

HOUSE No. 2060

By Mr. Linsky of Brookline, petition of Elliot L. Richardson, Martin A. Linsky and another that provision be made for financial assistance for probation officers engaged in courses of higher education and authorizing leaves of absences for said probation officers. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Nine.

AN ACT PROVIDING FINANCIAL ASSISTANCE FOR PROBATION OFFICER HIGHER EDUCATION, AND AUTHORIZING EDUCATIONAL LEAVES OF ABSENCE FOR PROBATION OFFICERS.

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

1 SECTION 1. Chapter 276 of the General Laws is hereby
2 amended by inserting after section 99A thereof the following
3 new section:—

4 *Section 99B.* There is hereby established a probation officer
5 higher education scholarship program which shall be admin-
6 istered by the commissioner of probation. Subject to the
7 approval of the committee on probation, he shall establish
8 regulations governing eligibility for and the awarding of
9 scholarships, specifying the terms and conditions of repay-
10 ment of scholarships, and determining the courses and pro-
11 grams that may be undertaken. The commissioner may
12 expend such sums as may be appropriated to carry out the
13 scholarship program, and such sums as may be received in the
14 form of gift, grant, or loan of money from the federal
15 government or from any foundation, corporation, person or
16 other private source for the tuition and other reasonable costs
17 of education of probation officers as hereinafter set forth.

18 Any probation officer, appointed pursuant to section eighty-
19 three or eighty-three A, may apply to the commissioner for

20 scholarship assistance to defray the cost of tuition and other
21 reasonable costs of education. As a condition for the granting
22 of such a scholarship, a probation officer shall enter into a
23 written agreement with the commissioner that the full
24 amount of the scholarship shall be repaid to the common-
25 wealth if he does not serve as a probation officer within the
26 commonwealth for a period of three consecutive years on
27 completion of the courses for which payments are provided
28 under this program, unless excused therefrom in writing by
29 the commissioner with the approval of the committee on
30 probation. If the commissioner, with the approval of the
31 committee on probation, determines that a probation officer
32 has failed to successfully complete his courses, any unused
33 balance of his scholarship shall be returned to the General
34 Fund.

35 The committee shall review, and approve or disapprove,
36 actions of the commissioner of probation establishing regula-
37 tions governing the probation officer higher education
38 scholarship program, or excusing repayment of scholarship
39 grants or determining that a probation officer has failed to
40 successfully complete his courses under the program, as
41 provided in section ninety-nine.

1 SECTION 2. Chapter 276 of the General Laws is hereby
2 amended by inserting after section 83A thereof the following
3 new section:—

4 *Section 83B.* Any court, courts, justice or justices autho-
5 rized to appoint probation officers pursuant to section eighty-
6 three or **eighty-three A may, with the approval** of the
7 commissioner of probation, grant leaves of absence to any
8 probation officer appointed pursuant to such authority to
9 engage in an educational program that will improve his
10 professional capability. Such a leave shall be for a period not
11 exceeding two years, and shall be at full pay. A probation
12 officer granted such a leave shall enter into a written agree-
13 ment with the appointing authority that upon termination of
14 such leave he will return to the service of that authority for a
15 period equal to twice the length of such leave and that, in
16 default of completing such service, he will refund to the

17 appointing authority an amount equal to such proportion of
18 the salary received by him while on leave as the amount of
19 service not rendered as agreed bears to the whole amount of
20 service agreed to be rendered. The provision of section
21 eighty-nine requiring the deduction of compensation paid to
22 a temporary probation officer from the compensation of the
23 probation officer in whose place his service is rendered shall
24 not apply to probation officers granted leaves pursuant to this
25 section.

