OPPORTUNITY – ADMISSIONS POLICIES AND PRACTICES

OVERVIEW

A CVTE school/program's decision to employ a selective admissions process is a significant responsibility for the school with lasting impacts on applicants. Massachusetts regulations require all public schools, including CVTE schools, to admit students "without regard to race, color, sex, gender identity, religion, national origin, or sexual orientation," and prohibit CVTE schools from "discriminat[ing] in the enrollment of students with disabilities." Also, guidance from the U.S. Department of Education has clarified that schools "must have procedures to ensure that homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including…career and technical education…if such programs are available at the State or local levels." The CVTE admissions regulations include important guardrails to support CVTE schools/programs in providing equitable opportunities for students to access CVTE pathways.

REQUIREMENTS

All CVTE schools/programs approved under Chapter 74 **must**:

- Admit resident students who meet the minimum requirements for admission prior to accepting non-resident students seeking the same program.
- Condition admission on a student having been promoted to the grade that they have been admitted to enter.

All CVTE schools/programs approved under Chapter 74 **must** include in their admissions policy:

1. A description of the process for application and admission to the school, as well as admission to particular programs within the school, including any criteria, lotteries, or other processes to be used in selecting students;
2. A plan that includes deliberate, specific strategies to promote equal educational opportunities and attract, enroll, and retain a student population that, when compared to students in similar grades in sending districts, has a comparable academic and demographic profile;
3. A description of the exploratory program, if such program is required by 603 CMR 4.03(4)(e); and
4. A process for prospective students and parents/guardians to appeal to the superintendent or their designee the decision to deny the prospective student admission to the school or program. The superintendent or their designee shall maintain documentation as to the specific admission requirements that were used to deny admission and shall provide such documentation to the Department or to the prospective student's parent/guardian upon request.

CVTE schools/programs that use selective criteria for admissions **must not**:

- Use criteria that have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, gender identity, sexual orientation, religion, or disability unless they demonstrate that:
  - o Such criteria have been validated as essential to participation in vocational programs; and
  - o Alternative equally valid criteria that do not have such a disproportionate adverse effect are unavailable.

- ▪ See the [federal Guidelines](#) (34 CFR App'x B to Pt. 100) at Section IV(K).
- Apply criteria when there are fewer applicants than available seats.
- Consider excused absences.
- Consider a student's minor behavior or disciplinary infractions.
  - o This means CVTE schools/programs cannot consider any student conduct other than infractions that resulted in suspensions or expulsion pursuant to [M.G.L. c.71, § 37H](#) or [M.G.L. c.71, § 37H-½](#), or resulted in suspension or expulsion for more than 10 days for a single infraction or cumulatively pursuant to [M.G.L. c.71, § 37H-¾.](#)

Sending districts **must**:

- Offer opportunities to CVTE schools/programs to provide students with information on-site at their middle schools, as well as through mail and email.

Sending districts **must not**:

- Count middle school student tours of CVTE schools/programs during the school day as unexcused absences.
  - o Provided that the CVTE school/program confirms the student's participation.
- Unreasonably withhold student access to CVTE school/program tours during the school day.

Important practices beginning with the 2021-22 school year:

- CVTE schools'/programs' board of trustees or school committee must **annually approve** any selective criteria to be used in admissions.
- The superintendent of the CVTE school/program must submit an **annual attestation** to the Department that their admissions policy complies with federal and state law and any relevant guidelines issued by the Department or the U.S. Department of Education.
- CVTE schools/programs must **submit** their admissions policy to the Department by October 1, 2021.
  - o If a school/program subsequently revises its policy, they should re-submit it to the Department within 30 days.
  - o The Department recommends that the submitted policy includes any applicable forms or documents used for admissions purposes, for example:
    - ▪ Application form
    - ▪ Interview questions
    - ▪ Score sheets
    - ▪ Materials used to train staff
    - ▪ Other supporting documents
- CVTE schools/programs must **maintain a record** of all students who apply for admission, enroll in the school, or are placed on a waitlist, and their score on admissions criteria, if used, and provide such information to the Department upon request.
- CVTE schools/programs must **annually publish** their admissions policy in their program of studies, post a copy on the school website, and provide a copy to each student applicant and their parent/guardian.
- CVTE schools/programs must ensure that all admissions materials are in **both English and the primary language of the home**, if such primary language is other than English.

NOTE FOR NON-CHAPTER 74 (PERKINS) PROGRAMS

Although the Department's admissions regulation applies to Chapter 74 state-approved programs, Perkins programs must comply with Massachusetts regulations concerning equal educational opportunities, and admit students "without regard to race, color, sex, gender identity, religion, national origin, or sexual orientation," and may not discriminate "in the enrollment of students with disabilities." Further, Perkins programs are subject to the federal Guidelines for Vocational Education Programs, which state in section IV.A. that "[c]riteria controlling student eligibility for admission to vocational education schools, facilities and programs may not unlawfully discriminate on the basis of race, color, national origin, sex, or handicap. A recipient may not develop, impose, maintain, approve, or implement such discriminatory admissions criteria."

CONSIDERATIONS

IF SEEKING TO IMPLEMENT A SELECTIVE PROCESS

- Before adopting selective criteria, admissions directors are urged to provide guidance to those involved in the admissions process on implicit bias and best practices to avoid it.

- Admissions practices that promote sufficient inter-rater reliability (consistency of scoring) among those who score applicants will help CVTE schools/programs avoid issues of subjectivity and potential for bias.

- Below is a series of questions that may help guide CVTE schools/programs as they set or revise their admissions policies:

  o What factors, if any, does the CVTE school/program find essential for students to participate in CVTE?

  o What indicators best demonstrate that an applicant meets these essential factors?

  o Does the CVTE school/program already have evidence that these indicators disproportionately exclude protected classes of students?

    ▪ i.e., on the basis of race, color, national origin, sex, gender identity, sexual orientation, religion, or disability.

    ▪ What alternative criteria has the CVTE school/program considered?

  o How is the CVTE school/program training admissions staff on issues like implicit bias?

  o If the CVTE school/program assigns point values to applicants, how are tied scores resolved?

  o If the CVTE school/program requires applicants to attend interviews or functions outside of regular school hours or away from the applicants' schools, what arrangements has the CVTE school/program made for transportation?