against police officers.” Judge Robertson also noted that there are systematic problems where the officers receive inappropriate suspension and discipline.

Now, would you believe me if I told you that there is no training for the school resource officers to work at schools? Thus, they treat the children in schools just like they would treat criminals with serious charges. This so-called “zero-tolerance” policy places inappropriate charges and unnecessary arrests on students who need the most help. It is no surprise that the students who suffer the most are, as you have expected, black and Hispanic students and those of lower socioeconomic background. Often students with learning disabilities are wrongfully convicted due to their symptoms. Once the children enter the jail, their chance to drop out will triple and their chance to re-enter the jail as an adult multiplies significantly. The school-to-prison pipeline becomes a never-ending cycle leaving numerous victims behind.

Professionals say that a good discipline requires consistency. We also know that a good punishment does not involve violence. To prevent and improve the current system, a change needs to be implemented. What can we do to help? It’s as easy as calling your representative to support the bill H.328: “An Act decriminalizing non-violent and verbal student misconduct.” The bill will not only allow students to stay in school without being arrested for petty charges, but also allow psychological professionals to intervene when necessary. It also will train the officers on how to work with youth. They will be trained to work against unconscious racial bias and understand the difficulties of children with behavioral disabilities. Call now. Let the students stay in school. Let them learn from their mistakes and grow to become better people.

House Ways and Means Script

Good afternoon, Representative and Chairman Dempsey and thank you for having us today. As you are currently raising three children in the Commonwealth, we trust today’s discussion may be of particular interest to you.

My name is Jeongmi Seo and this is my partner Blake Linzer. Justice requires fair punishment, especially for vulnerable youth. In our community, children's opportunities to create productive futures are robbed by unjust involvement with law enforcement. We are concerned that students are arrested for nonviolent misconduct. By preventing unjust and unnecessary arrests, House Bill 328: “An Act decriminalizing non-violent and verbal student misconduct” allows students to stay in class, providing more opportunities and better futures for children of the Commonwealth.

The Massachusetts American Civil Liberties Union has noted that students who are arrested at school are three times more likely to drop out than those who are not, and that students who drop out are eight times more likely to end up in the criminal justice system in the future than those who remain in school and graduate. Studies have shown that MA saw 1,000 school arrests in 2013-2014. These students are entering the “school-to-prison pipeline.” This bill will address the school-to-prison-pipeline by, among other things, requiring school law enforcement officers, or school resource officers, to use regular police practices only if there are serious physical threats by restricting students from being arrested on school grounds for ambiguous charges such as “disturbing a lawful assembly.”
Also, with rising concerns over racial discrimination and police brutality, it is important to examine which students are most affected by nonviolent school arrests. The MA ACLU found youth of color to be disproportionately affected by the policing practices in the Boston and Springfield school districts. Such implicit bias, can affect officer decisions leading to disproportionate arrests of minority students. “An Act to decriminalize non-violent and verbal student misconduct,” House Bill 328 requires School Resource Officers to be trained on implicit bias. Also, the Massachusetts ACLU found that in the Boston and Springfield school districts, students with behavioral and learning disabilities were disproportionately represented in these arrests.

“An Act to decriminalize non-violent and verbal student misconduct” provides for the use of mental health professionals in schools, so that children with behavioral and learning disabilities get the help they need as opposed to getting handled as criminals. Also, the bill requires new school resource officers to obtain specialized training in child development and to be trained in the specific challenges their students face, thereby ensuring that officers understand the mental health issues that students have and can more adequately determine which students need help.

Some may argue that the bill will inhibit officers from arresting students who pose serious threats. However, the bill places student safety first by stating that SROs will not be inhibited from using regular police methods when weapons are present or physical attacks occur. This should also prevent the phenomena of “higher charged” arrests such as assault, by prohibiting arrests for “disturbing the peace.” Finally, administrators may say this bill imposes an undue restriction on all schools whereas this issue only effects some schools. However, since the ACLU has found the problem to exist Massachusetts, and because it is unlikely many less affluent schools will prioritize solving the existing problem without state action, these minimal regulations on better off schools are the least we can do to protect our children and a small sacrifice school administration can make.

This bill mandates that “protocols [are set forth] for utilizing the expertise of mental health professionals.” As a result, schools that have to hire mental health professionals will have an increased cost and may as a result need more funding from the state. On the other hand, perhaps this part of the bill can be funded through already existing line items, for example, the safe and supportive schools line item. The requirement that school resource officers receive more training may pose an added cost on police departments, so we may need to consider studying exactly what the increased cost will be and start thinking about how we can allocate funds accordingly. Any potential increase in spending that this bill will cause, however, is money well spent, because it is being contributed to ensuring that all of our children have the best educational experience and the best futures they can. And, since H.328 is financially beneficial, we ask you to support this bill.

Incarcerating youth can cost communities $240 dollars per day per youth. By decreasing the number of youth in the criminal justice system this cost of incarceration will be eliminated, and can be used to defray potential increased costs of new training methods for SROs and new hires of mental health professionals in schools. Further, the school-to-prison-pipeline statistically causes more youths to develop into repeat offenders as opposed to taxing residents. For long-term economic health, then, stopping the school-to-prison pipeline will create more productive taxpaying citizens contributing to the local economy as opposed to living off tax money in prison. Additionally, since school reputation is important to attracting newcomers to communities, ensuring schools have reputations for best handling student misconduct may boost real estate and increase tax bases.

This bill will increase the futures of students, particularly our most vulnerable students. It will result in students with mental health and behavioral health needs having increased access to the care they need. It will require our police who work with students to have the specified and essential training they need in order to foster a positive school environment. It will prevent all students from being arrested in school for ambiguous nonviolent offenses such disturbing the peace.

And, because this bill is overall economically beneficial for the state, we ask that you report it favorably out of this committee.

Letter to the Legislator

My name is Blake Linzer, and I am a student at Brandeis University and a resident in your district. Justice requires fair punishment, especially for vulnerable children. Children's opportunities to create happy and productive futures are robbed by unjust involvement with law enforcement. I know you care about children, particularly issues of disability, as demonstrated by 1) your work on the Joint Committee on Children, Families and Persons with Disabilities; 2) the Joint Committee on Education and 3) your time on the National Education Commission on Time and Learning. I applaud you for fighting constantly and consistently for such important causes for children and education.

I am concerned about student arrests for nonviolent and verbal student misconduct, so I support S.876: “An Act decriminalizing non-violent and verbal student misconduct.” Nonviolent student arrests are an issue in Massachusetts. For example, the Massachusetts ACLU noted that in three distinct districts in Massachusetts (one as close to us as Newton), “there were numerous arrests at school during the school day based on misbehavior,” with youth of color
disproportionately arrested in all three districts and youth with behavioral and learning disabilities disproportionately arrested in two districts. They also note that students who are arrested at school are three times more likely to drop out and that students who drop out are eight times more likely to end up in the criminal justice system. S.876 will diminish the problem by 1) preventing arrests for ambiguous charges such as “disturbing the peace,” 2) requiring training tailored to specific salient issues school law enforcement officers (or school resource officers, SRO) face (such as implicit bias training), 3) facilitating intervention by mental health services for students with disabilities, and 4) limiting unnecessary discipline to minor misconducts.

Some say the state should not micromanage schools and this problem should be dealt with locally only at schools where the problem is salient. But these restrictions are the least we can do to protect our children and a small sacrifice school administration can make. SRO training and use of mental health professionals may cost a small amount of money for schools but it is worth the cost to keep students safe and in school. Moreover, incarceration costs $240 dollars per day per youth, a cost that can be redirected to hiring needed mental health services and providing better training to SROs.

Your role as an elected senator is never more important than when you are protecting the futures and well-being of those who cannot protect themselves. Please insist that your colleagues on the Senate Judiciary committee hold an immediate hearing on S.876: “An Act decriminalizing non-violent and verbal student misconduct,” to vote it out favorably, and to prioritize this important issue. Enough time has passed; you must act to show your continued support to education and our children, particularly those most affected by this problem: minorities and those with disabilities.

Excerpts from Campaign Journals

Blake

On a meeting with Rep. Peisch’s office

Nervously, I broke into our memorized elevator pitch, “Justice requires fair punishment...” in which she nodded along. We enumerated some aspects of the bill, Jeongmi contributed, and the counsel continued to listen (though I’m not sure she was writing). We confidently and knowledgeably, though nervously, presented what we knew about the bill and what we had prepared.

However, at some point, she noted to us that she already knew about the bill (as she had already researched it for the Representative) and asked if there was anything additional that we could contribute (what she thought we were there for in the first place), in which I just continued along with the elevator pitch. Here, I could have simply said no and that we were two students strongly interested in the bill and working to get it passed, instead of just continuing lecturing someone about a bill she knew a lot about, which is what I did.

Then, she proceeded to point out why Representative Peisch’s office (representing the Education Department), had misgivings about the bill: clearly, the issue did not affect all of MA schools, why need there be a statewide mandate on districts in which there was no issue? Superintendents the office had met, she told us, had opposed this.

To respond to this we did a good job to point out the data from Arrested Futures, although I got the sense this did not move her (although I believe I said I would forward her the report and never did. Broken promises (though small ones) were perhaps my biggest, and silliest, blunder in this effort). I think we let her lecture us too much about the counterargument. We were advocates, and should have pushed back.

Jeongmi

In all the visits, Blake and I could meet with quite few aides of the legislators. Still, the encounter could not be compared to the one we had with Representative Bud Williams. Not only is he from Springfield, which was one of the three cities that was studied in detail by Massachusetts ACLU’s report “Arrested Future,” but he also was a teacher for elementary students for a long time. He is one of the sponsors of a bill that covers portions of the bill that Blake and I mainly advocated for.

In that encounter, I have learned that they liked to be listened to as much as they like to hear from their constituents. The representative spent quite bit of time talking about his time as a teacher. He knew about the problem more than any one else. From this I realized that, especially when the legislators have a strong stance on the bill, it is best to listen to them more before preaching my ideas.

■ Update

As of October, S.876 was incorporated into a new bill draft, S.2170, “An Act relative to criminal justice reform.” S.2170 was reported favorably by the Committee on the Judiciary and referred to the Senate Committee on Ways and Means.

For more information

View the Bill:
malegislature.gov/Bills/190/S876

Mental Health Legal Advisors Committee:
mhlac.org
Confidentiality in healthcare is essential. Mental health professionals, specialists who treat addiction, advocates for survivors of domestic abuse, and family planning professionals agree that confidentiality helps patients access the healthcare they need. When a person receives services using medical insurance, the insurance company sends a description of what services were used and paid for through the explanation of benefits (EOB). The EOB goes to the policyholder. An EOB has the risk of violating the privacy of patients.

The Bill

S.591/H.2960: An Act to protect access to confidential healthcare

Elevator Speech

Every person deserves a healthy lifestyle and access to care. Only through responsible planning can we ensure that people will not delay or avoid preventative care. Minors, young adults, and spouses are especially vulnerable to this problem because they often get their health insurance through a family member. They delay or avoid care because they are afraid their confidential information will be disclosed. Currently, minors cannot exercise their rights to confidentially access certain medical services. Young adults might be too afraid to access sensitive, but critical care. If a partner abuses a spouse, and the spouse seeks medical care, disclosure to an abusive partner can make the relationship worse. These problems lead to unhealthy outcomes and higher costs in the long-run.

This bill will allow insurers to provide an Explanation of Benefits (EOB) at the member level, instead of the policyholder level. By doing this, medical professionals will be able to communicate directly with the patients. This establishes trust and gives patients the confidence to seek care. “An Act to protect access to confidential healthcare” is essential to support people dependent on the health insurance of others. We request that the Joint Committee on Financial Services vote favorably on this bill, which affects people that we know and love.
Excerpt from the Storybook

This bill would INCREASE

Acknowledgment to survivors that they deserve supportive services

Comfort and confidence to get services they need

Knowledge so survivors can make informed decisions for themselves

Catherine believes the most important thing for mental health patients is to have their medical services protected, since this is the most essential part of creating a relationship between the professional and patient. She says it also helps patients grow and overcome the obstacles they faced to receive support. She knows that without her parents’ support for therapy, she would not be able to get the care she needed.

“IT is essential to ensure survivors of domestic and sexualized violence can access physical and mental health services. Without this bill, survivors may continue to avoid services in fear that the [abusive spouse or parent] will be made aware and respond with further harmful behaviors. The passing of the bill will demonstrate that society is aware and appreciates the needs of survivors.”

Despite their discomfort, Melissa’s parents allowed her to get contraceptive pills for medical reasons. When she needed additional reproductive services, she did not feel comfortable speaking to her parents. She knows it can be emotionally uncomfortable, and for some, physically unsafe, to have reproductive health conversations with parents. Melissa explains that, “many people are in immediate physical danger in their homes and would suffer abuse from their families when discussing these topics.”

Op-Ed

Tzil

It seems that everything we do is in the public eye these days. Whether we post on social media, get caught on tape, or have personal photos leaked, it feels as if we no longer have control over our privacy and we need to take extra caution. However, the one place we expect confidentiality is at the doctor’s. But we do not even have that.

The overall checkup with the doctor is kept confidential with the patient, but did you know that after the visit, the Explanation of Benefits (EOB) is sent to the policyholder of the health insurance? In other words, your visit to the doctor for therapy, she would not be able to get the care she needed.

Unfotunately, that trust can be severed when the insurance plan alerts the policyholder about the visit, because the policyholder can be the one exercising unhealthy behavior towards the dependent on the insurance.

According to the National Coalition Against Domestic Violence, in the United States, almost 1.5 million teenagers experience physical abuse from a dating partner. Approximately 43% of young college women experience abusive dating behaviors. And approximately 10 million men and women are physically abused a year, which translates to 20 people per minute. These alarming rates of abuse cannot go unnoticed. In many of these circumstances, the victim has trouble seeking help due to the stigma around domestic abuse. If the parent is the policyholder on the insurance plan, he or she can cause the child grief and deter the child from getting appropriate medical care. Moreover, in the case of adults, if the abuser is the policyholder he or she can worsen the abuse because the visits will be known based on the EOB.

But this issue with healthcare confidentiality can be changed. Senator Karen E. Spilka and Representative Kate Hogan introduced “An Act to protect access to confidential healthcare” in the Massachusetts legislature to ensure that every individual receives proper and private care. The bill guarantees that the actual patient receives the EOB instead of the policyholder. This would apply to minors, young adults, and adults – basically any human who has healthcare insurance. “An Act to protect access to confidential healthcare” would especially help people seeking mental health services and those suffering from domestic abuse.

Currently, the bill is in the Joint Committee on the Financial Services and should be receiving a hearing soon, most likely in the coming weeks. If the bill becomes a law, any incurred costs would be negligible. Generally, the EOB would be sent electronically, which is cheaper than sending paper copies. Although opponents of the bill do not raise financial concerns, they argue that the bill endorses secret abortions for minors without their parents knowing. This is completely false. In the state of Massachusetts, an unmarried minor must get consent from a parent, legal guardian, or court order to get an abortion. This bill does not change that. The premise of the Act is to ensure that everyone has access to confidential healthcare deemed necessary.

A society that does not provide medical care fails to treat its citizens fairly. Offering care, especially for mental health needs and domestic abuse victims, supports patients in the long-run. Neglecting the importance of confidential care will only perpetuate the situation. This Act provides preventative
care, which comforts the individual and becomes less costly to treat. Furthermore, a healthier society is an improved society.

If you understand the importance of healthcare confidentiality, then take action now and call the members of the Joint Committee on Financial Services for a hearing. Call your representatives and senators and explain why this bill, “An Act to protect access to confidential healthcare,” matters to you. If we cannot confide in our doctors, then who else can we trust these days?

### House Ways and Means Script

As citizens, every individual deserves to live a healthy lifestyle and have access to care. We can ensure the people we know and love can access medical care through responsible planning. This bill aims to help our family members, relatives, friends, and colleagues who are affected by the issue of confidentiality every day.

Unfortunately, many minors, young adults, and spouses often avoid or delay care because they are afraid their confidential information will be disclosed. Since they often get their health insurance through a family member, they are especially vulnerable to this problem. Currently, minors cannot exercise their rights to confidentially access certain medical services, and young adults might be too afraid to access sensitive, but critical care. There are young adults who are independent enough to know what healthcare services they need, but they delay or avoid care. They are scared that their parents will make them emotionally uncomfortable or physically unsafe. In situations of domestic abuse, a spouse can seek medical care while the partner receives disclosure of the medical services provided, which can worsen the relationship and abuse. For people who struggle with mental health and survivors of domestic abuse, this bill will assist them greatly, since delaying or preventing care leads to unhealthy outcomes and higher costs in the long-run.

H.2960 will address the issue of access to confidentiality. Currently, health insurance companies provide an explanation of benefits (EOB) to the policyholder instead of the member seeking care. In order to solve this problem, the bill guarantees insurers will provide an EOB at the member level, instead of the policyholder level. Insurers would allow patients to choose their preferred method of receiving EOBs, including an alternative address or HIPAA-compliant electronic communication. Patients could also opt out of receiving an EOB if they feel it would risk their safety and make healthcare inaccessible. These changes encourage patients to be more open with their doctors. This establishes trust and gives patients the confidence to seek care. “An Act to protect access to confidential healthcare” is essential to support people dependent on the health insurance of others.

If this bill becomes a law, any incurred costs would be negligible. When dependents request an EOB, they will often ask for it electronically. Sending electronic EOBs is cheaper than sending paper EOBs. A technology created by PrognoCIS and Trizetto called PaperResolve automates paper EOBs to electronic processing saving “providers as much as 60 percent in processing costs per claim based on typical client results.” In other words, health insurance companies save money on every automated EOB as opposed to providing a paper copy. While healthcare insurance providers will need to purchase the PaperResolve technology, the service will save $1.77 for every EOB entered electronically. Moreover, since there will be fewer emergencies at hospitals, costs should decrease because patients will more likely seek preventative care. Any costs associated with this bill are insignificant, which further emphasizes why this bill should be passed.

Although costs are negligible, the bill still received pushback last session. With limited time before the legislative session ended, conservative organizations such as MassResistance and the Massachusetts Family Institute spread false information. They claimed that the bill would allow minors to get abortions without their parents knowing. That is not true. An unmarried minor in Massachusetts must get consent from a parent, legal guardian, or court order to get an abortion. This bill is not trying to change protected confidential healthcare services minors can independently access. Rather, it upholds the law.

The current protections in Massachusetts are not enough to fully ensure many people’s privacy when accessing medical care. Privacy regulations might have been sufficient in the past. However, since 2012, a common summary of payments form has been required in Massachusetts. Moreover, since 2010, children have been allowed to stay on their parents’ healthcare insurance until the age of 26. The new circumstances surrounding healthcare insurance today require the level of confidentiality to be re-assessed based on the recent changes.

We hope that you will make the right decision to protect the safety and health of those you are close to. Passing this bill will allow people to be responsible about accessing the healthcare they need. It removes any barriers they face when seeking care. We humbly request that the House Ways and Means Committee votes favorably on this bill. If this bill is voted favorably, some of our most cherished family and friends will be immensely grateful.

### Letter to the Legislator

We are writing to you regarding S.591/H.2960: “An Act to protect access to confidential healthcare.” We would like to thank you for co-sponsoring the bill. As Waltham residents,
we feel proud that you are our senator. We are impressed by the progressive work you have done to support victims of domestic abuse and troubled children.

We imagine that you are a wonderful father to your twin daughters. We both have sisters and understand the importance of a close-knit family. However, some families are not as close, as you know. When sons and daughters use their parent’s health insurance to afford the services they need, they cannot choose whether or not their parents find out about their services. This problem especially impacts children, young adults, and abused spouses. Children are currently unable to exercise their right to independently access certain healthcare services. Young adults living independently of their parents might not know what services they need, but delay or avoid getting help. They fear their parents would make them uncomfortable or even physically unsafe. An abusive relationship can worsen if the abuser knows the victim sought help.

We need your help to improve the lives of so many people who are affected by this issue every day. We have spoken to community members who are very passionate about this bill and would love to see it pass. We are working with dedicated individuals from Health Care for All’s “Protecting Access to Confidential Health Care” (PATCH) Alliance to get this bill passed. By co-sponsoring the bill, you affirm that the work is not over and we must continue to fight for everyone’s rights. We hope that you will continue to advocate for this bill by speaking to colleagues about it and voting favorably on it. Thank you for your time, and we look forward to seeing your support for this bill soon.

- Excerpts from Campaign Journals

Tzili

Heather and I were also in contact with Maria Pizzimenti, Director of Advocacy at REACH MA, a non-profit organization that provides support to all survivors of abuse and prevents domestic violence. Maria informed us that REACH scheduled a Domestic Violence 101 training for Friday, March 17, 2017. Heather and I contacted Lauren Montanaro, Community Engagement Specialist, who organized the training, for more information. That Friday, Maddy drove us to the training. Lauren created a comfortable environment for participants to speak up and engage. Learning about domestic violence enhanced my understanding of emotional, physical, and mental abuse. The three-hour training covered different areas of abuse, which I did not consider, such as immigration and financial aspects.

Attending the training not only helped me understand the meaning of domestic abuse, but assured me of the implications of unhealthy relationships. Since the bill addresses groups affected by sexual and domestic violence, mental health, and access to reproductive health care services, the training enhanced my understanding and the significance of passing the bill.

Heather

I met with Senator John F. Keenan, a Democrat for Norfolk and Plymouth. He co-sponsors our bill, and he was very familiar with it. I wanted to speak to him to remind him of how urgent healthcare confidentiality issues are in Massachusetts, and to ask him to speak positively about the bill to his colleagues. I knew that sharing my personal fears and hopes would be effective in advocating for healthcare confidentiality, but I was nervous. This was a sensitive issue, and I barely know this Senator. But I spoke up, and he was very receptive. He said that me coming in to speak to him was more effective than maybe 100 e-mails. Putting a face to a problem makes it more memorable to him.

His positive response to my advocacy has encouraged me to think about advocating for issues I care about in whatever city I’m a resident of in the future. In the future, I’m hoping that I’ll be more confident when speaking to legislators. I’ll remind myself of the positive impact my story can have, and how that’s more important than me keeping my personal story private.

- Update

The bill was reported favorably by the Joint Committee on Financial Services on September 5, 2017 and referred to the Committee on Health Care Financing.

For more information

View the Bill:
malegislature.gov/Bills/190/H2960

Health Care for All:
hcfama.org
Studies have shown that mental disorders have a high prevalence rate; half of all lifetime mental illnesses display themselves by age 14, and three quarters are displayed by age 24. Currently, children of the Commonwealth with private insurance experience a barrier to accessing community-based services, which can consequently be detrimental to their mental health. “An Act to increase access to children’s mental health services in the community” requires an expansion of coverage for families and children in need of care with commercial insurance. Expanding access to community-based services for children and adolescents with mental health disorders will ensure a brighter, healthier future.

■ The Bill

H.488: An Act to increase access to children’s mental health services in the community

■ Elevator Speech

As a community, the Commonwealth is responsible for the future of its children. Studies have shown that mental disorders have a high prevalence rate; half of all lifetime mental illnesses display themselves by age 14, and three quarters are displayed by age 24. Therefore, it is important to intervene and treat these children at a young age. Without the appropriate treatment, children may experience delayed development. Currently, children of the Commonwealth with private insurance experience a barrier to access community-based services such as outpatient therapy, mobile crisis intervention, in home therapy, intensive care coordination, family support and training programs and therapeutic mentors. These families are forced to apply for secondary insurance through MassHealth in order to receive the care that should be provided through their primary insurance.

Community-based services can alleviate the financial burden that often comes with institutionalized care. Bill H.488, “An Act to increase access to children’s mental health services in the community,” requires private insurance to expand coverage to include less-expensive community based care.

Please hold a hearing on this bill as soon as possible and vote this bill out of committee favorably to ensure a brighter, healthier future for our children.


**Excerpt from the Storybook**

*Dr. Stuart Altman - Professor of Health Policy, Economist, Brandeis University*

“This is a relatively small population and the Commonwealth should pool the financial risk that insurance companies are concerned about.”

*Dr. Cunningham - Professor of Psychology, Brandeis University*

“Empirical research on intervention with children in need has demonstrated that the more you can build supports for them into all levels of everyday community life, the more successful their long-range outcome is.”

**House Ways and Means Script**

Senator Spilka, as Chair of the Joint Committee on Ways and Means and sponsor of legislation to promote transparency, best practices, and better outcomes for children and communities, we are reaching out to inform you of the importance of a similar bill.

Our names are Leah Friend and Zoe Rothblatt and we are passionate about implementing change for children with mental health disabilities. As a community, the Commonwealth is responsible for the future of its children and their well-being. Mental health disorders are extremely prevalent, affecting approximately one in every five children, causing moderate to severe functional impairments. Community and home-based services such as outpatient therapy, mobile crisis intervention, in-home therapy, intensive care coordination, family support and training programs and therapeutic mentors are a key component of the treatment for mental health disorders. When patients were asked by the Department of Public Health in Massachusetts what challenges they encounter when accessing mental health care, many answered that there is a lack of access to outpatient care, resulting in a barrier to treatment. This is concerning because patients invest in a higher level of service they may not need, simply because of the lack of access.

"An Act to increase access to children's mental health services in the community" strives to eliminate these barriers and expand coverage to ensure children receive the proper care. With your support of this bill, we can ensure a brighter, healthier future for our community’s children.

Commercial health insurance companies cover less, if any, of the community-based services as compared to the MassHealth Medicaid program. Private insurance holders are not eligible to receive the care with coverage, unless they apply for “secondary MassHealth” insurance. Currently, parents are required to pay premiums for their private insurance, as well as premiums for MassHealth in order for their children to receive wraparound care through the Children’s Behavioral Health Initiative. This places a cost burden on families and on the state of Massachusetts. MassHealth is a state program funded by a state budget and must provide coverage for families that do not directly participate in their insurance program. This bill will require commercial insurers to cover these community and home-based behavioral health care services for children. The caretakers of the children will no longer be burdened with secondary insurance costs in order to receive this care, or worse, not receive it at all.

In 2001, a 13-year-old resident of Massachusetts with intensive mental health needs filed a complaint stating that she and other Medicaid eligible children did not receive preventative care or treatment. They were hospitalized rather than treated in the community. They had to leave their families and community, while receiving care that was not tailored to their needs. MassHealth was found in violation of federal law and forced to create an integrated mental health care system. This system now consists of community and home based care for those in the MassHealth insurance program. Since implementation, there has been much higher success rate in the treatment of children’s mental health disorders in the Commonwealth. Because the community-based services already exist, implementation of this bill would be relatively straightforward. These services should be available to all children.

If implemented, this bill will expand private insurance coverage and eliminate the financial burden on MassHealth, as MassHealth providers will no longer need to pay for both primary and private insurance holders. This will help control the rapid growing health care costs, as the finances will now be on private insurance companies rather than the federal and state budget.

We understand that the private insurance companies may be reluctant to pay the costs of the community services. This is a relatively small population and the Commonwealth should pool the financial risk that insurance companies are concerned with. These services are significantly less costly than the often-repeated hospitalization and institutionalized care, which can range from $30,000 to $50,000 for one month in an institutionalized care facility. Facilities are multifaceted with care including housing, food, and hygiene along with the necessary therapeutic measures, which contributes to the high cost as compared to community-based services. If treated early with preventative care, proper diagnostics and the home and community based treatments, the disease will likely be kept in a manageable state, eliminating the high cost for emergency situations.

As a community, we must all understand the imperative nature of this bill. It is our responsibility to ensure not only is this care accessible, but that it achieves the quality of care our population and these families deserve. We kindly ask of you to speak with the members of the committee and ask them to make this bill a priority and vote it out of committee favorably. Thank you.
Letter to the Legislator

As the Senate Chair of the Joint Committee on Children, Families and Persons with Disabilities, we know that you are committed to the future of the Commonwealth's children. Expanding access to mental health services will ensure a livelihood of sustained health and well-being over time.

Studies have shown that mental disorders have a high prevalence rate; half of all lifetime mental illnesses display themselves by age 14, and three quarters are displayed by age 24. Therefore, it is important to intervene and treat these children at a young age. Without the appropriate treatment, children may experience delayed development. Currently, children of the Commonwealth with private insurance experience a barrier to access community-based services including outpatient therapy, mobile crisis intervention, outpatient addiction programs, in-home therapy, intensive care coordination, family support and training programs, in-home behavioral services, and therapeutic mentors. These families are forced to apply for secondary insurance through MassHealth in order to receive the care that should be provided through their primary insurance. MassHealth is required to cover such services for their participants as a result of federal mandate. The programs are well established and should be easily accessible to all children.

H.488, “An Act to increase access to children's mental health services in the community,” requires private insurers to cover community care or wraparound services for children and adolescents. We understand that the private insurance companies may be reluctant to pay the costs of the community services. However, these services are significantly less costly than the often-repeated hospitalization and institutionalized care. If a child is not receiving the proper services, the illness may progress, which may lead to hospitalization, resulting in a large bill for the insurance provider. However, if treated early with the wraparound services, the disease will likely be managed, eliminating the high cost for emergency situations. This bill will not only be more fiscally responsible but will also ensure a brighter healthier future for vulnerable children of the Commonwealth.

We kindly ask of you to make this bill a priority and promote its importance. Please contact your colleagues to encourage the establishment of a hearing. With the passing of this bill, we are bound to see an increase in healthy youth and families.

Excerpts from Campaign Journals

Leah
The second time we met Rep. Balser was more spontaneous. We reached out to her office, but we never received a confirmation that she was able to meet. Amidst our exploration of the State House to meet with other legislators, we ran into Rep. Balser in the hallway. We graciously stopped her and began an impromptu discussion about the bill. After only meeting once, she remembered who we were and despite the fact she was attending a meeting, she was enthusiastic in engaging with us. We inquired about any updates or foreseeable hearing dates. She stated there were no recent updates. We asked a few follow up questions and noted the side of the opponents. After doing so, she offered that she would send us the testimony of the opposing side. After our conversation, we followed up with a thank you, and she forwarded along the opposition's testimony from the insurance companies. This was very important as it expanded our knowledge of the opposing side, allowing us to brainstorm alternative responses. Zoe and I read through the testimony and found it widely fascinating.

Zoe
The Children’s Mental Health Campaign is a coalition that is dedicated to creating change for the children’s mental health care system. This coalition supports H.488; they have created a fact sheet and summary of the bill. We reached out to Courtney Chelo; her name was listed on the website as contact information. Eventually we thought it best to set up a time for a phone meeting. Leah and I spoke briefly with her on the phone, as Courtney did not have much time to spare. She spoke about the importance of the implementation of this bill. A big notion she kept highlighting was that the wraparound services has been extremely successful for the children on Medicaid, and it should therefore be seen as a model for mental health care. Courtney is passionate about the passing of the bill and was excited to hear that we are working on it. She encouraged our state house visits. She continuously mentioned the urgency and necessity of these services. Overall it was a good phone call, I wish we had opportunity to be more involved in the coalition, however it was difficult to coordinate.

Update
As of September 14, 2017, the bill is waiting in the Joint Committee on Financial Services.

For more information

View the Bill:
malegislature.gov/Bills/190/H488

Children’s Mental Health Campaign:
childrensmentalhealthcampaign.org
While Massachusetts is fortunate to be home to some of the best colleges and universities in the world, the students who attend its schools are not immune to the nightmare of sexual violence. H.632: “An Act relative to sexual violence on higher education campuses” aims to decrease the prevalence of sexual violence on college campuses, and empower victims of violence to better report and seek justice for what has happened to them. The legislation creates higher standards relative to sexual violence to which all colleges and universities in Massachusetts would be accountable. These standards include improving the information that is given to victims and to the general public regarding sexual violence, compelling universities to comply with Title IX policies, and providing better resources to victims, among other things.

■ The Bill

H.632: An Act relative to sexual violence on higher education campuses

■ Elevator Speech

Hi, my name is [______]. I’m a college student at Brandeis University, and I’m speaking with you because I believe that each student deserves the opportunity for a safe education. Right now, however, college students in Massachusetts are not safe, as sexual assault reporting and prevention procedures aren’t held to a high standard. Currently, one in five women and one in 16 men are sexually assaulted while in college. These sexual assault victims rarely report the crimes committed against them, as most universities do not have sensitive and accessible reporting procedures.

A bill introduced by Rep Tricia Farley-Bouvier and Daniel Donahue, “An Act relative to sexual violence on higher education campuses,” is designed to ensure that universities in the Commonwealth provide the information that survivors deserve following an assault. It also ensures that our institutions provide students with effective and important resources such as...
sexual assault crisis centers, which provide professionalized support to victims, and bystander intervention trainings, which prevent assaults from happening in the first place.

The bill is designed to finally confront the scourge of sexual assault on higher education campuses. The injustices that are committed on college campuses by assailants unfairly interrupt the education process, and unfairly interrupt the lives of survivors.

I hope that when you go to the Committee on Higher Ed, you give this bill special attention, and do what you can to push it on to the next stage of being heard, and reviewed. Thank you for taking the time to support sexual assault survivors.

Excerpt from the Storybook
Who is helped by the bill...
A student at Brandeis is a sexual assault survivor from two years ago on campus. She stated in an interview: “It was because of a lack of trust in the university police and counseling service that I remained quiet [...] More of me would have been lost by going to report. I didn't know who I could trust to go to. If I had that, maybe I would have spoken up.” She felt even less confident about reporting this sort of incident due to employment by the university, for fear of losing her job.

"Based on our experience, I believe that the [Bill] provides for specific measures, tailored to suit the needs and characteristics of colleges and universities within the Commonwealth, to reduce the incidence of sexual violence on Massachussetts' campuses and to address the needs of survivors when incidents do occur." – Kim Dawkins, Executive Director, Pathways for Change Inc.

Op-Ed
Katarina
In recent weeks, sexual harassment has been all over the news. Bill O’Reilly was a serial sexual harasser for years at Fox News. Despite the numerous allegations against him, Fox News had O’Reilly’s back, ensuring that he faced no consequences for the harassment as long as he was making Fox money. As soon as advertisersstarting pulling out of “The O’Reilly Factor,” Fox forced him out. However, O’Reilly never truly faced consequences. He was given a 25-million-dollar payout. Essentially, he was financially rewarded, given paid leave for being a sexual harasser.

Unfortunately, the lack of consequences for sexual assailants and support for survivors extends much further than the presidency. Sexual violence is the most common type of crime in the country, and it is also the most underreported. Sexual assault is particularly prevalent on college campuses, where one in five women and one in 16 men are assaulted.

If a student is assaulted on campus, she rarely receives the emotional support that she needs. I spoke to one student from Brandeis University who was assaulted in her bedroom during her sophomore year. Despite the fact that she thought her assailant might assault someone again, she never reported the assault. She told me that she did not report it because she was afraid that campus police would be rude and unhelpful, Brandeis staff would remove her from on-campus leadership positions, and psychological counseling resources would be condescending and unkind.

Sexual assault survivors like her deserve better. After an assault, victims require medical care, psychological support, and knowledge of their options for disciplinary action. Sexual assault survivors in college are often afraid or unable to pursue any of these services. However, the Brandeis incident occurred before the University established the Rape Crisis Center. The RCC has professional counselors and trained advocates who provide Brandeis students with emotional support and trauma-informed information about their reporting options. For many Brandeis students, the RCC is the only option for receiving advice and care after a sexual assault, and it’s a pretty good option.

However, many college campuses do not have a rape crisis center, leaving sexual assault survivors on campus to fend for themselves. “An Act relative to sexual violence on higher education campuses,” a bill sponsored by Massachusetts Representatives Tricia Farley-Bouvier and Michael Donohue, would require that all Massachusetts colleges have a sexual assault and domestic violence crisis center. The bill also improves mechanisms of reporting, disciplinary procedures, and transparency at colleges.

The bill’s parameters ease the psychological stress of the disciplinary process for both the victim and the accused. For the victim, the process of recovering from and reporting a sexual assault can be incredibly traumatic. The changes that this bill mandates for disciplinary procedures would make it easier for victims to recover from this trauma, without hurting the due process of the accused. Furthermore, the bill requires that higher education institutions have a sexual assault and domestic violence crisis center with a professional counselor, which would even further ease the psychological burden of coping with a sexual assault. It also mandates yearly bystander trainings, to prevent assaults from happening in the first place.

“An Act relative to sexual violence on higher education campuses” just had its hearing in the Joint Committee on Higher Education on April 13th. However, it’s not too late to call your representative and ask them to support sexual assault survivors.
House Ways and Means Script
Hello, our names are Katarina Weessies and Jacob Edelman. We are both college students in Massachusetts, and Jacob is a Massachusetts voter. We are both here to speak with you about “An Act relative to sexual violence on higher education campuses.”

Every college student deserves the opportunity to have a safe and high quality education. While Massachusetts is fortunate to be home to some of the best colleges and universities in the world, the students who attend its schools are not immune to the nightmare of sexual violence. One in five women and one in 16 men are sexually assaulted while in college. However, these numbers only express a fraction of the sexual assaults that happen to students every day, as sexual violence is the most underreported type of crime. Unfortunately, due to the lack of accessibility and clarity in universities’ sexual assault reporting and disciplinary procedures, sexual assault victims in college are left to feel alone, helpless, and powerless.

H.632: “An Act relative to sexual violence on higher education campuses,” aims to decrease the prevalence of sexual violence on college campuses, and empower victims of violence to better report and seek justice for what has happened to them. It requires that Massachusetts colleges and universities have a sexual assault crisis center with a professional sexual and domestic violence counselor. It also mandates that colleges make their information on sexual assault reporting public, and provide yearly bystander trainings for staff and student leaders. This will decrease the rate of sexual violence on college campuses, and will make the reporting and disciplinary procedures less traumatic and uncertain for sexual violence victims.

According to the Senate Ways and Means bill summary, the total cost of this legislation is estimated to be $1,000,000. Schools already receive federal funding to protect students from sexual violence, per 2014 Title IX guidelines. Furthermore, much of this legislation would hardly cost anything for a college or university to implement, as it would simply require the institutions to take advantage of already existing resources, such as the school website, office space, and counseling centers. Additionally, many universities already have some of the resources mandated by H.632, such as sexual assault crisis centers, they just need to improve the quality and accessibility of those resources.

Overall, H.632 is would require minimal resources from both the state government and from colleges and universities. The bill takes advantage of existing infrastructure to improve sexual assault prevention and resources at institutions of higher education without requiring that schools build these resources from the ground up.

Letter to the Legislator
Our names are Katarina Weessies and Jacob Edelman, and we live in Waltham as students at Brandeis University. We are writing to ask you to make colleges and universities in Massachusetts safer for students like us.

We understand that you attended college in the Boston area, at Northeastern University. Northeastern, along with many other colleges and universities in Massachusetts, is at the forefront of sexual violence prevention. However, there are flaws in the way that sexual assault is handled in Massachusetts schools. Sexual violence is the most underreported type of crime in the nation, although it is estimated that among college students, one in five women and one in 16 men become victims of an assault. For these students, underreporting is so common because there is no professionalized or clearly accessible means of reporting sexual assault.

“An Act relative to sexual violence on higher education campuses” (H.632) ensures that both sexual assault victims and the accused receive fair and humane treatment on college campuses. It requires that institutions of higher education have a sexual assault crisis center with a professional sexual violence and domestic violence counselor. It also mandates that schools have mandatory bystander and sexual violence prevention trainings.

H.632 would be incredibly beneficial for students at Massachusetts colleges. With transparent and accessible resources for sexual assault survivors, students who are victims of sexual assault will not feel alone or helpless in their quest for justice and safety.

H.632 is currently in the Joint Committee on Higher Education. While you are not on this committee, you can help us improve safety and equality of opportunity on college campuses by speaking favorably about H.632 to other legislators. Thank you for your time and for considering our request.

Excerpts from Campaign Journals

Jacob
On April 13, I made my way into the state house in order to testify on behalf of H.632. Before the hearing, I met with Representative Farley-Bouvier, two interns of hers who were
also going to be testifying, and the College Democrats of Massachusetts Women’s Caucus. ...I came prepared with my testimony in hand, as well as that of other Brandeis students who had submitted written words. Upon arrival to the hearing room, I signed up for a slot of speaking time, and took a seat to listen as the senators and representatives on the committee went through the bills that were being discussed. The air was civil and the speakers were thoughtful. It was very interesting to hear so many points of view around certain issues, and while two individuals spoke out against H.632, the concerns that they raised were typical topics for discussion when speaking about sexual violence legislation (i.e. protecting the rights of the accused, and protecting students with disabilities (who would be protected under the ADA).) The senators and representatives listened to my 3 minutes of testimony with a fair amount of attention. They nodded along, and seemed as though they were actually listening to what was being said. Afterward, I got to speak with a reporter from Channel 7, and a few legislators, including one briefly who discussed how the budget was moving forward to better fund sexual violence services and got a follow up request from a member of the Brandeis staff who works in conduct-related issues who wished to discuss how to advance student advocacy efforts on campus.

Katarina

My interaction with Rep. Whelan taught me a lot about interacting with Massachusetts Republican legislators. A difference that I did not anticipate between Whelan and the Democratic legislators involved the exact reasons they supported the bill. Most of the legislators I spoke to were enthusiastic about the requirement for a sexual assault crisis center, so I led with that requirement when explaining the bill. Rep. Whelan didn't care for that requirement, but what he said was the “sticking point” regarding this bill was the fact that it required colleges to partner with local sexual assault resources. He said that the requirement for a third-party observer in the form of the off-campus resources would ensure that schools take care of assault survivors. This taught me to focus on different elements of the same bill when speaking with liberal versus conservative legislators. Large bills like H.632 have elements that fit members of either party, and it’s important to focus on elements of the bill that fit the ideas of the legislator to whom you are speaking.

- Update

The bill became part of a new draft, S.2081. On June 8, S.2081 was reported favorably by the Joint Committee on Higher Education and referred to the Committee on Senate Ways and Means. On July 24, S.2081 was reported favorably by the Committee on Senate Ways and Means.

For more information

View the Bill:
malegislature.gov/Bills/190/H632
malegislature.gov/Bills/190/S2081

College Democrats of Massachusetts – Women’s Caucus:
macollegedems.org/womens
While choices about personal relationships and sexual behavior are some of the most challenging and life-altering a young person can make, current sexual health programs across the Commonwealth do not properly equip students with the necessary information to make healthy decisions. For schools that opt to offer a sexual health education program, “An Act relative to healthy youth,” or the “Healthy Youth Bill” (S.234, H.2053) will help students across the Commonwealth be educated about and protected from STIs, unintended pregnancy, and dating violence. The bill establishes a comprehensive and inclusive framework of topics schools will be required to cover based on medically-accurate and age-appropriate information.

### The Bill
S.234, H.2053: An Act relative to healthy youth

### Elevator Speech
My name is [______], and I am a student at Brandeis University. Only through responsible planning can we ensure that youth across the Commonwealth make healthy choices which will benefit the common good for present day and future communities.

It is concerning that sexual health education programs being taught across the Commonwealth, especially abstinence-only curricula, do not effectively prepare students to make appropriate decisions which could impact their long-term developmental health. Currently, 20% of Massachusetts students were never taught about STIs, although over half of all chlamydia cases in Massachusetts are reported in adolescents. Additionally, 7% of high school students disclose that they have experienced some form of dating violence, while many more may choose not to disclose their experiences due to lack of resources and support.

"An Act relative to healthy youth" ensures that schools which elect to provide sexual health education programs do so based on comprehensive, medically accurate, and age-appropriate information, which has been shown to better equip students to make healthy decisions throughout their lives. Passage of this bill would significantly bolster local communities’ health and safety outcomes. Will the legislator...
Excerpt from the Storybook

Eliana’s Story

Eliana, a student at Needham High School, volunteers as a peer counselor for Planned Parenthood. She reports that some of her own friends who have experienced sexual assault were not aware of what qualified as relationship abuse. Because Eliana believes that this knowledge is empowering, she has joined a group of teens who give workshops at schools around the Boston area about comprehensive sex health and healthy relationships. For some students, these workshops will be their first and/or only experience with sexual education.

Cory’s Story

Cory, a graduate of Brookline High School, confided that “overall, I think that my school preferred the method of scaring kids away from all sexual activity. My instructors would tell us all of the graphic effects of STIs. The education was viewed almost exclusively through a heterosexual lens, so there was no real mention of how to practice safe sexual activity in regards to the LGBTQ+ community. The program was archaic and outdated.”

Op-Ed

Linda

Older siblings. Friends. Television. BuzzFeed, WebMD, and Facebook. These are all the places youth today are finding information about sex. Or should I say “misinformation.” Because in the era of “alternative facts” and social media, the truth about sex can be hard to pin down. This is especially true because schools in Massachusetts are not required to teach sexual education. Worse, where sex ed. is being taught, there’s no law that mandates what should be taught or how. This means that there are huge inconsistencies between what children are learning about their bodies across the Commonwealth, and it means none of what they’re learning is required to be true.

When 25 communities across the state report teen pregnancy and birth rates between 10-50 per every 1,000 women ages 15-19, and the statewide adolescent STI rates are increasing to epidemic levels according to the CDC, it’s clear that the existing system isn’t working. All those places kids are looking for information are not proper substitutes for what an experienced educator can teach young people about their developmental health.

And there is a lot young people should know about their developmental health. Sex education is not simply about how babies are made. It’s about bodily autonomy, HIV and STIs, contraception, options after becoming pregnant such as adoption or abortion, gender identity, sexuality, and forming healthy relationships free of abuse. All of these things come with adulthood no matter where a person lives. And where problems start in youth, they usually tag along into adulthood.

S.234/H.2053: “An Act relative to healthy youth” seeks to establish sexual education that is verified by scientific evidence and supported by medical professionals. It requires topics which are taught to be age-appropriate as determined by local school teachers, administrators, parents, students, and community activists. It provides curricula which are inclusive of all identities and backgrounds to reflect the growing diversity across the state. It makes resources accessible to guide students into adulthood without the burden of responsibilities they aren’t mature enough to handle yet. The Healthy Youth Bill will guarantee that every student of Massachusetts can make informed decisions about their developmental health while maintaining school and parent choice.

At the recent hearing on the bill before the Joint Committee on Education, a Brookline High School graduate testified that by passing this bill, legislators would be reinforcing to youth across the Commonwealth the importance of sexual health matters “instead of leaving us with stigma and shame and confusion and midnight Google searches trying to fill in the gaps of what our schools have failed to teach us.”

Many states across the US are leading the way. 24 states require sex ed., and 13 states have passed bills similar to S.234/H.2053 which mandate that sexual education be medically accurate. Unfortunately, Massachusetts is not one of them. Despite its traditionally progressive attitude toward education and youth, the Commonwealth has done little to quell the spread of alternative facts about students’ sexual health.

Opponents to this bill would like to believe the myth that parents are teaching their kids everything they need to know. But let’s be honest: not every parent wants to explain the mechanics of sex or the gory details of STIs to their child, and not many children are asking their parents. These interactions range from painfully awkward to dangerously inaccurate. And since sex ed. encompasses a lot more than a simple “birds and bees” conversation, not all parents are equipped to handle this daunting topic. But for those lucky few children whose parents are willing to tackle this responsibility, the bill guarantees them the freedom to preview any sex ed. materials and opt their children out of their school’s program. This way, regardless of varying home situations, every student has access to the knowledge they need to develop into healthy...
adults. Where they receive this knowledge is up to parents to decide.

One thing we can all agree on is that sex education should not be happening on the playground, spread through whispered rumors, and verified by a random and uncertified entity on the internet. The Healthy Youth Bill is the solution Massachusetts needs to stop the misinformation. If you agree that students should be taught by teachers with parents’ consent rather than BuzzFeed and cafeteria gossip, support S.234/H.2053. Call or write a letter to your state legislator today. Don’t let another child reach the cusp of adulthood without the real facts to make decisions which could shape his or her future.

■ House Ways and Means Script

My name is [___], and I am a student at Brandeis University. Only through responsible planning can we ensure that youth across the Commonwealth are protected from STIs, unintended pregnancy, and dating violence. Senator Spilka, due to your expertise and experience in social work, the health of today’s youth and the Commonwealth’s future citizens should be a top priority.

Abstinence only programs and other sexual health education programs do not effectively prepare students to make appropriate decisions which could impact their long-term developmental health. Currently, 20% of Massachusetts high school students were never taught about STIs and 48% of students were never taught about condom use. Additionally, 64% of chlamydia cases and 43% of gonorrhea cases are reported in the age range of 15-24.

“An Act relative to healthy youth” (S.234) ensures that schools which elect to provide sexual health education programs do so based on comprehensive, medically accurate, and age-appropriate information which has been shown to better equip students to make healthy decisions throughout their lives.

This program is revenue neutral. Any school intending to participate is merely replacing an already existing health program. This program would be covered under individual school budget allocations indicated in the fiscal year 2018 budget. There do exist requirements for properly trained teaching personnel, but pre-existing teachers can fill these positions, or be trained in the proper manner. Schools which require training can apply for grants from programs such as Line-Item 4530-9000, which provides teen pregnancy prevention services for students in high-risk communities. Through this line-item program, schools must satisfy the creation of a teen pregnancy/STI/HIV prevention planning team which is responsible for choosing a medically-accurate, evidence-based, comprehensive, and culturally-sensitive curriculum best suited for their school (“Teen Pregnancy Prevention Program”). The Commonwealth no longer receives federal funding for abstinence-only education. Schools with abstinence-only programs will not lose further funding or be required to participate under threat of any penalty.

Additionally, CDC STI and HIV prevention and research received approximately $788 million for the fiscal year 2017. This funding is further divided into HIV prevention by department, HIV surveillance, activities to improve program effectiveness, local and community organizations, and adolescent and school health (Center for Disease Control and Prevention). However, due to the change in presidential administration, funding for these programs may shift. Additional funding includes the Personal Responsibility Education Program (PREP), which totaled $75 million per year for the FYs 2010–2014. The U.S. Department of Health and Human Services, Administration for Children and Families (ACF) implements the grant. PREP includes a $55 million state-grant program; $10 million to fund local entities through the Personal Responsibility Education Innovative Strategies (PREIS) Program; $3.5 million for Tribal PREP, for tribes and tribal organizations; and $6.5 million for evaluation, training, and technical assistance. (SIECUS State Profile). With the help of this bill, the state could potentially reduce spending on unintended pregnancies in the long run.

Further, the Act allows parents and educators to determine what the definition of “age-appropriate” means for their community. The Act provides every parent the chance to review the materials their child’s school will be using and to opt-out without threat of punishment. Parents additionally have the first 10 days of each school year to review the proposed curriculum. The Act completely respects the agency of local communities while providing guidelines that establish a minimum of public health and safety standards.

We ask that you vote favorably for “An Act relative to healthy youth,” to enable access to accurate education for not only the youth, but for all communities around the Commonwealth. Thank you very much.

■ Letter to the Legislator

My name is [_____] and I am a student at Brandeis University. I, along with my peers [_____] and [______], am working with Planned Parenthood League of Massachusetts to advance S.234: “An Act relative to healthy youth.” As a parent and a staunch advocate for the welfare of children, you understand that the health of Massachusetts’ youth is of great importance. As you know, our children deserve every opportunity to lead a healthy and safe life. Regrettably, our current sexual health programs across the Commonwealth do not properly equip students with the necessary information to make healthy
decisions. Only through responsible planning can we ensure that our youth across the Commonwealth are protected from sexually transmitted infections (STIs), unintended pregnancies, and dating violence.

Unfortunately, a disproportionate number of teens across the Commonwealth participate in unhealthy and unsafe sexual behaviors. Approximately 38% of sexually active teens in Massachusetts reported having unprotected sex. As a result, this has led to the contraction of STIs, teen pregnancies. Moreover, 64% of chlamydia cases and 43% of gonorrhea cases are in the prime age range of 15-24. Due to the lack of knowledge and information about safe sex, teens are engaging in risky sexual behavior.

Furthermore, approximately 4% of middle school students and 7% of high school students in Massachusetts reported experiencing some form of dating violence. Namely, students have experienced a variation of controlling, abusive, and aggressive behavior in an intimate relationship. Although such numbers may seem relatively low, many victims of dating violence do not report their incidents due to feelings of fear, embarrassment, and lack of knowledge as to what qualifies as dating violence.

Simply, a solution to this pressing issue is a comprehensive sexual education that includes the development of healthy relationships. Numerous states (e.g. California, Colorado, Maine, and Washington) have passed similar legislation and have seen a significant reduction in STIs, unwanted pregnancies, and unhealthy relationships among teens. As we are sure you know, teens who contract an STI unintentionally become pregnant, or are abused in a relationship must deal with the repercussions of these incidents for the rest of their lives.

"An Act relative to healthy youth" (S.234) ensures that schools which elect to provide sexual health education programs do so based on comprehensive, medically accurate, and age-appropriate information. This has been shown to better equip students to make healthy decisions throughout their lives. Abstinence-only sex education has not been proven to effectively reduce STIs and teen pregnancies. The bill is not a mandate, rather it sets a standard for a more effective curriculum while simultaneously respecting local decision-making authority. In addition, the bill complies with the current law that allows parents to opt out of sexual education programs. Most importantly, the bill is revenue neutral and does not require the government to spend any additional funds. In fact, because of the preventative nature of this bill, the Commonwealth may even reduce its financial expenditures on social services.

Again, as a parent and a staunch advocate for the welfare of children, the health of our youth must be one of your top priorities. It is one of the paramount duties of the legislature to comprehensively prepare our youth for adulthood. Please ensure that our youth obtain every opportunity to lead a healthy and safe life by supporting S.234. “An Act relative to healthy youth.” Urge your fellow legislators in the Joint Committee on Education to hold a hearing as soon as possible and vote the bill favorably out of committee.

- Excerpts from Campaign Journals

**Gilberto**

On our first trip to the state house, we met with Senator Sonia Chang-Díaz’s Chief of Staff, Nathaniel Shea, to discuss the Senator’s position on the bill. Right off the bat, Mr. Shea assured us that the Senator has strongly supported the bill in the past on both the senate floor and in the Joint Committee on Education. And that she will continue to do so in this session. During this very moment, it felt like a weight off my shoulders was lifted. It was good to hear that the Senator, who is also the Chairwoman of the Committee on Education, was going to fight for our bill.

Later, our discussion turned to who should we approach that has not been convinced by this bill in the past. Mr. Shea strongly advised us to redirect our efforts to members in the House because they were responsible for the death of the bill in the last session. In addition, Mr. Shea explained that the Senate has voted this bill favorably once before and he predicts that it will be the same outcome during this legislative session. This advice was very much helpful in reorganizing our strategy when meeting with other legislative aides or legislators.

**Madeline**

We emailed extensively with Samuel Anderson, one of Senator Barrett’s aides. Upon meeting Samuel, we discussed the reasons we decided to become involved with S.234. When Samuel discovered both myself and Gilberto are very passionate about advocating for the prevention of dating violence, Samuel became very excited. Senator Barrett’s office has been very involved in passing legislative material related to dating and domestic violence in the past. Additionally, he has spoken extensively with Malcolm Astley, the father of Lauren Astley, a young girl who was killed by her boyfriend in high school. We had previously done quite a bit of research on Lauren, and her story. To find another connection between our bill and the real world was very encouraging. Samuel encouraged us to reach out to Malcolm (which we did) due to Malcolm’s exhibited support for the bill in previous sessions.

His enthusiastic encouragement to support this bill was very encouraging. It was nice to experience how passionate legislators can become about the legislation. Samuel’s excitement and knowledge also proved that we were on the right track for learning and speaking about the bill. We knew
quite a bit about what she spoke to us about and we were able to engage in an informed discussion, not just a one-sided speech.

**Linda**

Gilbert, Maddy, and I met with Leda Anderson and Nikki Goldschein, who work in Planned Parenthood’s Government Relations department, at their office. They were the most helpful and informative of all the coalition organizers we spoke with. When we met with them, it felt like they were at the epicenter of the fight for the bill. Leda and Nikki were extremely interested in the work we had been doing and were impressed by our legislative report and storybook. The storybook interested them because it displayed our ability to connect with people who could potentially give testimony at hearings. The meeting was also beneficial to us because they sent us more up-to-date data on teen birth rates and STI rates.

I’m glad that we persisted in meeting with them as Jill Ashton advised because they told us that in their lobbying efforts, Planned Parenthood is focusing more on the STI rate side of the argument rather than the teen pregnancy rate side. This is because the teen pregnancy rates in Massachusetts have been going down in recent years, while the STI rate has reached epidemic levels. It was helpful to know this so that we could alter our message and how we sell the bill to legislators.

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**Update**

The bill became part of a new draft, S.2071, which was reported favorably by the Joint Committee on Education. The Senate Committee on Ways and Means recommended the bill ought to pass with an amendment. A new draft, S.2113, was presented to the Senate and amended. As of September, reprinted with amendments as S.2128, the bill was passed in the Senate and referred to the Committee on House Ways and Means.

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**For more information**

View the Bill:  
malegislature.gov/Bills/190/S234  
malegislature.gov/Bills/190/S2071  
malegislature.gov/Bills/190/S2128

Planned Parenthood:  
plannedparenthood.org
Homeless Bill of Rights

Creating a bill of rights for people experiencing homelessness

Nick Love '17
Cassidy Tatun '17

Since 2007, the United States has seen a decrease in homelessness of nearly 13%; yet in Massachusetts, the population of individuals experiencing homelessness has increased by almost 40%. With a large increase of individuals experiencing homelessness, it becomes ever more critical to protect these individuals' basic rights. This bill provides a definition of homelessness and secures the rights of all Massachusetts residents, regardless of their housing status. The bill includes, but is not limited to, key rights such as the right to vote, the right to equal treatment by state and municipal agencies, the right to access emergency medical care, and the right to reasonable privacy of personal property.

The Bill

H.695/S.46: An Act creating a bill of rights for people experiencing homelessness

Elevator Speech

Hello, we are Nick Love and Cassidy Tatun. We are Brandeis students and voters from Waltham. The Constitution is fundamental to the preservation of equal rights for all people in our nation; when portions of our community are alienated and denied these rights, our dedication to justice and equality is threatened.

We are very concerned that while the number of homeless individuals has decreased nationally by 12.8% from 2007 to 2015, in that same time, the Massachusetts homeless population has grown nearly 40% larger. This marginalized and vulnerable community is at an elevated risk of experiencing assault, discrimination, and violation of their basic rights.

Establishing a bill of rights for individuals experiencing homelessness, including but not limited to the right to private personal property, to move freely through public space, and to vote, is essential to preserving the dignity of this community. Clearly delineating these rights will empower these individuals and fortify the Commonwealth’s commitment to equality for all its residents.
throughout the Commonwealth where individuals are done something wrong. These views have led to hate crimes lacking motivation, addicted to drugs, or people who have to view individuals experiencing homelessness as people largely due to societal stigma. This stigma conditions society discrimination and crime based on their housing status. Nearly 40%. These individuals face a greater amount of 12.8%, while in Massachusetts this population has increased individuals experiencing homelessness has decreased by nearly 40%. These programs have successfully educated many individuals experiencing homelessness of their newly formed rights and in turn have led to a decrease in negative experiences by people experiencing homelessness. In both of these states, there has also been no fiscal impact on the state, making it a perfect foundation to ensure the respect and dignity of all residents of the Commonwealth without focus on their housing status.

Imagine falling into homelessness and not being able to afford food, yet when you go to register for SNAP benefits, the lack of a permanent address makes the process nearly impossible. Or you are in need of health insurance, yet to get your insurance cards with MassHealth they need a permanent address to send those documents to. Without an address, individuals are often not able to utilize social services, which were designed in the first place to help people trying to exit homelessness just like them. Without methods to exit homelessness easily accessible, these individuals or families will have to utilize emergency services, which end up costing the state a much larger sum of money.

The creation of a Bill of Rights for Individuals Experiencing Homelessness would greatly help the large population of Massachusetts residents experiencing homelessness. It has been meticulously modeled from a similar bill that has passed in Rhode Island and Illinois in the past few years. These programs have successfully educated many individuals experiencing homelessness of their newly formed rights and in turn have led to a decrease in negative experiences by people experiencing homelessness. In both of these states, there has also been no fiscal impact on the state, making it a perfect foundation to ensure the respect and dignity of all residents of the Commonwealth without focus on their housing status.

With such positive results, this bill should be passed in the Legislature as soon as possible. It is vital for Massachusetts to provide residents ways out of homelessness by decreasing the unlawful discrimination against these individuals solely based on their housing status. I urge you to call, email, or visit your state representatives in the House and Senate and speak of the importance this bill of rights has on all Massachusetts residents. Speak of how these protections are for all of us, because no one can predict whether they will fall into homelessness or not. And specifically ask them to speak with their colleagues on the Joint Committee on Housing and Joint Committee on Children, Families, and Persons with Disabilities to favorably vote out H.695 and S.46, respectively. By passing this legislation more individuals will have their basic human rights protected and avoid discrimination based on often-incorrect stereotypes and stigmas.
House Ways and Means Script

Hello, my name is Cassidy Tatun and this is my partner Nick Love. We are students at Brandeis University and residents of the southside of Waltham. Our community, the Commonwealth of Massachusetts, and our nation as a whole are built upon ideals of equality and justice for all residents through the maintenance of certain basic rights. When a subset of people are denied these rights and marginalized, our ideals are threatened. At this moment, a disproportionate level of discrimination falls on individuals experiencing homelessness. We are here to ask that you support [House Bill 695: “An Act providing a homeless bill of rights” or Senate Bill 46: “An Act creating a bill of rights for people experiencing homelessness”]. Your support of this bill would demonstrate a commitment to equality and respect for all Massachusetts residents, regardless of housing status.

Massachusetts has one of the largest homeless populations in the country, and that number continues to grow even as national rates of homelessness decline. Reported rates of homelessness often under-represent the full extent of this problem. This is due to the way data is collected, as well as laws that push homeless individuals out of plain sight. As the homeless population grows, the importance of protecting the rights of this portion of our residents grows more pressing.

Individuals experiencing homelessness are at an increased risk of both subtle and overt discrimination. A person experiencing homelessness is put at an unfair disadvantage when it comes to accessing assistance programs, from food to housing to social security, due to the fact that the applications require a physical address. What may appear to be just a few lines on a piece of paper are a concealed form of discrimination. These assistance programs could be the key to a person transitioning out of homelessness, but that barrier to access instead perpetuates the problem. Please understand that correcting this problem, through securing equal rights and prohibiting discrimination, does not mean more people will receive funding from assistance programs. Its implication instead is that all residents are entitled to an equal opportunity to apply for these programs. Similarly, prohibiting discrimination in emergency medical services and by employers fosters health and financial conditions that aide an individual in working to overcome homelessness. In that respect, this bill can be a step towards decreasing, and eventually eradicating, homelessness.

Implementation of this bill would require both education and enforcement. When Rhode Island passed the legislation on which our current bill is based, the Rhode Island Coalition for the Homeless took the lead on fulfilling that educational component. Distributing water- and tear-resistant cards with a layman’s explanation of rights guaranteed to the homeless community was done without any cost to the state.

In enforcing the prohibition of discrimination against the homeless community, the state may even see financial benefits. According to former Connecticut legislator Paul Gionfriddo, the systems in place can facilitate “arrests for a variety of minor charges,” as simple as “sitting or lying on a sidewalk.” He explains that in many cases, “these arrests took place primarily because” the perpetrator was homeless. An equal right to the use of public spaces could reduce unnecessary arrests. In turn, the state will not need to pay what it would’ve cost to incarcerate those individuals – more than $1,000 per day for each person.

We request that the Chair of the Committee on Ways and Means support H.695/S.46. Thank you.

Letter to the Legislator

My Name is Nicholas Love and, along with my colleague Cassidy Tatun, I am a student at Brandeis University and resident of Waltham. I am writing you in regard to the need for action in Massachusetts, addressing the third largest homeless population in the United States. People experiencing homelessness are faced with increased risk of discrimination and assault. H.695: “An Act providing a homeless bill of rights,” currently in the Joint Committee on Housing, would make meaningful progress to combat this problem. I urge you to support this bill, demonstrating a commitment to equality and dignity for all residents, regardless of housing status.

Since 2007 the population of individuals experiencing homelessness has decreased by 12.8% nationally, yet during this same time, the same population in Massachusetts increased by nearly 40%. In Waltham alone, according to local services, there are nearly 100 individuals experiencing homelessness turned away from shelters on a given night. These individuals need medical care, but often face discrimination in the emergency room, forced to leave in the middle of the night and walk miles to safety.

Securing the rights of all people that may experience homelessness at a given time is vital to eradicating homelessness. By implementing a homeless bill of rights, we ensure individuals have a right to their property and give them freedom from discrimination in healthcare, employment, and voting.

There has been no substantial opposition to creating this Bill of Rights. The passage of this bill would come at no cost to the state, as evidenced by equivalent measures in Rhode Island and Illinois, so there should be no financially-driven objections.

I understand that the version of this bill introduced in the 189th session was reported out of committee favorably and hope to see that again this session. Please speak with the chair of the Committee on Housing to schedule an early hearing and ask your colleagues in the committee to report favorably on this bill.
Excerpts from Campaign Journals

Nick

The meeting with Representative Pignatelli took place in the House Chambers on my first Wednesday in the State House. Also at this meeting with Rep. Pignatelli was his legislative aide Gena and Kelly Turley, the Associate Director of the Massachusetts Coalition for the Homeless. This meeting was one of the most important meetings I had due to it being the place where I got a sense of what this bill accomplishes, how it played out in the past two sessions, and what some of the challenges may be; all given to me by folks who were spearheading the initiative. While I had already known what the bill would do, its history, and the lessons learned in other states, it was invaluable to get those firsthand accounts of the bill’s process in Massachusetts. It also set me on track for knowing exactly who to target based on where the coalition’s bulk of efforts was located. What this track consisted of was speaking with as many members on the Joint Committee on Housing as possible, pushing them to have an early hearing and report out the bill favorably.

Cassidy

The greatest challenge we faced during this project was gathering stories. Gathering stories about homelessness is not a quick and easy process. It is a population that typically receives little respect or dignity and often a lot of shame surrounding the experience. The stigma of homelessness creates a barrier for people sharing their story, even if they are no longer in that situation. The fact that we were looking for stories about discrimination added to the difficulty. In order to get a strong personal account of experiencing homelessness, a trusting relationship needs to be built. I have spoken with folks experiencing homelessness during my time working at WATCH [Waltham Alliance to Create Housing], but this focused on applying for emergency assistance and other social service programs, not discrimination. Further, as a student advocate, I do not have the same capacity for follow up as professional caseworkers and our interactions seldom develop into lasting relationships. Because of this, most of the stories we utilized actually came secondhand from professionals who worked closely and continuously with homeless populations. For example, the executive director of the Waltham Day Center was able to provide numerous stories about individuals with whom she has worked. It effectively achieved our goal, but something about it felt inadequate because we could not directly collect the stories.

Update

On July 10, 2017, the bill was reported favorably by the Joint Committee on Housing and referred to the Committee on House Ways and Means.

For more information

View the Bill:
malegislature.gov/Bills/190/h695

Massachusetts Coalition for the Homeless:
mahomeless.org
Access to Higher Education for Undocumented Students

Allowing undocumented high school students to be eligible for in-state tuition at public universities and community colleges

Vanessa Alamo ’17
Marian Gardner ’18

Lack of recognition from the state makes undocumented students ineligible for in-state tuition for attending public higher education institutions. Instead, they are required to pay the much higher out-of-state or international student tuition rate. However, the majority of undocumented high school students come from low-income households and therefore, this increased financial burden makes higher education unattainable for them. The Higher Education Equity Act (H.644), formerly known as the “In-State Tuition Bill,” proposes that undocumented students who meet the bill’s criteria become eligible for in-state tuition and financial assistance.

■ The Bill

H.644/S.669: An Act relative to equal opportunity for high school graduates in the commonwealth

■ Elevator Speech

We are taught that hard work leads to opportunity and success. In high school, you push yourself; you make As in your advanced courses, engage in extracurricular activities, and graduate valedictorian of your class. After all of these efforts, what if college is not accessible to you? This is the story of high achieving undocumented students living right here in Massachusetts. Their dreams of attaining higher education are shattered and they are robbed of a bright future for a circumstance they have no control over.

These students were brought to this country at a young age. Their first language is English. They are “American” in every sense, and yet they are not considered residents of Massachusetts. Therefore, they are denied in-state tuition and are not eligible for financial aid. Most are from low-income households, so the high cost of non-resident tuition makes attaining higher education nearly impossible. Not only are we robbing these innocent individuals of the opportunity for social mobility, but also we are hindering their ability to contribute to the Massachusetts economy.

The Higher Education Equity Act provides a simple solution. The bill grants in-state tuition rates to undocumented students and makes these students eligible for financial assistance.
aid. This will ensure that the talents of these students will not go to waste. Only through responsible planning can we ensure that hard-working, high-achieving high school students have the opportunity to continue their dreams in higher education institutions. Will the representative please speak with the chair of the committee to encourage a favorable vote for the Higher Education Equity Act?

■ Excerpt from the Storybook

“This is my home. And all I want to do is go to college and become someone for my community.”

– Yessenia, Class of 2018

“I am Teresa, Yessenia’s aunt. I’m very proud of everything she has accomplished to date. Yessenia is very independent and loves school. She works hard in her classes because her dream is to someday attend college.

Unfortunately, the state does not consider her efforts to become a top student in her class because she’s undocumented. She lacks sleep because she works hard in her AP courses. Her determination comes from being the first in her family to potentially attend college. She also wants to show her little sister that anything is possible with hard work…. I don’t want to see Yessenia work this hard and to one day be told it was all for nothing. Her legal status takes away her value as a human being. And I don’t want her to feel like that.”

■ Op-Ed

Vanessa

Imagine your 16-year-old self dragging your injured body out from underneath a flipped car. The accident wasn’t your fault. The other driver appeared seconds before you even had a moment to think. But reality strikes in unforgiving ways, and no amount of preparation or caution can prepare you for the moment in which your world is flipped upside down.

Like the incident mentioned above, undocumented high school students in today’s society feel alone, with no sense of direction. Often times, immigrant students moved to the states at such a young age that they can barely remember life back in their native countries. By having been part of Massachusetts society for so many years, it’s almost impossible to imagine a life elsewhere.

Just like the car accident, many undocumented students did not understand the implications of their legal status. Therefore, they feel blindsided and cheated when they discover that they cannot enroll into college. Elias was a 16-year-old stuck under a car in the scene of a horrendous accident. After his mother’s death, her request for his legal residency was cancelled. Little did he know, he was now left in the world undocumented, with no other family to turn to.

His dream to attend college became quickly threatened under the inability to afford an out-of-state tuition rate for public colleges and universities in Massachusetts. Recently having lost his mother and forced to find a way out of this tragic incident, Elias sought protection and opportunity. Fortunately, federal policy, the Dreamer’s Act, supported his dream to attend college.

Sadly, however, not all students find a way out. Without legal documentation and proof of residency, undocumented students are not eligible for in-state tuition rates in Massachusetts’ public colleges and universities.

Rodrigo, an aspiring physicist, lies helplessly under a totaled car. Regardless of his academic excellence and recognition, such as valedictorian, he wasn’t able to attend college. Forced to accept his reality, he now works to pay the bills when instead, he could have continued his education and received the expertise necessary to improve our world through science.

The Higher Education Equity Act is like the AAA car insurance company. Aiming to serve and protect its clients, this legislation addresses the financial barrier many undocumented students like Rodrigo face. By granting in-state tuition eligibility and state-funded financial assistance, undocumented students of the Commonwealth are relieved of the out-of-state tuition fees that can be double, even triple, the amount of in-state tuition.

This bill’s passing affects not just the undocumented students we’ve supported throughout their public K-12 education, but also helps improve the future of the Commonwealth by preparing them to become the future doctors, teachers, engineers, etc. Yessenia may have a chance to change her fate. She’s juggled schoolwork with a part-time job. She’s struggled through sleepless nights in order to receive a 4 or higher on her AP exams. Yessenia continues to strive for excellence as she aspires to go to college to later serve the community through a job in the justice system.

Imagine your 16-year-old self dragging your injured body out from underneath a flipped car. If someone had the ability to help you escape the nightmare of being stuck by another vehicle, would you want them to take action?

Don’t leave our 16 and 17-year-olds, and all other undocumented high school students, lying on the side of the road, wondering if they’ll ever make it out. Call your representatives to stress the economic and societal importance of this bill. Speak with your community members and extend your hand to a teenager in need.

Life can change in the blink of an eye. Be the change you’d want your 16-year-old self to be proud of.
The movement of the Higher Education Equity Act, commonly known as the “In-State Tuition Bill” in Massachusetts, encouraged many foundations to research and analyze the political and fiscal implications of the state in comparison to other states across the nation. Because the cost of attending the University of Massachusetts for a Massachusetts resident is $15,345 compared to the $33,492 (out of state and international) tuition rate for a non-resident, numerous economic and financial analysts have performed studies examining the fiscal impact of increased higher education enrollment as a result of H.644/S.669. Since 2006, the Massachusetts Taxpayers Foundation presented a report demonstrating our state’s ability to gain revenue by allowing undocumented students to pay in-state tuition fees. With a projected 500 student enrollment increase per year between 2006 and 2009, it was estimated the state would receive a $2.5 million increase in revenue. The state would incur no additional costs in accommodating the small percentage of entering undocumented students given their revenue increase.

Taking into account the growing population in the Commonwealth from the 2010 Census Bureau report, the Massachusetts Taxpayers Foundation revisited the 2006 report and adjusted the economic outcomes of in-state tuition eligibility. According to the revised report, presented in 2015, Massachusetts will benefit from a $1.8 million to $2.1 million total revenue increase within the first year of this bill’s passage. However, the following years of higher education, primarily at four-year institutions, will receive nearly triple the amount, starting at $6.4 million and potentially $7.4 million, by the fourth year of enrollment. The high cost of out-of-state tuition and lack of eligibility for financial aid effectively prevents the majority of undocumented students from continuing their education. In summary, as the distribution of state net revenues increase higher education accessibility, the financial barriers many undocumented students encounter decreases.

One of the most vocal organizations opposing the Higher Education Equity Act is the Federation for American Immigration Reform (FAIR). FAIR claims the passing of this bill results in the loss of taxpayers’ money due to the allocation of funds towards “illegal aliens” that are attempting to obtain an education through unlawful means. Although the fear of tax dollars being misused is common, the American Immigration Council performed a study which examined undocumented workers’ tax participation. Making up 3.4% of the Massachusetts workforce, undocumented workers contributed $196.9 million in state and local taxes, including: (1) $85.6 million in sales taxes, (2) $44.5 million in personal income taxes, and (3) $66.9 million in property taxes. As the American Immigration Council reported in 2015, the state’s 51,240 foreign-born students contributed $1.9 billion to the Massachusetts economy through tuition and living expenses in the 2013-2014 academic year. Immigrant students also enhanced the state’s talent pool by obtaining master’s and doctoral degrees in the science, technology, engineering, and mathematics (STEM) fields. It is evident through these studies that immigrants are an integral part of Massachusetts society and economic growth. While the loss of taxpayer money is a legitimate concern, the aforementioned sources demonstrate the positive effects of making higher education accessible to all foreign-born students residing in Massachusetts.

Creating access to public colleges and universities for undocumented students will result in a bigger return on investment for the state. Passing this bill will allow all of our community members to reach their potential by becoming our future doctors, teachers, and engineers, increasing the talent pool, and contributing to the economic growth of Massachusetts.

The citizens of the Commonwealth put their trust in the leadership of each of you. We ask that you reflect on your time in school. Reflect on the children that make up your child’s classroom. Imagine what a Massachusetts classroom would look like if we continue to strive for exceptional quality in education at all levels. Consider this bill, H.644/S.669, as an opportunity to increase our economic, political, and social quality of life. Especially in a state like Massachusetts, which prides itself on being ranked as the top state in the nation for education, based on the rankings of “U.S. News & World Report.” The numerical impact of in-state tuition is minimal, therefore further encouraging the return on investment from motivated and high-achieving immigrant youth. The Higher Education Equity Act will increase our talent pool, make us a competitive state, and present some of the most talented, knowledgeable, and hardworking individuals to the nation, just like yourselves.

In conclusion, the reports submitted by the Massachusetts Taxpayers Foundation relied on revenue and enrollment research tracking the success of similar legislation in which undocumented students are eligible for in-state tuition as well as state-funded financial assistance in states across the nation like Texas. Evidently, Massachusetts would
benefit tremendously by making higher education accessible to undocumented students. The Higher Education Equity Act provides a simple solution. It grants in-state tuition rates to undocumented students and makes immigrant youth eligible for financial aid. This will ensure the talents of these students will not go to waste. Only through responsible planning can we ensure that hardworking, high-achieving high school students have the opportunity to continue their dreams in higher education institutions.

Will you continue the legacy of Massachusetts and provide the Commonwealth with a policy that will not only increase the quality of our schools but also the quality of our society? Educate your constituents about the short-term and long-term advantages of this legislation. It is essential that through your support, we gain the momentum necessary to schedule a hearing and bring this bill to the floor.

### Letter to the Legislator

You have openly expressed how your role as a father of five makes the topic of education personal for you. Therefore, we hope that you are devoted to eliminating barriers to higher education for all students in your district and in Massachusetts as a whole. As current university students, we share your passion for education, and we are seeking your support for an important bill that affects our peers and us. The Higher Education Equity Act (Bill H.644) strives to address the huge financial barriers to higher education for undocumented students.

In today's world, higher education is critical to personal and professional success, as well as upward mobility. You expressed this sentiment during your campaign run in 2011, when you stated, "the next generation to have every opportunity possible, and that begins with the best education..." However, currently higher education is unattainable for thousands of undocumented high school graduates in Massachusetts, because they are forced to pay out-of-state tuition rates at public colleges and universities. Furthermore, they are barred from state financial aid.

The Higher Education Equity Act would allow students who have attended a Massachusetts high school for three years and have graduated or received the equivalent of a diploma to pay the same in-state tuition rates at public universities as their peers and to benefit from state financial aid. Students who are not legal permanent residents must sign an affidavit stating that they have filed an application to become a legal permanent resident or will file an application as soon as they are eligible.

Most undocumented students were brought here at a very young age, so they have lived in our communities most of their lives, and they intend to stay here. These students could be our future doctors, teachers and engineers. Representative Lawn, think about the students who learned alongside your children. Don't you think they are as equally deserving to seek higher education? Denying these students the opportunity to attend college shrinks our talent pool and undercuts our future economic advantage. Therefore, this bill has the support of businesses because they understand that more educational opportunities would automatically result in the expansion of the talent pool.

We ask that you speak with your colleagues and members of the Joint Committee on Higher Education, and stress the importance of this bill for ensuring that undocumented students have access to educational opportunities. This will guarantee that these students will make valuable contributions to their communities and strengthen the local economy. We hope you play an integral part in the passage of this bill. We would greatly appreciate your support.

### Excerpts from Campaign Journals

**Vanessa**

Today's meeting was difficult because I did not expect it to be so short. Representative Aaron Vega's legal aide, Patricia Duffy, was eager to hear about Marian's and my background and involvement regarding the bill. I, however, was prepared to answer difficult questions and persuade legislators to reconsider the bill. Duffy’s immediate validation for our work and full support for this bill took me by surprise. The challenging portion of this meeting was finding something deeper to connect on. One of our goals for each meeting is to make a personal connection with the representatives and their aides to make Marian and I memorable. Having a conversation in which Marian and I defended the bill as Duffy nodded in agreement was not as impactful as we had hoped.

Fortunately, we did our research. I learned that Representative Vega was a film major in college and worked as a freelance video editor for some time before commencing his position in the State House. Marian mentioned our upcoming media advocacy project and ran some ideas by Duffy. She, once again eager to support our endeavors, offered to connect us directly with Vega to discuss our ideas in further detail. Having made a connection with both, Duffy and Vega, about something they are both passionate about helped us make that personal connection we were seeking.

While the meeting did not go in the direction we hoped for, it allowed us to further exercise our improvisation and interpersonal skills. Vega was so excited about the media project that he offered his expertise and filmmaking advice to help us produce an effective concept that could relate to the general public as well as Massachusetts representatives.
Marian

Vanessa and I began our advocacy journey at the State House with a meeting on Friday, March 3rd with Jordan Neerhof, the legislative aide of Representative Denise Provost. Representative Provost is the House sponsor of the Higher Education Equity Act. Early on we reached out to Jordan expressing our passion for the bill, and he was very enthusiastic about meeting with us. This same enthusiasm was present when we met him. Jordan had worked on this bill when it was introduced before so he has been great resource for us. I wanted to learn the reasons why the legislation has not passed prior times in order for us to take a different approach this time around. According to Jordan, one of the biggest challenges for representatives is worrying about how to sell the legislation to their constituents. Their constituents are already having a hard time putting their children through college so they want to hear how their representatives are working on making college more affordable for their children.

Jordan provided us with strong arguments, and strategies on how to counter opposing arguments. He suggested that we promote stories of successful cases from other states, and bringing personal narratives to the representatives and senators and to the hearings to testify would evoke emotion and be powerful. We have been able to utilize these strategies. In addition, according to Jordan, there is a lag time after the hearing and before voting, which is one of the most crucial times because representatives and senators need to constantly be reminded and pushed to vote for the legislation from their constituents.

Update

The bill was scheduled for a hearing in the Joint Committee on Higher Education on June 15, 2017.

For more information

View the Bill: malegislature.gov/Bills/190/S669

Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition: miracoalition.org