

Vocational Education Justice Coalition

March 26, 2025

Honorable Governor Maura Healey, Governor of the Commonwealth
Kate Cook, Chief of Staff
Patrick Tutwiler, Secretary of Education
Russell Johnston, Acting Commissioner of DESE

Dear Governor Healey, Chief of Staff Kate Cook, Secretary of Education Patrick Tutwiler, & Acting DESE Commissioner Russell Johnston:

The Vocational Education Justice Coalition (VEJC) believes the current revised draft career technical education (CTE) admissions regulations are a significant step forward for justice and equity after more than 20 years of the current discriminatory state policy which excluded disproportionate percentages of students from protected classes (students of color, low-income students, students with disabilities, and English Learners) from the opportunity to attend vocational schools and programs which can lead to meaningful careers and a middle class life.

We appreciate that, in considering the discriminatory impact of the current policy on students from protected classes, you have proposed revised regulations that eliminate grades, attendance, discipline, interviews, and guidance counselor recommendations from being used to rank order select students for admission, and in their place institute a lottery in which all students who apply to a CTE school and program are eligible. We also appreciate that every sending middle school will be required to have a Middle School Pathway Exploration Policy that articulates how the school will collaborate with their local or regional career technical school or program to inform its students about the opportunity, including tours of the school and program.

However, we feel there is still urgent progress to be made in order to have a set of CTE admission regulations that are fair and equitable for applicant students from protected classes. Following are our recommendations about the current proposed regulatory revisions:

- 1) Massachusetts' regional and district CTE schools are public schools and thus any eighth grader who is deemed to be ready for the ninth grade should be eligible to enroll in them without barriers.
- 2) The coalition believes the only way to ensure equitable enrollment of applicant students from protected classes is through conducting blind lotteries, free of weights, when the number of applicants is greater than the number of available seats. All three requirements within the proposed revised CTE admission regulations (expression of interest, attendance

and discipline weights) will be greater obstacles for students from protected classes than for students from more privileged groups, and will cause the policy to continue to fall short of true equal treatment.

3) The coalition believes the submission of an application to a vocational school or program should be a sufficient "expression of interest," and the inclusion of an additional step could serve as a barrier for some protected class students from applying. Not all eighth graders or their parents will be able to take the additional step with their application to meet the "expression of interest" requirement and if they don't the vocational school can bar them from the lottery. While the proposed list of options may be helpful for students to learn more about a CTE school or program prior to submitting an application, it should not be a requirement.

4) The coalition believes there should be no attendance weight attached to the lottery. Students from protected classes tend to have higher rates of unexcused absences due to factors related to low income, immigration status, language barriers, and school factors such as lack of cultural responsiveness or curricula that do not engage students. ICE raids have also led to parents sometimes keeping their children at home and these may end up as unexcused absences but shouldn't be. Some absences marked as "unexcused" would really be excused absences, but parents don't know the need to send in notes about the reason for the absence. More fundamentally, the solution to absenteeism (which DESE has recognized as endemic statewide) cannot be exclusion from the opportunity to benefit from career and technical education.

5) The coalition believes there should be no discipline weight attached to the lottery. It is crucial to remember that students from protected classes tend to be disproportionately charged with the listed classes of offenses, even when students from more privileged groups display the same behaviors. As well, the behaviors and actions of 13- and 14-year-olds should not present barriers for access to lifetime opportunities. Further provisions only add to the problem. For example, (a) students found in possession of a controlled substance (G.L. c 71, § 37H) should be provided with counseling support, not a roadblock to admission into a CTE school or program; (b) no student should be denied opportunities for any felony charge (G.L. c 71, § 37H ½) that is based on unproven accusations; such actions do not meet the test of due process, and (c) suspensions under G.L. c 71, § 37H ¾ should not even be included as these are considered less serious offenses.

6) The proposal is further problematic because of its failure to make publicly available data on students with 27 unexcused absences (although the absence data will reveal only just *how* pervasive and disparate the impact is and not *whether* the inclusion of attendance has a

pervasive and disproportionate impact on students in protected classes, which it undoubtedly does).

The specific instances above should not obscure the overall problem: the weighted chances in the proposed regulation will result in students being denied access based on middle-grade events, *despite their actually being able to participate in high-school career and technical education*. When the students who are disfavored under this scheme, despite that ability, are disproportionately members of even one group (as is the case for middle school attendance and discipline across the Commonwealth and nation), it is illegal. But more broadly, whenever *any* child, regardless of background, is disfavored despite that ability to participate in career and technical education, it is terribly wrong.

Once finalized, BESE and DESE should commit to examining the impact of the new regulations during the winter of 2026-2027 school year to ensure that students from protected classes have attained equal access and admissions into CTE schools and programs, and if not, to make any needed regulatory adjustments (e.g., to address schools failing to conduct adequate outreach to students/families of students in protected classes) to ensure equal access and admissions are attained in future years.

Sincerely,

Lew Finfer for the Vocational Education Justice Coalition

The Vocational Education Justice Coalition is made up of these 24 groups.

Community Groups

La Colaborativa (formerly the Chelsea Collaborative)
Massachusetts Communities Action Network (MCAN)
Collaborative Parent Leadership Action Network (CPLAN)
Greater Boston Latino Network
United Interfaith Action of SE MA, Worcester Interfaith
Progressive Democrats of Massachusetts
Black Educators Alliance of Massachusetts
Citizens for Public Schools
Massachusetts Advocates for Children
Massachusetts Education Justice Alliance
Pioneer Valley Project
Brockton Interfaith Community
Worcester Interfaith

Revere Youth in Action

Massachusetts Action for Justice

Civil Rights & Legal groups

Center for Law & Education

Lawyers Committee for Civil Rights

Social Justice Foundation

Metro West Legal Services

Unions

American Federation of Teachers MA (AFTMA),

Massachusetts Teachers Association (MTA)

North Atlantic States Regional Council of Carpenters

Greater Boston Building Trades Council