**Minutes of the Special Meeting**

**of the Massachusetts Board of Elementary and Secondary Education**

**Meeting held virtually via Zoom**  
**Monday, October 28, 2024, 5:07 p.m. – 6:13 p.m.**

**Members of the Board of Elementary and Secondary Education Present:**

**Matthew Hills**, Vice-Chair, Newton

**Ioannis Asikis,** Brookline, Student Member

**Ericka Fischer,** Worcester

**Farzana Mohamed,** Newton

**Michael Moriarty,** Holyoke 

**Dálida Rocha,** Worcester

**Mary Ann Stewart,** Lexington

**Patrick Tutwiler**, Secretary of Education, Andover

**Martin West,** Newton

**Member of the Board of Elementary and Secondary Education Absent:**

**Katherine Craven**,Chair,Brookline

**Russell D. Johnston,** Acting Commissioner of Elementary and Secondary Education

Vice Chair Matt Hills opened the meeting, announced that as always, it would be recorded and asked BESE members to introduce themselves.

Acting Commissioner Johnston announced the highlights of the Special meeting and that this would be the first of two sessions focused on Career and Technical Education and the admissions process. The last regulation change was in 2021, and this is a study to see what the impact of the most recent regulation changes are, for addressing equitable access.

**Introduction**

**Acting Commissioner, Dr. Russell D. Johnston**

In June 2021, the Board of Elementary and Secondary Education (Board) voted to amend the Career Technical Education (CTE) regulations relating to admission of students to CTE schools and programs - [603 CMR 4.03(6)(a).](https://www.doe.mass.edu/lawsregs/603cmr4.html?section=06) These admissions-related amendments addressed three primary goals:

1. Provide districts offering CTE programs with flexibility to develop data-informed local admissions policies that promote equitable access, comply with state and federal laws and regulations, and receive annual approval from the district’s school committee or board of trustees.
2. Clarify the authority of the Department of Elementary and Secondary Education (DESE) to intervene in cases of non-compliance, and in such cases, to order changes to admissions policies that may include requiring a lottery.
3. Improve access to information about CTE for students and families.

The Board is holding two special meetings, October 28 and November 18, to review and discuss the impact of these regulatory changes. The meeting on October 28 will focus on admission and enrollment data since implementation, including a presentation from an external researcher with expertise in Massachusetts CTE admissions data. The second meeting will include stakeholder experience in implementing the 2021 regulations.

These study sessions will address a key question:  *What impact has the most recent regulation change had on addressing equitable access to CTE admissions?* This information will contribute to any further changes to state regulations.

**CTE in High School, Context​ by:**

**Elizabeth Bennett, Associate Commissioner, College, Career, and Technical Education​**

The first thing we focus on is our Educational Vision. All students in Massachusetts, *particularly students from historically underserved groups and communities*are valued; have culturally and linguistically sustaining classroom and school practices​; high expectations with targeted support​. We want to be sure that all students know they are known and valued​; have great learning experiences; all education is relevant, real-world and interactive; they have individualized supports​ that enable students to excel at grade level and beyond. This begins with a strong foundation for every student. Approximately 26% of MA’s 287,938 high school students are in a pathway, including: ​

* + 55,728 in Career Technical Education (CTE)​
  + 10,042 in Locally Approved Career Connections ​
  + 8,241 in Early College ​
  + 6,955 in Innovation Career Pathways​
  + There are 92 schools with CTE, offering 1,050 approved programs.​

We also have multiple school models consisting of Regional CTE schools and Agricultural Schools (29) where we enroll students from multiple districts; Municipal CTE Schools, which there are (5) ​In a single district​; and Comprehensive High Schools with CTE (58)​ in a single district​.

**CTE Admissions Research Topics ​- State & Federal Legal Framework​**

**Caitlin Looby, Counsel ​**

Beginning in 2003, our regulations required CTE programs to use 4 admissions criteria:​

* Grades​
* Discipline record​
* Attendance​
* Recommendation​
* And allowed an optional 5th criterion:​
* Interview​

In 2021, the Board voted to approve a revised regulation that removed the statewide, 4-criteria selective admission policy. New regulations permit schools to set policies so long as they comply with federal and state law / guidelines. If a school does not comply, DESE will take actions it deems necessary to achieve compliance​, this could include a requirement to institute an admissions lottery. ​*See* 603 CMR 4.03(6)(a)​

The revised admission regulation also prohibits the use of selective criteria when there are enough seats; prohibits considering excused absences and minor disciplinary offenses​; incorporates language from the Federal Guidelines that prohibit discrimination in CTE admissions; and institutes new data-reporting requirements and superintendent attestation that policy complies with federal and state requirements​.

**Key Federal Requirements**

* Federal Guidelines require DESE to conduct periodic civil rights compliance reviews called Methods of Administration (MOA). ​
* Strengthening Career and Technical Education for the 21st Century Act (Perkins V) requires DESE to report civil rights data to U.S. Department of Education’s Office for Civil Rights (OCR). ​
* OCR’s 2020 Memorandum of Procedures (MOP) permitted state agencies to streamline these processes for the first time. ​

**Legal Authority over the MOA Process**

**Federal Guidelines**(Appendix B to Part 100 of Title VI) prohibit schools from using selective admissions criteria “that have the effect of” disproportionately excluding certain protected classes. Guidelines at IV.K.

**Since the 2021 Regulatory Changes:**

**Elizabeth Bennett, Associate Commissioner, College, Career, and Technical Education​**

* Regional schools after the regulation change:​
* 25 of 29 districts kept selective criteria​
* E.g., grades, discipline, attendance​
* Most still require a recommendation and/or an interview​
* Many adjusted how they score, or shifted weight assigned to criteria​
* Two adopted a full or partial qualified lottery. ​
* Two agricultural schools removed grades and recommendations as selective criteria​
* One municipal CTE school implemented a qualified lottery​

**Selective Admissions and High School CTE**

[**Shaun Dougherty**](https://www.bc.edu/bc-web/schools/lynch-school/faculty-research/faculty-directory/Shaun-Dougherty.html)**, Professor, Education and Policy, Boston College​**

Students benefit from CTE when provided with the opportunity. Brunner et al. (2023) used admission to statewide system of 16 CTE-dedicated high schools to estimate impact of being admitted on later outcomes​. Students are ranked on an application score and admitted in descending order until all seats are filled​. Student application scores consist of middle school test scores, attendance, and discipline data​.

Admitted students see positive impacts. An eighth-grade student who was less likely to graduate, is more likely to graduate having been admitted to CTE, while random admissions generate more equitable access.

In 2019 as part of technical assistance, we ran simulations for some MA schools with two versions:​

* We Proposed some schools for technical assistance using modifications of criteria weights (i.e. points for grades, attendance etc.); and using lottery​.

**Outcome:** ​Tweaking selective criteria in simulated admissions sometimes resulted in a student population that looks less like the sending districts, and the simulated lottery resulted in a student population that looks more like the sending districts.

**Is selective admission essential to participate in high quality CTE?**

To prove this, one would have to show that:​

* Students participating in high quality CTE who were admitted through a non-selective process could not participate; students who were not admitted could not participate; ​simply showing better outcomes among students admitted through a selective process does not prove this point; and when criteria chosen for selection are correlated with the outcomes, you can no longer attribute success exclusively to the treatment​.

**CTE Enrollment Data Overview ​**

**Rob Curtin, Chief Officer for Data, Assessment, and Accountability​**

Student demographics have changed since 2020​. DESE compared changes for grade 9-12 students in Regional and Municipal CTE Schools to all other schools​:

* CTE Schools – schools that are "wall-to-wall" CTE (N = 37,300 grade 9-12 students in 2024)​
* Non-CTE Schools – schools that are comprehensive or do not have "wall to wall" CTE (N = 252,407 grade 9-12 students in 2024)​
* Intent was to determine if demographic gaps exist between CTE and non-CTE schools​

**Growing gaps in the percentage of students of color served between non-CTE Schools and CTE schools.​**

|  |  |  |  |
| --- | --- | --- | --- |
| **​** | **2020 % Enrolled​** | **2024 % Enrolled​** | **% Change​** |
| **Non-CTE Schools​** | **40.1%​** | **46.8%​** | **16.8%​** |
| **CTE Schools​** | **37.0%​** | **42.0%​** | **13.5%​** |
| **​** | **+3.1​** | **+4.8 ​** | **​** |

**Growing gaps in the percentage of English learners served between non-CTE schools and CTE schools in grades 9-12.**

|  |  |  |  |
| --- | --- | --- | --- |
| **​** | **2020 % Enrolled​** | **2024 % Enrolled​** | **% Change​** |
| **Non-CTE Schools​** | **7.7%​** | **10.1%​** | **31.2%​** |
| **CTE Schools​** | **4.7%​** | **4.8%​** | **2.1%​** |
| **​** | **+3.0​** | **+5.3 ​** | **​** |

**\*2024 difference in grade 9 enrollment only was 4.1 percentage points​**

**There were different methodologies used in 2020 and 2024. CTE schools generally serve higher percentages of low-income students, but the gap is shrinking.**

|  |  |  |  |
| --- | --- | --- | --- |
| **​** | **2020 % Enrolled​** | **2024 % Enrolled​** | **% Change​** |
| **Non-CTE Schools​** | **28.9%​** | **40.2%​** | **N/A​** |
| **CTE Schools​** | **34.5%​** | **43.4%​** | **N/A​** |
| **​** | **-5.6​** | **-3.2​** | **​** |

**Impact of Certain Indicators as Admission Requirements**

* Examined two key indicators often used for admission (attendance and discipline) to see if there is an impact on selected populations.​
* Examined statewide 7th grade attendance and discipline rates as a proxy to determine if there is a differentiated impact for certain groups​
* Many schools use an 18-month process (7th grade and half of 8th grade) but DESE is unable to replicate half of 8th grade​

**Conclusions from 7th Grade Data ​**

* Data show that students in certain groups are more likely to be impacted by admissions criteria related to attendance and discipline.​
* Data shown are indicative of impact within one indicator and would only grow when multiple indicators are used (e.g., attendance and discipline).​
* Absence of attendance and discipline criteria would improve chances of admission for students in selected populations.

**CTE Admission Final Overview:**

**Elizabeth Bennett, Associate Commissioner, College, Career, and Technical Education​ and Nicole Smith, Director, College, Career, and Technical Education​**

In 2021-2022, DESE commissioned studies of MA families with a focus on communities whose primary language is not English.​ Secondary Options and Family Engagement (FCSN, 2021)

**Challenges expressed by families included**: Navigating Processes​; Bias & Identification​; Interviews; Accommodations​; Awareness​; and Opportunity.

**Awareness and Recruitment**

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| --- | --- | --- |
| **Regulations ​** | **Challenges​** | **Potential Solutions​** |
| * Admission policies:​ * Plan to attract new students​ * Available in primary language of the home​ * Middle schools:​ * Permit CTE schools to provide information to students​ * Cannot unreasonably withhold student access to CTE information on middle school site ​ * Cannot count tours as unexcused absences​ | * Differing levels of access to information at middle schools ​ * Middle and CTE schools not collaborating on policies​ * ​ | * Revise regulations and guidance to address school and community concerns​ * Clarify language such as “unreasonably withhold” ​ * Say more about recruitment expectations ​ * Highlight role of student agency in MyCAP​ * Promote use of accurate and inclusive language​ * “CTE” not “voke”​ |

**Admissions**

|  |  |  |
| --- | --- | --- |
| **Regulations ​** | **Challenges​** | **Potential Solutions​** |
| * School committee approves policy, superintendent attests compliance to DESE​ | * No two processes are the same​ * Varying timelines​ * Application deadlines from December to April ​ * Admission decisions from January to August ​ | * **More** **consistent statewide approach** for student application processes​ |
| * School committee approves policy, superintendent attests compliance to DESE​ | * No two processes are the same​ * Varying timelines​ * Application deadlines from December to April ​ * Admission decisions from January to August ​ | * **More** **consistent statewide approach** for student application processes​ |

Vice-Chair Hills thanked the presenters and thanked members of the Board for their participation.

**On a motion duly made and seconded, it was:**

**VOTED:**  **that the Board of Elementary and Secondary Education adjourns the meeting at 6:13 p.m., subject to the call of the Chair.**

**The vote, by roll call, was unanimous.**

Respectfully submitted,

Russell D. Johnston

Acting Commissioner of Elementary and Secondary Education

and Secretary to the Board