# EDUCATIONAL OPTIONS AND SCHOOL ATTENDANCE IN MASSACHUSETTS

# *WITH FREQUENTLY ASKED QUESTIONS for 2021-2022*

*Updated September 21, 2021*

As noted in [DESE/DPH COVID-19 Guidance for Districts and Schools: Fall 2021 (Updated August 27, 2021)](https://www.doe.mass.edu/covid19/on-desktop/fall-2021-covid19-guide/fall-2021-covid19-guide.pdf), all districts and schools will be required to be in-person, full-time, five days a week this fall. Recent updates by the Centers for Disease Control (CDC) to its Guidance for COVID-19 Prevention in K-12 Schools emphasize the importance of all students returning to full-time, in-person school this fall. The Department of Elementary and Secondary Education (DESE) has received inquiries regarding the various educational and schooling options available to parents and students for the 2021-2022 school year. This Frequently Asked Questions document outlines the different options available in Massachusetts and highlights approval processes for private options.

Massachusetts has a compulsory school attendance law, [General Laws chapter 76, § 1](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section1), that requires all children between the ages of 6 and 16 to “attend a public day school in the town the student resides, or some other day school approved by the school committee.” While the law requires that all children receive an education, it also recognizes the right of parents to choose from among several educational options. These options are further discussed on DESE’s website in “Choosing a School: A Parent's Guide to Educational Choices in Massachusetts” found at <http://www.doe.mass.edu/finance/schoolchoice/choice-guide.html>.

There is a range of public educational choices for families in Massachusetts. The most common option is enrolling children in the public school district in which they live. Other public options include charter schools, vocational technical education programs, inter-district school choice, Commonwealth of Massachusetts Virtual Schools, and the METCO program.

Parents may also choose to educate their children privately, at their own expense. Private schools are not subject to state education regulations unless they are publicly funded placements for students with disabilities. Options for private education include private and parochial schools and parents home schooling their own children. Under state law, home schooling plans and private schools require advance approval by the school district if they are educating students of compulsory school age (6-16).

Frequently asked questions and answers regarding these options follow. The questions and answers are organized by public and private options for education.

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**FREQUENTLY ASKED QUESTIONS**

# Public Options for Education

## **Local School District**

1. **My child attends public school where we live. What will the school be providing during the 2021-2022 school year?**

All schools and districts are required to provide in-person instruction and support services to students in-person, full-time, five days a week. This year, seven districts—Attleboro, Brockton, Chelsea, Peabody, Pittsfield, Springfield, and Westfield—have chosen to operate a Single District Virtual School for resident students only. If you reside in one of these districts, contact the district to learn more about enrollment in the single district virtual school.

## **Charter Schools**

1. **My child attends a charter school. What will the school be providing during the 2021-2022 school year?**

Charter schools are public schools and must meet the same expectations outlined in Question 1. More information about charter schools can be found at <http://www.doe.mass.edu/charter/about.html>.

## **Vocational Technical Education Programs**

1. **My child attends a vocational technical education program. What will the school be providing during the 2021-2022 school year?**

Like traditional public schools and charter schools, vocational technical education programs must meet the expectations outlined in Question 1. Students that are placed at work sites as part of cooperative education or work-based learning experiences must follow all additional safety guidance established by the employer while at the work-site.

## **Inter-District School Choice**

1. **My child attends school in another district through school choice. What will the school be providing during the 2021-2022 school year?**

The inter-district school choice program under [General Laws chapter 76, § 12B](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section12b), allows parents to enroll their children in a school district in which they do not live. Additional information regarding inter-district school choice can be found at <http://www.doe.mass.edu/lawsregs/advisory/2019-0423glc76s12b.html>. Not all communities participate in school choice. Schools in the school choice program are public schools and must meet the expectations outlined in Question 1.

School districts do not provide transportation for students attending under the school choice program. Parents are responsible for getting their children to and from school. COVID-19 does not change that obligation.

## **METCO**

1. **My child participates in METCO. What will the METCO program be providing during the 2021-2022 school year?**

Similar to students who participate in school choice, students participating in METCO will continue to be educated by districts they attend in the same way as students who live in those districts. The schools attended are public schools and must meet the expectations outlined in Question 1. More information regarding METCO can be found at <http://www.doe.mass.edu/metco/>.

## **Commonwealth of Massachusetts Virtual Schools**

1. **My child attends a Commonwealth of Massachusetts Virtual School (CMVS). What will the CMVS be providing during the 2021-2022 school year?**

A Commonwealth Virtual School (CMVS) is a public school in which teachers provide instruction from a remote location using the internet. Students are not required to attend in person. Massachusetts currently has two virtual schools that serve grades K–12: [Greenfield Commonwealth Virtual School (GCVS)](http://profiles.doe.mass.edu/general/general.aspx?topNavID=1&leftNavId=100&orgcode=39010900&orgtypecode=6) and [TEC Connections Academy Commonwealth Virtual School (TECCA)](http://profiles.doe.mass.edu/general/general.aspx?topNavID=1&leftNavId=100&orgcode=39020900&orgtypecode=6). Similar to charter schools and inter-district school choice, once a child is accepted to and begins attending a CMVS, the school district that the child previously attended no longer provides education or services. Similar to charter schools, CMVSs are separate school districts.

While any student who lives in Massachusetts can apply to attend either of the two CMVSs, there is a maximum number of students who can attend each school. **Please note:** If more students apply to a CMVS than there is space available, the school will hold a lottery to determine which students will be admitted, though they may provide enrollment preference to certain students (e.g., those who have medical needs) as outlined in their approved certificate. Your child(ren) may be placed on a waitlist due to demand for spaces at the CMVS.

More information for students and families regarding CMVSs can be found at <https://www.doe.mass.edu/cmvs/faqs/parents.docx>.

# Private Options for Education

## **Private and Parochial Schools**

1. **Does attending a private or parochial school meet the compulsory education requirement for students age 6-16?**

Yes, attending a private or parochial school that has been approved by the school district in which the school is located meets compulsory education requirements. School districts may approve private schools in the district if “instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town.” See [General Laws chapter 76, § 1](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section1). For general information on local approval of private schools, please see <http://www.doe.mass.edu/lawsregs/advisory/100207privateschool.html>. Each school committee in Massachusetts has a policy on approval of private schools; details are available from the school district.

Private and parochial schools have their own admission processes. DESE does not oversee or regulate private schools serving only privately funded students or parochial schools. Those schools determine their own policies, educational models, and reopening plans. For information about what a particular private or parochial school offers, please contact the school.

1. **What is the difference between approved private schools for students with disabilities and other private schools? Does enrollment through a school district in an approved private school for students with disabilities meet compulsory education requirements?**

Approved private schools serving publicly-funded students with disabilities must have approval from the school district in which the school is located, just like other private schools, and from DESE under [General Laws chapter 71B, § 10](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71B/Section10). A student aged 6-16 who attends an approved private school for students with disabilities meets compulsory education requirements. DESE’s [DESE/DPH COVID-19 Guidance for Districts and Schools: Fall 2021 (Updated August 27, 2021)](https://www.doe.mass.edu/covid19/on-desktop/fall-2021-covid19-guide/fall-2021-covid19-guide.pdf), applies to approved special education schools.

1. **What about private virtual schools?**

A private virtual school located in Massachusetts must receive the approval of the school committee of the city or town in which the private virtual school is located. If a private virtual school in Massachusetts has received school committee approval, it may educate students between ages 6 and 16, and such students may attend the school, without violating compulsory school attendance laws in Massachusetts.

Parents/guardians should consult with their child’s public school prior to enrolling their child in courses offered by a private virtual school or program located outside of Massachusetts to ensure the program will meet compulsory education requirements.

If the private virtual school is approved in the state in which it is located and the student is attending fulltime in a structured course of study offering both synchronous and asynchronous learning, attending such a school may not require additional approval in Massachusetts. If, however, the private virtual school offers courses for purchase and the course selection and attendance is entirely flexible, that type of program may be considered home schooling and require the advance approval of the school committee of the city or town in which the student lives. (See Question 10 below for additional information about homeschooling.

## **Home Schooling**

1. **I would like to home school my child and not have them attend public school or a private or parochial school. What can I expect?**

Home schooling is governed by [General Laws chapter 76, § 1](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section1). For children of compulsory school age (6-16), home schooling requires advance approval by the district in which you live, under the policy that the school committee has adopted. Home schooling is provided by or at the direction of a child’s parent, instead of enrolling the child in a public or private school. Home schooling is **not** remote learning provided by a school district. The requirements that apply to public schools, such as educator licensing or structured learning time, do not apply to home schooling.

Under Massachusetts law, home-schooled students have a right to special education services. In addition, school districts are required to evaluate students suspected of having a disability and re-evaluate students eligible for special education services consistent with federal and state requirements. Please see the advisory at <http://www.doe.mass.edu/sped/advisories/2018-1.html> for more information about the provision of special education and related services to home-schooled and privately educated students. More information about home schooling schools can be found at <https://www.doe.mass.edu/homeschool/>

1. **Can families hold off from sending a child to kindergarten and wait to send them next year?**

Families are not required to send their children to school until September of the calendar year in which they turn six. While families can choose not to send children to kindergarten, they should consult with their school district. If the children are or will be six years old or older in 2021 and are not attending school, a home schooling plan is required.

1. **The school district approved my home schooling plan. Does my child have access to district programs and extracurricular activities?**

Home schooling is a private alternative to public school enrollment. Each school district may establish its own policy on participation in its programs by students not enrolled in the public schools. While not required, school districts have the discretion to allow home-schooled students to join district-provided courses, programs, or extracurricular activities, including athletics. This is a local decision and DESE does not review those decisions.

1. **What if my child has unique medical needs? Can they receive educational services at home, hospital, or another setting?**

Upon receipt of a physician's written order verifying that a student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services to provide the student with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school.

One option available to districts in meeting this obligation is the provision of a remote learning program. Please note that home and hospital services apply **only** to students with documented medical needs as described above. To learn more about home and hospital services, please see [Physicians' Attestation for Evaluation for Students to Remain at Home Forms and Q&A](https://www.doe.mass.edu/news/news.aspx?id=26474).

# Additional Parent/Guardian Resources

***DESE’s COVID-19 Contact Information***

Parents and guardians COVID-19 questions can be directed to the Massachusetts Department of Elementary and Secondary Education’s email address: COVID19K12ParentInfo@mass.gov

***Finding a Massachusetts School/Program***

Search for a school by county [location](https://profiles.doe.mass.edu/) and [type](https://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238) in [DESE’s School/District Profiles](https://profiles.doe.mass.edu/) or by address in [School Finder](https://profiles.doe.mass.edu/search/get_closest_orgs.aspx).

Visit DESE’s [Educational Options](https://www.doe.mass.edu/SchProgramOptions.html) and [Family Portal](https://www.doe.mass.edu/families/) websites for additional information and resources.

***Problem Resolution System (PRS)***

The Problem Resolution System (PRS) Office ensures that students, families, school districts, and other community members have easy access to information regarding learners' rights and educational options and to a forum for the resolution of disputes that is prompt, accurate and fair. [Problem Resolution System (PRS) Office](https://www.doe.mass.edu/prs/)

If you have questions not addressed in this document or require additional information, please contact compliance@doe.mass.edu. If you require additional information regarding approval of a home schooling program or other private educational option, please contact the school district in which you live.