MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Patrick Tutwiler, Interim Commissioner |
| **Date:** | May 13, 2025 |
| **Subject:** | Career Technical Education: Amendments to Regulations on Vocational Technical Education, 603 CMR 4.00 (Recruitment and Admissions), for Final Adoption |

In March 2025, the Board of Elementary and Secondary Education (Board) voted to solicit public comments on proposed amendments to the regulations on Vocational Technical Education (603 CMR 4.00). The Department of Elementary and Secondary Education (Department) invited public comment on the proposed regulatory changes from March 11 to April 18, 2025. As discussed below, based on the comments received, I am recommending additional changes to the regulations. Enclosed with this memorandum are the amended regulations, 603 CMR 4.00, for final adoption.

**Background**

The March 10, 2025 proposed amendments to the regulations address changes in the admissions practices and are designed to focus on access. Key provisions in the proposed amendments that went out for public comment include the following:

1. Weighted admissions lottery.

The amended regulations introduce a weighted lottery system in which all students who apply enter the lottery for admission and students without major disciplinary infractions and students without 27 or more unexcused absences in the prior 270 school days, receive an extra weight per criterion. The amended regulations also provide a standardized admissions cycle for school level admissions.

1. Student interest.

The amended regulations add language that would permit schools and programs to require students to include an indication of interest in career technical education in their applications, provided that the CTE school or program holds at least two open houses and at least three virtual information sessions each school year.

1. Middle school exploration.

The proposed regulations require sending districts to provide middle school students with information and opportunities to explore CTE schools and programs.

1. Updating terminology and definitions.

The proposed regulations address terminology – e.g., updating references to this type of education from “vocational” to “career technical.”

**Summary of Public Comment**

During public comment period, the Department received a total of 1,295 responses via email/mail and 782 responses through a dedicated public comment survey tool.

Among the comments submitted through the survey tool, approximately 10% came from individuals representing their school, district, or organization, while approximately 90% were submitted by individuals on their own behalf. A summary of the public comment and the Department’s responses is enclosed.

**Response to Public Comment**

Based on the public comment received, I am recommending the following additional changes to the regulations proposed at the March 10, 2025 Board meeting.

1. Student awareness and student interest

In response to public comments that students should be able to demonstrate both their awareness of career technical education (CTE) opportunities, as well as their interest in pursuing CTE, the Department has distinguished student awareness from student interest in the amended proposed regulations. The amended proposal retains the ability for CTE schools and programs offering at least two in-person and two virtual information sessions to require students to demonstrate their awareness of CTE by participating in any one of several listed events, such as an information session or a tour. The proposal adds the ability for students to gain an extra weight in an admissions lottery by demonstrating their personal interest in pursuing CTE in any one of several listed ways, such as an interview or essay. These demonstrations of interest must be unscored. This proposed change responds to hundreds of student letters sharing that the ability to demonstrate their interest in CTE was the most important part of their application process, and in many cases, helped students whose middle school attendance or discipline records did not reflect their ability to thrive in an educational model like CTE.

1. Student awareness activities

The Department’s original proposal required CTE schools and programs that require demonstrations of student awareness to offer at least two open houses and at least three virtual information sessions each school year. In response to concerns regarding the financial impact on schools’ ability to offer multiple, formal open houses, and a desire for increased flexibility, the Department’s amended proposal has changed this to two in-person and two virtual information sessions. This language allows CTE schools and programs more flexibility in how they structure these events.

The Department has also added a new way that students can demonstrate their awareness of CTE: “completion of a video module created either by the school or program or by the Department regarding career technical education.”

1. Student discipline

In response to public comments regarding the scope of the discipline weight, the Department has proposed additional clarifying language. The amended proposal gives a lottery weight to students who have not been suspended or expelled pursuant to offenses described in state law relating to assault and possession of dangerous weapons, and for which the offenses have been adjudicated, or the student has admitted guilt in court. It also removes from consideration suspensions and expulsions under a separate state law that is broader in scope.

1. Clarifying language

The Department has deleted “selective” and “for students to enter the lottery process” in its descriptions of the lottery process to more clearly indicate that all students with completed applications may enter a CTE admissions lottery. The criteria of attendance, discipline, and interest are all weights that may increase a student’s chance of admission. None are a gate that prevents a student from entering the lottery.

Similarly, the Department has deleted language concerning the use of selective criteria and its effects on potential discrimination in the proposed regulations at 603 CMR 4.03(6)(d)-(e) and (6). Because the proposed weighted lottery does not use selective criteria to prohibit students from entering a lottery, the Department proposes deleting this section and incorporating federal and state requirements concerning discrimination into the following section.

The Department also proposes a minor clarification to the Middle School Pathway Exploration Policy, changing “will attest to implementing said policy” to “will sign an attestation that the Middle School Pathway Exploration Policy is implemented.”

**Additional Response to Public Comment (Non-Regulatory)**

In addition to the Department’s proposed changes to the regulations based on public comment, we also have implemented or plan to implement the following non-regulatory items.

* The Department has updated the [CTE Admissions - College, Career and Technical Education](https://www.doe.mass.edu/ccte/policies/admissions/default.html) webpage to include a description of the process it uses to implement the U.S. Department of Education’s Office for Civil Rights Methods of Administration requirements for civil rights reviews.
* The Department will be integrating a review period into future releases of CTE Population Trends report for CTE Schools and Admission and Waitlist Reports for all districts reporting a waitlist for CTE. Included in this, the Department will explore additional or alternative ways to present data needs based on the supplemental collection of admissions data.
* The Department will develop guidance, resources, and grant funding (if available) for the Middle School Pathway policies.
* The Department will develop guidance, technical assistance, and grant funding (if available) for implementing the proposed weighted lottery.
* The Department will convene a subcommittee of the VTE/CTE Advisory Council to review data.
* The Department will collaborate with the Executive Office of Education to form a workgroup to review Capital Project Funding to support expanding seat capacity.

At the May 20, 2025 Board meeting, Rob Curtin, Chief Officer for Data, Assessment, and Accountability and Liz Bennett, Associate Commissioner of College, Career, and Technical Education, will present a summary of the public comment received as well as proposed changes to the regulations.

Attached are four documents: the March 7, 2025 memorandum from Acting Commissioner Johnston outlining proposed revisions to 603 CMR 4.00; a summary of public comment received and the Department’s response; the proposed final regulations; and a motion to adopt the regulations. All comments, with personal data redacted as required, are available upon request.

Attachments:

* March 7, 2025 memorandum
* Summary of Public Comment
* Proposed Final Regulations
* Motion 603 CMR 4.00