

Press Coverage of Press Conference by the Vocational Education Justice Coalition held 2/2/23

Articles in the Boston Globe (both a news article and an Editorial), WGBH, WBUR, Commonwealth, Lowell SUN, Fitchburg Sentinel, Fall River Herald, New Bedford Standard Times, WBSM Radio New Bedford, New Bedford Light, Axios Boston, Salem News. Worcester Telegram, Taunton Gazette, Ch. 27 Springfield, Ch. 10 NBC Boston, Boston Herald

There are two Boston Globe articles below: the first one is Friday's 2/3/23 printed Boston Globe where this was a front page story and includes the chart of the disparities that sums up all we've been trying to say. The second one was printed on-line in the Globe Thursday 2/2/23. And an Editorial in support of a Lottery printed 2/8/23

<https://www.bostonglobe.com/2023/02/02/metro/mass-vocational-schools-policy-violates-student-civil-rights-complaint-says/>

[THE GREAT DIVIDE](#)

Mass. vocational schools policy violates student civil rights, complaint says

By **Mandy McLaren** Globe Staff, Updated February 2, 2023, 2:41 p.m.

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Worcester Technical High School is one of the state's dozens of vocational programs. A new federal civil rights complaint alleges admissions policies for the programs discriminate against at-risk students. PAT GREENHOUSE/GLOBE STAFF

Massachusetts vocational schools and technical programs are systematically denying admission to students of color, those from low-income families, and other at-risk populations, closing off career pathways to some of the very people they were designed to help, two legal aid organizations said in a lawsuit filed against the state Thursday.

The complaint, filed in federal court in Boston by Lawyers for Civil Rights and the Center of Law and Education, argues the state's use of "exclusionary criteria," which includes using grades, attendance, and disciplinary records to determine admission, is discriminatory. The result, they argued, is that students, of color, from low-income homes, those with disabilities, and those still learning English are admitted to career vocational schools and programs at disproportionately lower rates than their peers.

The practice, they added, continues even though in 2021 the state eliminated a requirement that vocational programs weigh applicants' academic records. Despite the rule change, 27 of the state's 28 regional vocational programs still use criteria-based point systems to cherry pick top-ranked applicants, the complaint said.

Admitting just the top students is "antithetical" to the purpose of vocational education, said Andrea Shepherd Lomba of the Vocational Education Justice Coalition, which is made up of 20 community, civil rights, and union groups and is a plaintiff in the lawsuit.

The Department of Elementary and Secondary Education, which oversees the vocational-ed system in Massachusetts, declined to comment, saying only that it is reviewing the complaint.

Advocates say there's an easy solution: Students should be admitted by a random-draw lottery.

Senator John Cronin and Representative Antonio Cabral have filed legislation to ingrain such a system in state law.

“This is not a quagmire. This is not an intractable problem. This is not something we need to spend millions and millions of dollars to fix,” Cronin said. “We know the remedy.”

Created as an alternative for students who do not want to pursue a traditional academic path, vocational programs historically have served as a springboard for occupations and skilled trades that do not require a college education. For many low-income students, the programs are a pathway to the middle class.

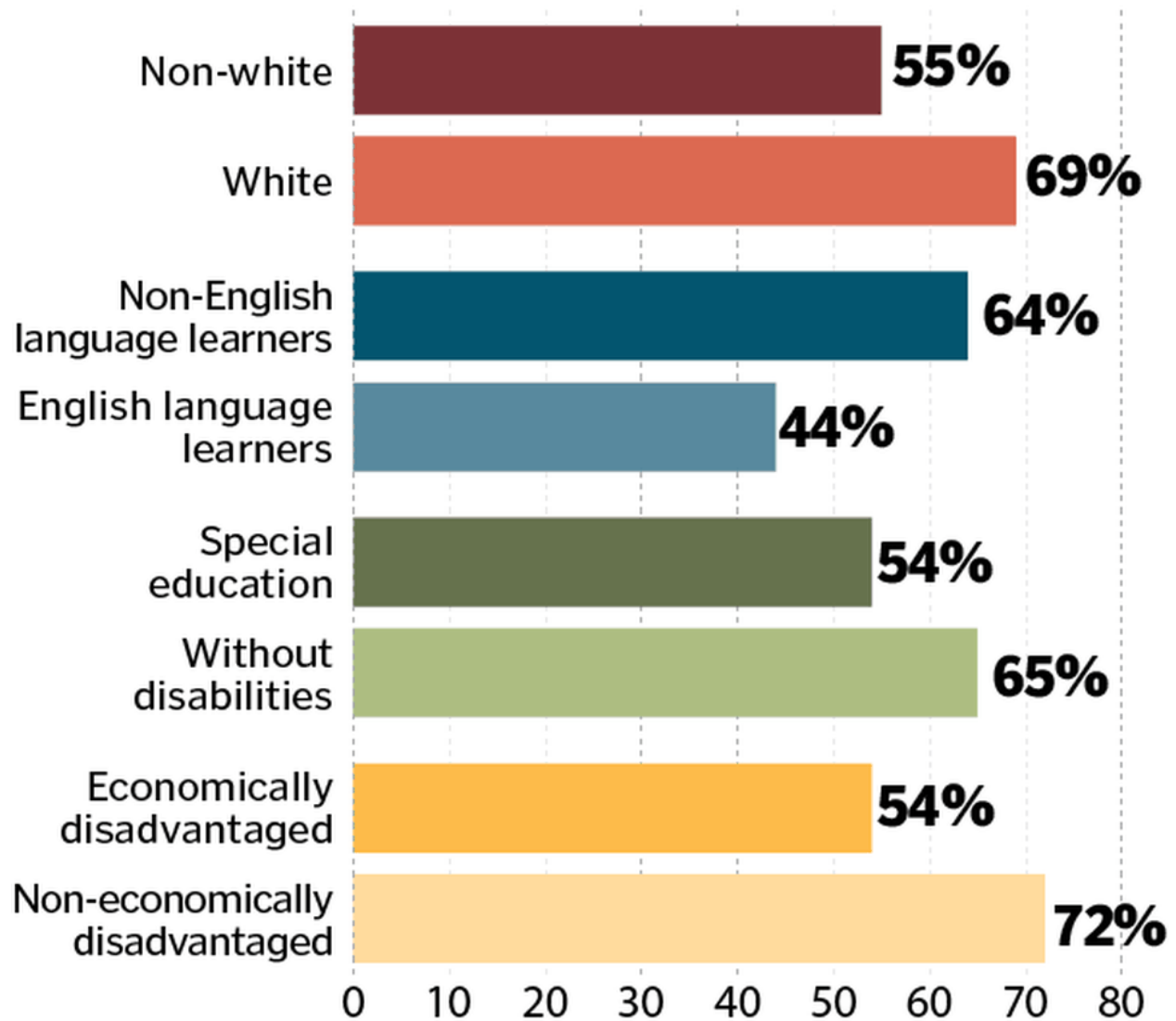
RELATED: Vocational schools become the latest front in the battle for educational equity

Massachusetts currently cannot accommodate all the students who want to attend vocational programs, resulting in thousands being denied admission. For school year 2020-21, more than 18,000 rising ninth-graders applied for fewer than 11,000 available seats, according to the complaint.

In [2020, a Globe review found](#) that white students and those from wealthier families received an outsized share of the seats in the state's vocational programs.

Under [pressure from civil rights groups](#), the Board of Elementary and Secondary Education in 2021 voted to change admissions policies, no longer requiring schools to consider students' academic and behavioral records in their selection process. At the time, advocates worried the language change wasn't strong enough, that it didn't preclude admissions officials from considering a student's past.

At-risk students admitted to state's vocational programs at lower rates



SOURCE: Department of Elementary and Secondary Education

ASHLEY BORG/GLOBE STAFF

Rate of acceptance at state vocational schools ASHLEY BORG/GLOBE STAFF

State data appear to affirm their fears. Among applicants for the 2022-23 school year, 54 percent of low-income students received admissions offers, compared to 72 percent of peers from higher-income families.

Students with the passion and talent for a trade should have a “fair shot” at getting into vocational schools, Mirian Albert, staff attorney for Lawyers for Civil Rights, said Thursday.

“All students are different and they have different skills and abilities. Public school education should celebrate those differences and uplift these students,” Albert said.

The complaint represents four students from Chelsea and Gardner who were either denied admission to vocational schools in their areas or chose not to apply for fear of an unfair process. Though first names are included, the students’ full identities are not disclosed in the filing.

RELATED: To boost access to vocational schools, Mass. drops requirement to consider grades, attendance, or discipline in admissions

The complaint asks the federal government to withhold funding for the vocational programs until the state Education Department prohibits criteria-based admissions. In 2020-21, the department received nearly \$13 million in federal career and technical grants, the complaint said.

Additionally, the advocacy coalition, formed in 2019, is asking Governor Maura Healey to wield her influence over the education board by pushing its members to adopt a lottery system.

Assabet Valley Regional Technical High School in Marlborough is the only regional vocational school that now uses a lottery system. However, barriers remain, the complaint said. Students there must obtain a recommendation and participate in an interview to be placed in the lottery.

“It’s important for students to choose the path that is best for them,” Cabral said. “Some want to be a carpenter or a plumber or an electrician, and that’s their choice.”

One teenager who was not admitted to a vocational school spoke at the news conference Thursday, recounting his disappointment at not getting into Northeast Metropolitan Regional Vocational High School.

Now a junior at Chelsea High School, Josue Castellon said he believed the vocational school could offer him hands-on learning opportunities not available at a traditional high school. Though a school counselor discouraged him from applying, saying there was little chance he'd be accepted, he chose to do so anyway, he said.

When he received his rejection letter, Castellon, now 16, said he felt “embarrassed and defeated.”

“So I rushed to hide the letter away so no one could see it,” said Castellon, who is not a party to the lawsuit.

“Why is it that our futures are decided on middle school grades, discipline records, attendance, and recommendations from people that may not even know us, instead of judging us purely on our show of potential and hard work and determination?” he asked.

The Great Divide team explores educational inequality in Boston and statewide. [Sign up](#) to receive our newsletter, and send ideas and tips to thegreatdivide@globe.com.

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EDITORIAL

Mass. needs more voc-tech schools — and a

fairer way for students to get into them

A path to good jobs means expanding opportunities for all students.

By The Editorial Board Updated February 8, 2023, 4:00 a.m.

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Hair rollers at the salon at Madison Park Technical Vocational High School in Boston on Dec. 15, 2020. CRAIG F. WALKER/GLOBE STAFF

Edward Doe, as he is called in a recently filed [civil rights complaint](#) over admission policies at the state's vocational schools, had a tough time in middle

school. He failed some of his courses, had disciplinary problems, and often arrived at school late. But the Greater New Bedford Regional Technical High School had set aside a small number of its highly prized seats to be distributed by lottery.

Edward won the lottery — in every sense of that phrase. Today he's getting B's and C's in class, gets to school on time, and hasn't had any disciplinary issues. And he's on his way to a good paying job when he gets out of high school.

He isn't a party to the complaint filed last week by Lawyers for Civil Rights and the Center of Law and Education because he did make it in, but as the filing puts it, "He is concrete proof that the selection criteria being used to screen out students are simply not essential to participation."

The actual parties in the complaint filed with the US Department of Education's Office for Civil Rights are two students from Gardner and two from Chelsea — two who received rejection notices and two who never applied fearing that their middle school records or lack of English language skills would eliminate them from contention. They represent thousands of students who would choose the career path the vocational schools represent if only they could.

There is a good deal of political rhetoric these days around building more housing, fixing the MBTA, and dealing with crumbling infrastructure — but not nearly enough effort is being exerted on producing the workers who can get that done.

The state's more than two dozen voc-tech schools have too few available slots to accommodate the thousands of students demanding their programs, allowing those schools to cherry-pick their students using a host of criteria — fairly or not, relevant or not.

For the 2020-2021 school year, 18,500 rising ninth graders applied for 10,616 available slots in the state's career/vocational technical education schools, according to the complaint.

"As the popularity and demand for CVTE continued to grow in Massachusetts, however, so did an alarming trend — students of color, [English language learners], and students with disabilities, along with students from

economically disadvantaged families, have been increasingly excluded from admission,” it noted.

And despite [new regulations](#) approved by the state Department of Elementary and Secondary Education in 2021 intended to “promote equitable access,” the admission figures for the current school year were disappointing. Some 55 percent of students of color who applied were admitted in the 2022-2023 school year, compared to 69 percent of white students, and 54 percent of students from economically disadvantaged families got admission offers compared to 72 percent from higher-income families.

In fact, since the DESE’s supposed reforms, “almost all schools adopted policies under the new regulations that had the same flaws,” as the old system, the complaint charged. Of the 28 regional vocational schools in question only one went to a lottery system — Assabet Valley Regional Technical High School in Marlborough, which did make gains in admissions of students of color, low-income students, and students with disabilities.

Two Massachusetts lawmakers are proposing legislation that would mandate a lottery admissions system rather like that used for charter schools.

But Governor Maura Healey’s new administration, whose secretary of education will sit on the DESE board, could simply mandate a lottery system via regulation.

Ultimately the vocational education system needs to be expanded, and that expansion would certainly be a good use of the extra dollars available from the proceeds of the new millionaires tax.

But a brick-and-mortar expansion will take time and money. Northeast Metro Tech in Wakefield serves 12 communities, including Chelsea, Revere, and Malden. It admits about 330 ninth graders each year but can get more than [800 applications for those slots](#). It has applied for funding for a new building (at an estimated cost to sending-town taxpayers of \$176 million) that would allow it to expand. But, even assuming all goes well with funding and construction, it’s not likely to [open until 2026](#).

That’s not long in “government years,” but it’s a lifetime for a young person searching for the right kind of education and the skill set that will mean a good job and a sound future. In the meantime, the least the state’s vocational education system can provide is fairness — and that falls right back on state

education officials doing the right thing and mandating an open lottery admissions system.

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[THE GREAT DIVIDE](#)

Mass. vocational schools policy violates student civil rights, complaint says

By [Mandy McLaren](#) Globe Staff, Updated February 2, 2023, [56 minutes ago](#)

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Worcester Technical High School is one of the state's dozens of vocational programs. A new federal civil rights complaint alleges admissions policies for the programs discriminate against at-risk students. PAT GREENHOUSE/GLOBE STAFF

Massachusetts is systematically denying at-risk students entrance to its vocational and technical programs, according to a federal civil rights complaint filed Thursday.

The complaint, filed by the Boston-based Lawyers for Civil Rights and the Center of Law and Education, argues the state's use of "exclusionary criteria" — including grades, attendance, and disciplinary records — is discriminatory, resulting in students of color, from low-income homes, with disabilities, and those still learning English, being admitted to career vocational schools and programs at disproportionately lower rates than their peers.

Among applicants for the 2022-23 school year:

- 55 percent of students of color received admissions offers, compared to 69 percent of white students.
- 44 percent of English language learners, compared to 64 percent of non-English language learners.
- 54 percent of special education students, compared to 65 percent of students without disabilities.
- 54 percent of economically disadvantaged students, compared to 72 percent of their more advantaged peers.

Students with the passion and talent for a trade should have a “fair shot” at getting into vocational schools, said Mirian Albert, staff attorney for Lawyers for Civil Rights, during a State House press conference Thursday morning.

“All students are different and they have different skills and abilities. Public school education should celebrate those differences and uplift these students,” Albert said.

Seen as an alternative for students struggling in the traditional school setting, vocational programs historically have served as a workforce springboard for students who otherwise would not enroll in college. For many low-income students, the programs have created a pathway to the middle class.

RELATED: Vocational schools become the latest front in the battle for educational equity

More students want to attend vocational programs than there’s room for. According to the complaint, more than 18,000 rising ninth graders in 2020-21 applied for less than 11,000 available seats.

Increasingly, seats at the state’s vocational programs — many of which have state-of-the-art facilities — have gone to an outsized share of white and advantaged students, [a 2020 Globe review found](#).

Under [pressure from civil rights groups](#), the Board of Elementary and Secondary Education in 2021 voted to change admissions policies, no longer requiring schools to consider students’ academic and behavioral records in their selection process. Even then, advocates balked: Just because admissions officials wouldn’t be required to consider a student’s past, the new rule didn’t preclude them from doing so voluntarily.

Consequently, 27 of the state’s 28 regional vocational programs continue to use criteria-based point systems to cherry pick top-ranked applicants, the complaint said. Recommendations and interviews are often among those criteria.

Only admitting top students is “antithetical” to the purpose of vocational education, said Andrea Shepherd Lomba of the Vocational Education Justice

Coalition, which is comprised of 20 community, civil rights, and union groups and is one of the parties on whose behalf the complaint was filed.

The other parties, four students from Chelsea and Gardner, were either denied admission to vocational schools in their areas or chose not to apply for fear of an unfair process, the complaint said. Though first names are included, the students' full identities are not disclosed in the filing.

RELATED: To boost access to vocational schools, Mass. drops requirement to consider grades, attendance, or discipline in admissions

The complaint calls for the Office of Civil Rights to withhold all federal funding for the state's vocational programs until the Department of Elementary and Secondary Education prohibits criteria-based admissions. In 2020-21, DESE received nearly \$13 million in federal career and technical grants, the complaint said.

Additionally, the advocacy coalition, formed in 2019, is asking Governor Maura Healey to intervene.

The community, civil rights, and educator groups want Healey to ask the state education board to institute a lottery system, making admission decisions random. The education department didn't return an immediate request for comment.

Meanwhile, Senator John Cronin and Representative Antonio Cabral have filed legislation to engrain the lottery system in state law.

“This is not a quagmire. This is not an intractable problem. This is not something we need to spend millions and millions of dollars to fix,” Cronin said. “We know the remedy.”

Assabet Valley Regional Technical High School in Marlborough is the one regional school that now uses a lottery system. However, barriers remain, the complaint said. Students there must obtain a recommendation and participate in an interview to be placed in the lottery.

“It's important for students to choose the path that is best for them,” Cabral said. “Some want to be a carpenter or a plumber or an electrician, and that's their choice.”

Josue Castellon, a junior at Chelsea High School, is not named in the complaint. But speaking at the press conference, Castellon recounted his own disappointing experience when applying to Northeast Metropolitan Regional Vocational High School.

As an eighth grader, Josue believed the vocational school could offer him hands-on learning opportunities not available at a traditional high school. Though a school counselor discouraged him from applying, saying there was little chance he'd be accepted, he chose to do so anyway, he said.

When he received a letter denying him admission, Josue, now 16, said he felt “embarrassed and defeated.”

“So I rushed to hide the letter away so no one could see it,” he said.

“Why is that our futures are decided on middle school grades, discipline records, attendance, and recommendations from people that may not even know us, instead of judging us purely on our show of potential and hard work and determination?” Josue said.

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<https://wbsm.com/federal-civil-lawsuit-challenges-massachusetts-voc-tech-admissions-policy/>

Federal Civil Lawsuit Challenges Massachusetts Voc-Tech Admissions

WBSM Radio New Bedford February 2, 2023 by Marcus Ferro

A federal discrimination lawsuit has been filed by the Lawyers for Civil Rights and the Center of Law and Education that challenges the Commonwealth of Massachusetts' admissions policy regulations for career vocational technical education schools.

The legal advocacy groups argue that the regulations allow vocational schools to use admissions criteria that unjustifiably exclude students of color, English language learners and students with disabilities.

The lawsuit is being filed on behalf of four students and the Vocational Education Justice Coalition.



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The complaint asks the U.S. Department of Education's Office of Civil Rights to intercede and suspend any further federal funding disbursements to the Massachusetts Department of Elementary and Secondary Education until the state prohibits vocational technical educational schools from using discriminatory admissions criteria, and instead creates a more equitable admission process for all students across the board.

In a press release, the Vocational Education Justice Coalition cites statistics to support its argument that voc-tech school admissions policies are discriminatory.

"In 96% of schools, less privileged students (Students of Color/SOC, English Language Learners/ELL, Student with Disabilities/SWD, Low Income/LI student) had a lower percentage of applicant students offered a seat than their more privileged peers in at least three comparison groups; in 87% of schools, less privileged students had a lower percentage of applicant students offered a seat than their more privileged peers in all four comparison groups, an increase of 33 percentage points from the prior year."

The coalition argues that a lottery admissions system is the only way to ensure students from the voc-tech schools' sending districts have a fair and equitable opportunity to access the education voc-tech schools have to offer.

According to the coalition, 27 of 28 voc-tech school districts have declined to adopt pure lottery admission policies.

During a press conference at the Massachusetts State House on Thursday, the coalition recognized three elected officials: New Bedford Rep. Tony Cabral, Lunenburg Sen. John Cronin and New Bedford Mayor Jon Mitchell for their work on this effort.

They also called on Gov. Maura Healey to get the state education board admissions policy to a lottery system.

Sen. Cronin and Rep. Cabral recently filed bills to change the vocational system to a lottery and regularly collect data on the demographics of the student bodies admitted.

Cabral said at the press conference that legislation was a necessary step because the state hasn't gone far enough to make the admission process equitable.

Mitchell successfully [led a statewide](#) effort with mayors across the Commonwealth to lobby the state to issue new regulations for vocational schools.

While Mitchell and the coalition of mayors lobbied for a pure lottery admissions policy, the state issued [regulations](#) requiring that schools eliminate admissions criteria that disproportionately affect students of protected classes, but schools can also opt for a lottery system.

Mitchell and the administration at Greater New Bedford Regional Vocational-Technical High School have been at odds over the latter's "selective screening" admissions policy, which Mitchell has argued is discriminatory against students of protected classes such as immigrants and students with special needs.

Mitchell has also said that DESE has "buried their head in the sand" when it comes to cracking down on voc-tech admissions policies.

GNB Voc-Tech has twice changed its admissions policy in light of DESE's new regulations.

In a Dec. 13 school committee meeting, the school implemented a hybrid admissions policy wherein 285 students will be placed into a "qualified lottery" if they meet particular grade, attendance, and behavioral standards. The next 285 students will be admitted through selective criteria.

Mitchell said in a recent appearance on WBSM's [SouthCoast Tonight](#) that the hybrid admissions approach will do little to solve the problem.

"To me, it's just plain to see what they are up to," Mitchell said. "They are clinging to a status quo, and they are clinging to the status quo so that they can get better performing students in school."

Mitchell argued that many middle school students in New Bedford have poor attendance records or grades because of familial or economic difficulties and that these difficulties are being held against them in this admissions process.

"You can't be so bright-lined about these things." He said. "And the result of their being bright-lined about it is that they've left literally thousands of kids out for no legitimate educational purpose."

SouthCoast Tonight

- WEDNESDAY
43 MIN

New Bedford Mayor Jon Mitchell joins Chris and Marcus to discuss his issues with the NB Voc-Tech admissions policy which he says is discriminatory and a civil rights issue. They also talk about his thoughts on the proposal by Sheriff Heroux to close the Ash Street Jail, and other topics.

The admissions policy debate previously heated up after the New Bedford City Council [rejected](#) Carol Pimentel, Mitchell's nominee to the Greater New Bedford Regional Vocational-Technical High School District School Committee, over her position on changing the school's admissions policy to a lottery. Mitchell has committed to sending Pimentel back to the council for a full vote.

As for the broader issue with admissions policies the way they are, Mitchell said: "Ask any civil rights lawyer in America they'll say 'Yeah, that's a problem. That's a lawsuit waiting to happen,'" he said. "Frankly, lawsuit or no lawsuit, it's unfair, and the state's been unwilling to do anything about it."

Greater New Bedford Regional Vocational-Technical High School could not be reached for comment.

Read More: [Federal Lawsuit Challenges Mass. Voc-Tech Admission Policies](https://wbsm.com/federal-civil-lawsuit-challenges-massachusetts-voc-tech-admissions-policy/?utm_source=tsmclip&utm_medium=referra) | https://wbsm.com/federal-civil-lawsuit-challenges-massachusetts-voc-tech-admissions-policy/?utm_source=tsmclip&utm_medium=referra

<https://www.wgbh.org/news/politics/2023/02/02/federal-complaint-claims-discrimination-in-mass-vocational-school-admissions>

Federal complaint claims discrimination in Mass. vocational school admissions



During a Feb. 2, 2023, press conference announcing a new complaint challenging vocational school admission policies, Chelsea High School student Josue Castellon said he was worried about his future after he was denied admission to his local vocational school.

Katie Lannan / GBH News

By **Katie Lannan** WGBH News

February 2, 2023

A federal civil rights complaint filed Thursday claims that the state’s vocational-technical schools use admissions criteria that inappropriately exclude students of color and those who are learning English, have disabilities or come from low-income families.

The complaint asks federal officials to investigate practices at the state Department of Elementary and Secondary Education and prohibit the use of “exclusionary” admissions criteria like grades, attendance records and interviews. Instead, students and advocates say these schools should use a lottery system when they have more interested students than available seats.

Lawyers for Civil Rights and the Center for Law and Education filed the complaint on behalf of the Vocational Education Justice Coalition and four students from Gardner and Chelsea who either were denied admission or did

not apply to their regional vocational schools because of the policies that rank applicants and admit those with the highest scores.

Attorney Mirian Albert of Lawyers for Civil Rights said that if the department is found to be out of compliance with federal law, the government could withhold funding as a consequence.

Albert said one of the plaintiffs – identified as Juan Doe, a Latino student from Gardner who did not get into Montachusett Regional Vocational Technical School – wants to follow in his uncle’s footsteps by learning carpentry and eventually opening his own construction business.

“He saw CVTE, or career vocational technical education, as the perfect vehicle to accomplish that, especially because he enjoyed the hands-on instruction,” Albert said during a State House press conference. “But that door was ultimately closed on him, not because he did not have what was necessary to succeed, but simply because other students might have ranked higher than him.”

The Vocational Education Justice Coalition, consisting of 20 community groups, unions and civil rights organizations, formed in 2019 to call for greater equity in public vocational school admissions. The coalition says the current policies lead to disparities.

Related Stories

- [Mass. Education Board Adopts New Vocational School Admissions Rules](#)
- [Advocates Say Admissions Process For Vocational Technical High Schools in Mass. Is Discriminatory](#)
- [In The Pandemic Economy, Vocational Education Is In High Demand](#)

The complaint says that this school year, 55% of students of color who applied to vocational schools received admissions offers, compared to 69% of white students. Admissions offers were extended to 44% of English learners, compared to 64% of students who were not English learners, and to 54% of students with disabilities, compared to 65% of students without disabilities.

Massachusetts shifted its approach to vocational school admissions in 2021, removing a regulatory requirement that grades, attendance, discipline

records and counselor recommendations be used as admissions criteria and instead requiring each school to develop its own policy and submit it for state approval. Each policy must include "deliberate, specific strategies to promote equal educational opportunities," and superintendents must annually attest to the state that their policies comply with federal and state laws. But even though schools are no longer required to factor in grades and attendance, many kept such criteria in their individual admissions policies. The Vocational Education Justice Coalition says that only one of 28 regional vocational schools – Assabet Valley Regional Technical High School in Marlborough – has switched to the lottery model it prefers.

Steven Sharek, executive director of the Massachusetts Association of Vocational Administrators, said in a statement that vocational schools "are very serious about expanding access to a more diverse population of students" and are "committed to improving our admissions procedures."

"Nearly 97% of the regional vocational-technical and agricultural high schools in Massachusetts have made changes in their admissions policies, practices or staffing," said Sharek. "We're seeing improvement. We need two things: (1) a bit more time to gauge what impact all these changes are making and (2) better access to middle schools so we can inform all students about the kind of education we offer."

Sharek said there are not enough seats in vocational schools and programs to meet the demand, pointing to a 6,000-student waitlist across the state. His association backs legislation filed by state lawmakers Rep. Frank Moran of Lawrence, Rep. Adam Scanlon of North Attleboro and Sen. Paul Feeney of Foxboro which would invest \$3 billion into expanding vocational schools and building new ones to add capacity to the system.

Meanwhile, the Vocational Education Justice Coalition, making the case that the recent admissions policy changes did not go far enough, supports bills from New Bedford Rep. Antonio Cabral and Lunenburg Sen. John Cronin that would have all vocational schools use lottery admissions when they have more eligible applicants than seats.

Cabral's bill calls for the lottery to be "weighted towards protected classes, including but not limited to, students of color, economically disadvantaged

students, students with disabilities, and English language learners," while Cronin's proposes a "blind lottery."

"Our position is not radical," Cronin said. "Public schools should no longer be able to use private-school admissions criteria to systematically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools."

Complaint Alleges Exclusionary Vocational School Admissions Policies

Filed With U.S. Department Of Education's Civil Rights Office

Sam Drysdale 2/2/23 1:39 PM State House News Service

STATE HOUSE, BOSTON, FEB. 2, 2023.....State education officials use criteria that allows exclusionary admissions practices at vocational technical schools, leaving behind students of color, English language learners and students with disabilities, according to a new lawsuit filed by a coalition of educational advocacy groups.

The coalition claims the Department of Elementary and Secondary Education allows schools to reject students based on grades, attendance, discipline, and guidance counselor recommendations, which they say disproportionately affects students in protected groups.

After graduating from middle school, Chelsea High School junior Josue Castellon wanted to attend Northeast Metropolitan Regional Vocational High School. But his guidance counselor discouraged him from applying "because of a reason unknown," the student said at a press conference on Thursday morning at the State House.

"I wanted to define my own reality, so I continued my application regardless of what my counselor said, and I submitted it. A few months go by and I get a letter from a vocational school and they said, 'We're sorry to

deny your application,'" Castellon said. "I was filled with embarrassment and defeat... I was worried that I wouldn't have the same opportunities for my future and I was nervous about going to the traditional high school."

Lawyers for Civil Rights and the Center of Law and Education filed the [federal civil rights complaint](#) against the department on Tuesday with the U.S. Department of Education's Office of Civil Rights. The suit was filed on behalf of four students from Chelsea and Gardner, and the Vocational Education Justice Coalition, made up of 20 education advocacy, civil rights and union groups.

Vocational programs have become increasingly popular in Massachusetts in recent years. In the 2020-2021 school year 18,500 rising 9th graders applied for 10,616 available seats in the state's vocational schools, according to the complaint.

For the current school year, 55 percent of students of color who applied to a vocational program were admitted, compared to approximately 69 percent of white students, and 54 percent of students from economically disadvantaged families received offers compared to 72 percent of their peers, the complaint says.

For students who are English learners, 44 percent who applied were accepted compared to 64 percent of native English speakers, and 54 percent of students with disabilities received admissions offers as opposed to a 65 percent acceptance rate of those who are not disabled.

"No other public school system is allowed to do this, to selectively choose who enters their doors for educational opportunities," said Andrea Shepphard Lomba, executive director of United Interfaith Action of Southeastern Massachusetts, which is a member of the coalition. "We are saying today that this is unjust and it's a violation of our students' and our families' civil rights."

The coalition says DESE [regulations approved in 2021](#) to address admissions policies "made only minimal changes, and DESE continues to

grant CVTE schools' substantial discretion over their admission procedures."

The 2021 regulations were intended to "promote equitable access," by removing the requirement that grades, attendance, discipline records and counselor recommendations be used as admissions criteria. DESE Commissioner Jeffrey Riley said at the time that his department planned to be "very forceful" in cases of non-compliance and could in some cases "order changes to admission policies that may include requiring a lottery" system for admittance.

The coalition argued Thursday that the department's regulation changes were too broad and have not been enforced to make a significant change.

"[DESE] did mandate that all vocational technical schools needed to change their admissions policy, they needed to reformulate it and resubmit it to the state," Shepphard Lomba said. "However, they left the regulation very broad, and said that the new admissions policies just needed to be in line with the civil rights of the students and it needed to be non-discriminatory."

The coalition is advocating for a lottery system for admissions, which they say is the most equitable way to give out spots at the schools.

Since the 2021 regulation change was adopted, one of the 28 CVTE schools in Massachusetts has moved away from old admissions criteria to a lottery, the coalition says.

The Assabet Valley Regional Technical High School in Marlborough, the one school that is using the coalition's recommended system, showed an overall increase in applicants from all but one protected student group, and the percentage of students of color, low-income students and students with disabilities offered seats increased, VEJC said.

The lawsuit does not specify that it is seeking a lottery system, Lawyers Committee for Civil Rights attorney Mirian Albert said. The two legal groups are asking the Department of Education's Office of Civil Rights to initiate an

investigation that finds these admission policies unlawful under federal civil rights law and the American Disabilities Act, she said.

When asked if the Department of Education could withhold funds to DESE until it implements an "equitable system" as laid out in the complaint, Albert said "DESE being a recipient of federal funds, it has to comply with civil rights obligations."

"If DESE is not complying with that, you know, that would be a consequence," she said.

DESE received \$12,789,742 in federal grants from the USED in 2020-2021, according to the complaint.

The legal action is paired with two new bills filed in the House and Senate by Sen. John Cronin of Lunenburg (SD 2312) and Rep. Antonio Cabral of New Bedford (HD 3617).

The bills would replace the admittance criteria that includes attendance records, guidance counselor reports, behavior complaints and grades with a lottery system. The Senate docket calls for a "blind lottery," while Cabral's legislation requires a "weighted lottery," which would be weighted towards "protected classes, including but not limited to, students of color, economically disadvantaged students, students with disabilities and English language learners."

Both bills would also create waitlists for students who did not get a spot from the lottery.

"Our position is not radical. Public schools should no longer be able to use private school admissions criteria to systematically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools," Cronin said. "So let's stop denying kids from disadvantaged backgrounds a pathway to the middle class."

Executive Director of the Massachusetts Association of Vocational Administrators Steve Sharek said the organization is committed to giving any student who wants to go to vocational school the opportunity to do so.

"There simply aren't enough seats to meet the growing demand," he said in a statement. "Our schools are very serious about expanding access to a more diverse population of students. We're committed to improving our admissions procedures. Nearly 97 percent of the regional vocational-technical and agricultural high schools in Massachusetts have made changes in their admissions policies, practices, or staffing. We're seeing improvement. We need two things: (1) a bit more time to gauge what impact all these changes are making and (2) better access to middle

schools so we can inform all students about the kind of education we offer. In some cases, we have only limited access to students in some of these protected classes."

-END-

02/02/2023

<https://commonwealthmagazine.org/education/advocates-file-federal-civil-rights-complaint-over-vocational-school-admission-policies/>



Students at New Bedford's high-performing regional vocational technical high school. (Photograph by Mark Ostow)

EDUCATION

Advocates file federal civil rights complaint over vocational school admission policies

Changes state made in 2021 have failed to end discriminatory practices, coalition says



[MICHAEL JONAS](#) Feb 2, 2023. Commonwealth

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MORE THAN FIVE YEARS after [sounding the alarm over admission policies](#) at the state's vocational high schools that they say are locking out students who would benefit most from hands-on education, advocates are taking their case to the US Department of Education, filing a federal civil rights complaint aimed at forcing the state to revamp the admissions system at the schools.

In a filing Thursday with the Department of Education's Office of Civil Rights, lawyers say the state is allowing the use of selective admission criteria to award seats at vocational schools that "disproportionately and unjustifiably exclude students from vulnerable populations" who are "protected from discrimination under federal law." The complaint calls for the withholding of federal funds to Massachusetts vocational schools until they come into compliance with civil rights laws.

The complaint charges that vocational school admission policies, which let schools select students based on grades, attendance, and other factors, are disproportionately denying seats to students of color, English language learners, and special needs students, all of whom are considered protected classes under federal education civil rights law, as well as students from low-income households.

The plaintiffs in the complaint, filed by attorneys from Boston-based Lawyers for Civil Rights and the Center for Law and Education, are the

Vocational Education Justice Coalition and four students who are alleged to have been unfairly shut out of admission to a vocational high school. The move comes two years after state education officials modified admission rules for vocational schools in response to growing criticism. Advocates said at that time that the changes did not go far enough in addressing disparities in vocational school enrollment patterns. They called for seats to be awarded by lottery, giving all interested students an equal chance at admission, and they raised the specter of taking legal action if the problems that had been identified persisted.

The state's vocational-technical high schools were once regarded as second-tier "dumping grounds" for students who struggled with traditional academic learning at district high schools. Following passage of the 1993 Education Reform Act, vocational school leaders voiced concern that their students would have trouble passing the high-stakes 10th grade MCAS exam introduced by the law as a graduation requirement.

But the schools redoubled their focus on core academics, in tandem with the hands-on skill training they offer, and their students have performed well on the test, with some vocational high schools even scoring higher on MCAS than district high schools in their region.

That has not, however, been solely a function of determined instructional effort. In 2003, the state Board of Elementary and Secondary Education approved a major change in regulations that allowed vocational schools to begin using selective admission criteria to choose students when they receive more applications than seats available.

The schools all adopted scoring systems that accepted students on combination of middle school grades, attendance record, discipline history, and, in some cases, guidance counselor recommendations and interviews. The schools have grown increasingly popular, with far more applicants than available seats at most regional vocational schools.

"To their credit, they have worked hard on academics and done better. But it's also a lot easier to do better when you pick the students," said Lew Finfer, a leader of the Vocational Education Justice Coalition, a group of 20 community, labor, and civil rights organizations that has spearheaded efforts to end the selective admission policies at vocational schools.

For the current school year, more than 18,500 students applied to enter vocational high schools as 9th graders, but there were fewer than 11,000 available seats, according to the complaint.

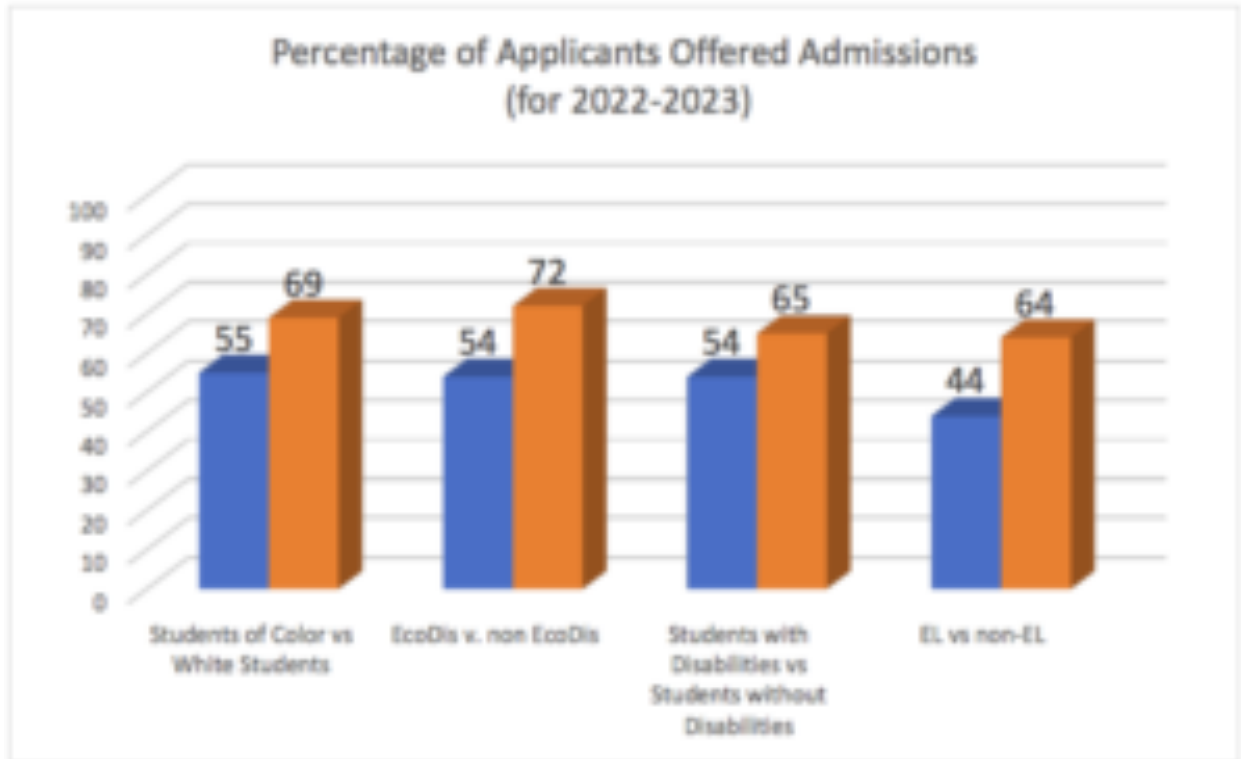
In 2021, under growing pressure from the coalition and elected officials in several communities,, the state board of education approved changes that prohibit the schools from using excused absences or minor disciplinary infractions in their scoring rubric. The new regulations also specified that the schools cannot use any admissions criteria that have a disproportionate impact on the enrollment of demographic groups protected by state and federal law unless they can show they are “essential to participation” in the school’s program, and that there are not other equally effective standards that would not have such an effect.

While applicants scoring higher under the selective admission criteria might perform better than students with lower scores, the coalition argued that is not proof that such a system is “essential” to participation in vocational education.

The new regulations took effort for admission to the current 2022-23 school year. Of the state’s 28 regional vocational high schools, which each serve multiple communities and effectively operate as independent school districts, 27 continued to use selective admission criteria.

The complaint filed Thursday says admission data under the new regulations shows continued large gaps in serving groups protected under federal civil rights law.

According to the filing, 55 percent of students of color who applied to a regional vocational school this year were accepted, compared with 69 percent of white students. For English learners, the acceptance rate was 44 percent compared with 64 percent of non-English learners. Of students with disabilities, 54 percent were admitted compared with 65 percent of those without disabilities, according to the complaint. For low-income students, the acceptance rate was 54 percent versus 72 percent for students from better-off backgrounds.



Acceptance rates at Massachusetts regional vocational high schools for the 2022-23 school year. (Source: Vocational Education Justice Coalition)

The complaint says those figures underplay the problems with the admission system, since many students from protected groups don't even bother to apply to vocational schools under the current system. The complaint says the data on acceptance rate differences "only scratches the surface of the disparities caused by using the Exclusionary Admissions Criteria, as it does not reflect students who are discouraged from applying to [vocational] schools in the first place, knowing that they are unlikely to be accepted given the inequitable admissions criteria."

State Sen. John Cronin, a Fitchburg Democrat, is co-sponsoring legislation with Rep. Antonio Cabral that would institute a lottery system in place of the use of selective criteria in vocational admissions.

The current system allows vocational schools to "apply private school admission standards to public schools," said Cronin, "and the effect of that is them saying our public schools are not going to take part in the work of educating kids with poor grades, kids with poor attendance records, and the effect of that is hurting the kids in our community who could benefit most from a skilled trade to enter the workforce."

The civil rights complaint says the state education department is “well aware” of the discriminatory effect of the current admission system “and has allowed it to persist for years.” The filing asks the federal education department to order an end to the use of selective criteria unless it can be shown they are essential to participation in vocational programs and no “less-discriminatory, equally valid alternatives exist.”

The state Department of Elementary and Secondary Education did not respond immediately to a request for comment on the lawsuit. Steven Sharek, executive director of the Massachusetts Association of Vocational Administrators, said the schools are committed to improving their admissions procedures and that nearly all the regional vocational schools have made changes in admissions “policies, practices, or staffing.” He called for more time “to see what impact all these changes are making” as well as better access to middle schools to make all students aware of vocational school options.

Finfer said the Healey administration is now “the most important player” in the ongoing debate. “Are they going to step up and ask for change or not?” he said. Finfer said the new governor and her education secretary, Patrick Tutwiler, could have a significant impact on whether the state Board of Elementary and Secondary Education revisits the issue and considers moving to a lottery system for awarding seats at vocational schools.

Cronin said the existing system runs counter to the entire thrust of efforts to close opportunity and achievement gaps in public schools. “It’s a radical departure from the mission of our public schools to apply private school admission standards to keep out the most vulnerable parts of our population. For a state that says it wants to make investments in social mobility and distribute opportunity equally to our most vulnerable populations, what the hell are we doing? To fail these kids who are growing up in poor families and working-class families, and to make a policy choice to exclude them from a meal ticket to the middle class is a radical failure of our public education system.”

lowellsun.com/2023/02/02/admissions-system-used-by-local-vocational-schools-under-fire/

Admissions system used by local vocational schools under fire

Federal civil complaint targets perceived inequities

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Nov 12, 2022 – stock photos – Nashoba Valley Technical High School. (Julia Malakie/Lowell Sun)

By [CAMERON MORSBERGER](#) | cmorsberger@lowellsun.com | Lowell Sun

PUBLISHED: February 2, 2023 at 1:44 p.m. | UPDATED: February 2, 2023 at 4:11 p.m.

LOWELL — Two vocational technical high schools in Massachusetts are the target of a civil rights complaint regarding their admissions policies, which are practiced at nearly every other vocational school in the commonwealth.

The Vocational Education Justice Coalition — a collection of 20 civil rights groups, labor unions and community groups — filed a federal complaint Thursday with the Department of Education’s Office of Civil Rights against the Department of Elementary and Secondary Education, the state entity that establishes admissions guidelines at such schools.

The action [takes aim](#) at Montachusett Regional Vocational High School in Fitchburg and Northeast Metropolitan Regional Vocational High School in Wakefield for their use of a ranked admission system based on grades, attendance, recommendations and discipline. All but two of the state's 28 voc-tech schools use a similar ranking system. Marlboro's Assabet Valley Regional Technical High School uses a lottery-based system, and Worcester Technical High School relies on a modified lottery, wherein applicants with 10 or fewer unexcused absences have the same chance of getting accepted.

Top Stories00:54







At Greater Lowell Technical High School, 811 students of color applied for the 2022-2023 school year compared to 383 white students, according to [admissions data](#). However, 64.5% of white students were [accepted](#) while just about 56% of students of color were offered admission, according to DESE.

At Greater Lowell Technical High School, 811 students of color applied for the 2022-2023 school year compared to 383 white students, according to admissions data from DESE and the Vocational Education Justice Coalition. However, 64% of white students were accepted while just 56% of students of color were offered admission.

That disparity is greater between low-income students and students who aren't. A total of 715 financially disadvantaged students applied, 48% of whom were accepted. But 74.5% of their 479 wealthier peers who applied received an offer letter, according to that data.

Greater Lowell Tech Superintendent Jill Davis defended the school's policies, stating they conduct blind admissions, offer tours and do not do interviews like other schools. The school does, however, use the same criteria, equally weighted, in a ranked admissions process: attendance, grades, guidance recommendations and conduct.

When asked why there are particular disparities between certain demographics, as noted above, Davis said the data presented by the Vocational Education Justice Coalition is flawed and incomplete and should instead focus on the number of students enrolled.

For the current school year, Davis said 575 students enrolled, 378 of which are students of color and 197 who are white.

“We believe that our data and our student population is a diverse student population and it reflects our sending communities,” Davis said. “I think the real focus should be on that there are not enough seats to meet the demands for vocational education and we should be looking at other ways to expand the seats, or expand vocational technical education.”

Lisa Martinez, director of technology, enrollment and information at Greater Lowell Tech, said there are two times the school submits their admissions data, meaning there are “adjustments” that are made in the fall and errors that are corrected.

However, the numbers provided by the Vocational Education Justice Coalition and those on DESE’s website are exactly the same.

The data is also “skewed,” in part, due to COVID, Martinez said. The problem is that they can’t offer a spot for everyone — of the roughly 2,280 students currently enrolled, they have about 500 or so on the waitlist.

“We have limited seats, and we really make the best use of the resources we have and we try to make it as fair as possible for the students,” she said. “We have more students naturally applying and more kids applying than we can ever accommodate.”

Martinez said they can only speak on their own admissions policy, and neither she nor Davis commented on the complaint or other vocational schools.

Shawsheen Valley Technical High School in Billerica, on the other hand, admitted 100% of students who applied, though just 308 students of color were eligible to apply in the first place, compared to 1,073 white students.

The data is similar at Nashoba Valley Technical High School in Westford — while white students, students of color, financially disadvantaged students and non-disadvantaged students were all admitted roughly 80% of the time, 398 students of color were eligible to apply while 1,036 white students were.

For financially disadvantaged students, 255 could apply, but for students who are not classified as low-income, a total of 1,179 were eligible. That proportion is roughly equivalent for special education students versus non-special education students, according to the data.

Shawsheen Tech received 59 applications from students of color and 343 from white students for the current school year, according to that data, and about 80% of both groups, as well as about 84% of financially disadvantaged students and 79% of non-disadvantaged students, accepted the offer.

The complaint states that DESE allows voc-tech schools “to use admissions criteria that disproportionately and unjustifiably exclude students from protected classes.” That includes students of color, those with disabilities and English Language Learners. Four students, two from Chelsea and two from Gardner, are named in the complaint.

Low-income students are also considered a protected class.

Josue Castellon, a 16-year-old junior at Chelsea High School and youth peer leader at La Collaborativa, said at a State House press conference Thursday morning that he applied to Northeast Metro Tech, despite his counselor dissuading him to do so, and was denied. Castellon called the admissions process “completely biased” and one that fails to “reflect your value as a student.”

“Why is it that our futures are decided on middle school grades, discipline records, attendance and recommendations from people that may not even know us, instead of judging us purely on our show of potential and hard work and determination?” Castellon said. “This needs to change.”

Officials are recommending the use of a lottery system, which they deem more equitable, and are requesting the Board of Education in Massachusetts to change the admission policy.

Steve Sharek, executive director of the Massachusetts Association of Vocational Administrators, wrote in a statement that vocational-technical schools can’t accommodate all of the students looking to attend — 6,000 students are currently on waiting lists for such programs, which enroll about 55,000 students.

The organization supports bills that would invest \$3 billion to expand MAVA schools and construct new ones, he wrote, and they’re hoping to make those schools more accessible “to a more diverse population of students.”

“Nearly 97% of the regional vocational-technical and agricultural high schools in Massachusetts have made changes in their admissions policies, practices, or staffing (in the past two school years),” Sharek wrote. “We’re seeing improvement.”

To continue making said improvement, Sharek said MAVA needs time to analyze the impact of the changes in admissions and a bigger presence in middle schools to educate students on their educational offerings. The investment bills, filed by Sen. Paul Feeney, D-Foxborough, and Reps. Frank Moran, D-Lawrence, and Adam Scanlon, D-North Attleborough, would grant them “access to all students” in middle schools.

Shawsheen Tech and Nashoba Tech officials did not respond to a request for comment before this article’s publication.

<https://www.wbur.org/news/2023/02/02/admissions-policy-massachusetts-vocational-students-federal-civil-rights-complaint-marginalized-students>

Admissions policy at Mass. vocational schools target of new federal civil rights complaint

February 02, 2023

• [Samuele Petruccelli](#) WBUR

Vocational and technical high schools across Massachusetts unjustly exclude students from disadvantaged communities by using a selective criteria admissions system, a federal complaint filed Thursday with the U.S. Department of Education alleges.

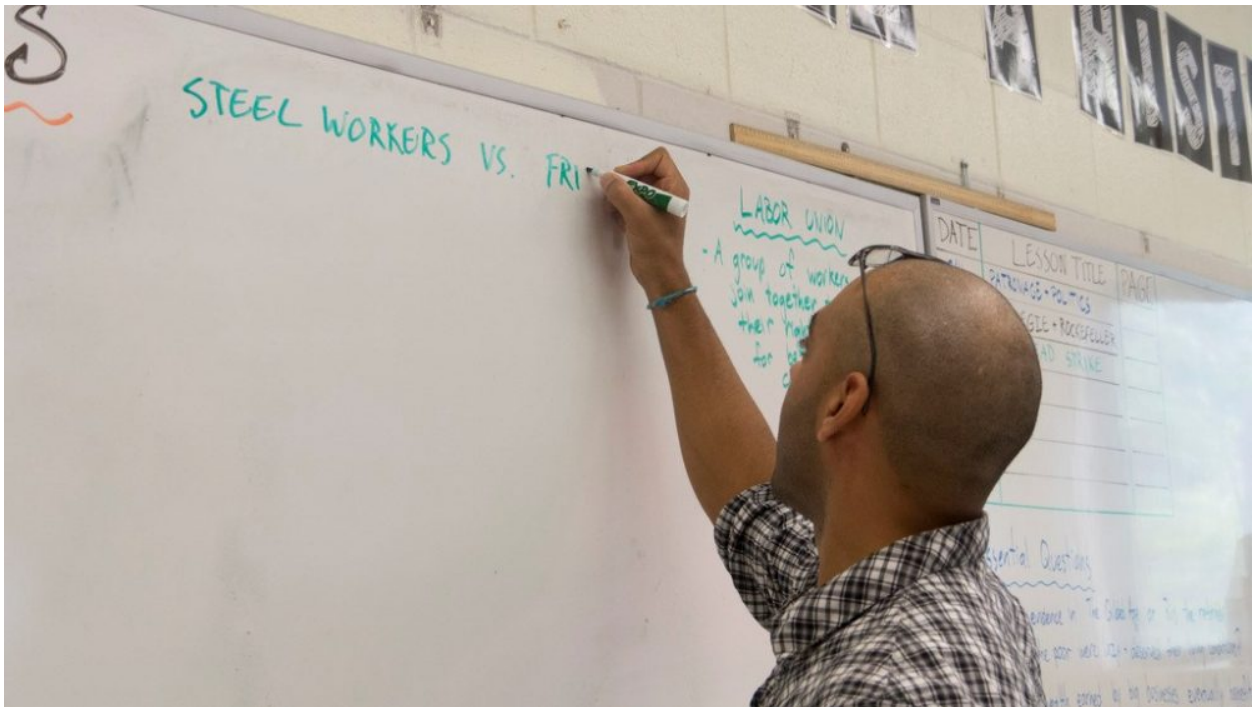
The Vocational Education Justice Coalition, a group comprised of community and civil rights advocates, argues the schools use criteria such as grades, attendance and interviews that makes the admissions process resemble those used at “selective” private schools.

State enrollment data shows students from traditionally marginalized backgrounds — including students of color, English language learners, those with disabilities and from low-income households — are admitted into vocational schools at disproportionately lower rates to their peers, the complaint states.

“Any student who successfully completes middle school should have an equal shot at admission to a vocational education program,” Andrea Sheppard Lomba, executive director of United Interfaith Action of Southeastern Massachusetts, and a coalition member, said in a statement. “Rank-ordering students based on their grades or attendance, and only admitting the top students, is antithetical to the whole purpose behind vocational education.”

Boston-based Lawyers for Civil Rights and the Center for Law and Education [filed the complaint](#) against the state Department of Elementary and Secondary Education on behalf of the coalition and four students in Chelsea and Gardner.

A spokesperson for DESE did not respond to multiple requests for comment.



Darrell Anane teaches a class in U.S. history at Madison Park Vocational High School. (Tonya Mosley/WBUR)

Public vocational schools are trade-focused and offer technical skills training. They receive federal funding, and offer an alternative to traditional high schools with a direct pathway into the workforce.

But open seats are hard to come by in the state: in the 2020-21 school year, more than 18,500 rising ninth graders in Massachusetts vied for 10,616 vacant spots, according to state data. And underserved students get an unfairly small number of acceptances, lawyers say.

In the 2022-23 school year, roughly 55% of students of color were admitted into vocational schools compared to 69% of white students, according to [data](#) from the state education department. Meanwhile, 54% of low-income students were admitted compared to 72% of their peers.

Data also shows 54% of students with disabilities were accepted compared to 65% of students without disabilities, while 44% of English language learners received offers compared to 64% non-English learners.

Of 28 public vocational and agricultural schools in Massachusetts, 27 rank candidates based on criteria such as grades and attendance, plus more subjective categories like recommendations and interviews, according to the complaint.

"Let's stop denying kids from disadvantaged backgrounds a pathway to the middle class," said state Sen. John Cronin (D-Fitchburg) at a news conference at the State Capitol Tuesday. "Vocational schools in Massachusetts need consistent admissions policies that are fair, that are equitable, and that prioritize social mobility."

The complaint asks the U.S. DOE's Office for Civil Rights to investigate the state's policy of vocational school admissions and withhold funding until state officials implement a more equitable system — such as a lottery, which has been permissible under state law [since 2003](#).

DESE received nearly \$13 million in federal grants for vocational education in the 2020-21 school year.

In recent years community advocates have sought to raise awareness of vocational schools' alleged exclusionary practices. In 2021, [DESE made incremental change](#), by prohibiting vocational schools from considering minor disciplinary infractions or excused absences in admissions decisions.

But community groups said those changes didn't go far enough.

Two new legislative bills filed this session seek to change the system over to a lottery. If successful, the laws would circumvent the federal complaint and force vocational schools to apply the new process, according to Cronin, who introduced one of the bills.

Cronin said he first heard about alleged disparities in vocational school admissions while running for office in 2020. He had hoped education commissioner Jeff Riley would take more aggressive action in 2021 with the rule adjustments. The state legislator said the disparity is getting worse at some vocational schools.

"There's a sense that vocational schools across the state have lost a sense of their mission and become more like private schools than public schools," Cronin said in an interview. "These are public schools, and right now they are discriminating against four really vulnerable populations of students."

The complaint includes four students who were rejected from vocational schools or chose not to apply because they didn't think they'd get in — including a Latinx student interested in carpentry and a student with disabilities who were denied entry to Montachusett Regional Vocational Technical School, or Monty Tech.

Josue Castellon, a 16-year-old student from Chelsea and youth organizer who's not involved in the complaint, recounted at Tuesday's news conference the shame he felt after being rejected from a local trade school.

“In an instant, I was filled with embarrassment and defeat,” Castellon, a junior at Chelsea High, said. “I rushed to hide the letter away so no one could see that I didn't get in.”

Demand has grown at vocational schools in Massachusetts in recent years. [One report](#) found that in the 2020-21 school year, there were 1.75 applicants per available seat in vocational programs – with demand nearly double the seat capacity in some communities.

Building capacity and teacher availability are the main constraints preventing more student acceptances, according to a [2019 policy brief](#).

The coalition has requested a meeting with the new education secretary, Pat Tutwiler, to consider changing the state's policy to a lottery-based one.

“You shouldn't need to show success relative to your peers to have an opportunity to enter a non-traditional academic environment,” Cronin said. “We are denying kids who can benefit the most from a skilled trade.”

Related:

- [Education Board Approve Changes To Vocational-School Admissions](#)
- [Advocates Call For Broad Overhaul Of Admissions At Vocational Schools](#)

<https://www.sentinelandenterprise.com/2023/02/02/monty-tech-named-in-federal-civil-rights-complaint/>

Monty Tech named in federal civil rights complaint

Filing targets voc-tech admissions procedures

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Montachusett Regional Vocational Technical School is pictured on the morning of Thursday, Feb. 2, 2023. The school's admission procedures are part of a civil rights complaint. (GARY FOURNIER/SENTINEL & ENTERPRISE)

By [JACOB VITALI](#) | jvitali@lowellsun.com | Sentinel & Enterprise

PUBLISHED: February 2, 2023 at 11:50 a.m. | UPDATED: February 2, 2023 at 2:23 p.m.

FITCHBURG — Montachusett Regional Vocational Technical School is one of two vocational schools in the state named in a federal civil rights complaint over admissions practices.

The complaint was filed Thursday morning against the state Department of Elementary and Secondary Education with the federal Department of Education’s Office of Civil Rights by the Lawyers for Civil Rights and the Center for Law and Education. It is on behalf of two students from Gardner, two students from Chelsea, and the Vocational Education Justice Coalition, which consists of 20 community, civil rights, and union groups.

According to the complaint, a student identified as Aaron Doe applied to Monty Tech during the 2019-2020 school year. The complaint states he is a student with disabilities and had an Individualized Education Program while attending middle school. He was determined to attend a school where he could thrive in a hands-on environment and struggled to envision himself in an environment where he was “glued to a desk.”

“Ultimately, he was denied admission. Ironically, his current teachers now note that he would benefit from a hands-on learning environment. Despite being denied admission, Aaron Doe remains interested in career and technical education, but he will now have to incur out-of-pocket expenses for a private specialized program if he enrolls in one after he completes high school,” the complaint states.



[Ahead of arctic blast, Townsend Police offers safety tips](#)

Similarly, Juan Doe applied to Monty Tech during the 2021-2022 school year. The complaint describes him as an English-language learner who believed he would benefit from being in an interactive learning environment. He has a particularly strong interest in carpentry and wanted to follow in his uncle’s footsteps owning a construction business.

“Juan maintained a B-grade point average and had no disciplinary or attendance issues. In the school year 2021-22, he applied to Monty Tech. Although he believed his interview process went well, he was ultimately denied admission to Monty Tech. He still hopes to obtain access

to career and technical education during his time in high school and aspires to open his own business,” the complaint states.

When students are considered for admission to Monty Tech, they are given a “Total Rating Score” based on five criteria which informs who will fill the seats apportioned for each of the 18 source communities. Grades account for 25% of a student’s score; disciplinary history, attendance, and an interview each account for 20%; and a sending school recommendation accounts for 15%.

“All resident applicants are placed in order of their Total Rating Score and by town of residence. Resident applicants are then accepted in order of the Total Rating Score they have achieved. The resident applicant with the highest Total Rating Score is accepted first, the resident applicant with the second highest Total Rating Score is accepted second, and so on until all seats are filled,” Monty Tech’s admission policy states.

Monty Tech Superintendent Thomas Browne was not immediately available for comment Thursday morning.



School buses drop off students at Montachusett Regional Technical School on Thursday, Feb. 2, 2023. (GARY FOURNIER/SENTINEL & ENTERPRISE)

Spring 2022 final admissions data for Monty Tech, accessible through DESE, showed the school accepted 42% of the students of color who applied compared to 57% of white students; 38% of economically disadvantaged students compared to 65% of those who were not; 42% of students with disabilities were accepted compared to 54% of students without disabilities; and 18% of English-language learners were accepted compared to 53% of non English-language learners.

“Students with the passion and talent for a trade, who have successfully completed 8th grade, should have a fair shot at admission at their regional vocational high school. However, that is not the reality under DESE’s current policies and regulations,” said Mirian Albert, staff attorney for Lawyers for Civil Rights in a statement.

Data showed statewide 37% of the students of color received admissions offers, compared to approximately 49% of the white students; 30% of English-language learners received admissions offers compared to 45% of non English-language learners, 37% of students with disabilities received admissions compared to 45% of students who did not have disabilities.

Albert added that students who do not benefit in traditional school environments can be re-engaged through practical and hands-on instruction at vocational schools. She added students from marginalized communities can become more competitive in the job market with fair access.

While the complaint specifically involves students who were not admitted to Monty Tech and Northeast Metropolitan Regional Vocational High School, a similar ranked admissions process is used by 26 of 28 of the state’s vocational schools. Assabet Valley Regional Technical High School in Marlboro uses a lottery-based system, while Worcester Technical High School uses a modified lottery that places all students with 10 or fewer unexcused absences on equal footing.

In contrast to the admissions data for Monty Tech, Assabet Valley’s data shows the school accepted 75% of the students of color who applied compared to 73% of white students; 71% of economically disadvantaged students were accepted compared to 76% of those who were not; 68% of students with disabilities were accepted compared to 76% of students without disabilities; and 67% of English-language learners were accepted compared to 75% of non English-language learners.

State Sen. John Cronin, D-Fitchburg, said vocational schools like Monty Tech were actively discriminating against the most vulnerable eighth graders in the state. To change the process under state law, Cronin has filed legislation with state Rep. Antonio Cabral, D-Bristol.

In an interview Thursday, Cronin said he had heard pushback from superintendents that lotteries simply don’t work. However, he said the numbers proved otherwise and people were not entitled to their own set of facts.

“Our position is not radical. Public schools should no longer be able to use private school admissions criteria to systemically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools,” Cronin later said during a press conference.

Under Massachusetts General Law chapter 71 section 89, public charter schools are required to use a blind lottery process when there are more students than there are available seats.

According to VEJC, the fight for fairness in vocational education admissions is not new. After making a push in 2021, DESE implemented new regulations for vocational schools. However, the coalition said the changes were minimal and schools maintained substantial discretion over admission procedures.

In addition to Cronin’s legislation, VEJC said it was calling on Gov. Maura Healey to formally request the Board of Education shift admission policy to a lottery system. The complaint also calls on the federal DOE to suspend further funding disbursements to DESE until the process is changed.

Lowell Sun Reporter Cameron Morsberger contributed to this report.

[Jacob Vitali](#) | City Editor

Jacob Vitali is the city editor of the Sentinel & Enterprise. A graduate of Massachusetts College of Liberal Arts, Vitali started his career with the Sentinel & Enterprise and its sister publications The Sun of Lowell and the Nashoba Valley Voice as a reporter in April 2021.

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Lawsuit against DESE alleges civil rights violations in voc tech admissions



Audrey Cooney

The Herald News. February 2, 2023. Fall River

BOSTON — A coalition of Massachusetts community groups, unions and civil rights organizations filed a federal civil rights complaint against the state’s Department of Elementary and Secondary Education on Thursday, alleging the state allows vocational technical high schools to use admissions policies that discriminate against protected classes of applicants.

“Our position is not radical. Public schools should no longer be able to use private schools’ admissions criteria to systemically discriminate and keep the most vulnerable 8th graders in our state out of our trade schools,” said State Senator John Cronin, a Democrat who represents Fitchburg. “So, let’s stop denying kids from disadvantaged backgrounds a pathway to the middle class.”

Cronin was speaking at a press conference on Thursday morning organized by the Vocational Education Justice Coalition, the group behind the lawsuit.

Lawyers from Lawyers for Civil Rights and the Center of Law and Education have filed a federal civil rights complaint to the United States Department of Education's Office of Civil Rights on behalf of four students from Chelsea and Gardner. The complaint alleges that vocational technical high schools discriminate against students of color, disabled students, students who are economically disadvantaged and those who are English Language Learners by looking at criteria like grades, attendance and disciplinary records for students applying for admission.



The complaint asks the U.S. Department of Education's Office of Civil Rights to suspend federal funding to DESE until the state department instructs vocational schools to stop using what the coalition calls discriminatory admissions criteria and implement a fairer admissions process.

The coalition is also asking Governor Healey to ask the state's Board of Education to change the admissions policy from the ranking of students to a lottery. Cronin and

State Rep. Tony Cabral, a Democrat from New Bedford, have filed legislation that would require vocational schools to use a lottery for admissions.

A call to unify admission standards

Cabral, an immigrant from Portugal, said vocational schools should be held to the same standards as other public schools because of the important opportunities they can provide.

“At the age of 14, I couldn’t speak a word of English. And why am I here today? Because of public schools and the opportunities I had at public schools,” he said during Thursday’s press conference.



Previously, the state instructed all vocational high schools to look at applicants' grades, attendance, discipline records and recommendations from school counselors. In June of 2021, the state issued a new directive that says schools must now make their own admissions policies. These policies may not consider a student's record of excused absences from school, or minor behavior or disciplinary infractions.

Schools must also create 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.”

Only one of 28 vocational schools uses a lottery

But advocates say this change has not gone far enough and are pushing to require vocational schools to use a lottery system that would not rank some students over others. Out of 28 vocational high schools in Massachusetts, only one, Assabet Valley Regional Technical High School in Marlborough, has switched to a full lottery system for admissions offers. The other 27 all use a points-based ranking system when considering applicants, which includes looking at students' disciplinary records.



The coalition analyzed data from DESE on admissions to the state's vocational high schools for the 2022-2023 school year. It indicates that across the 27 vocational schools statewide that have not switched to a lottery system, 55% of applicants of color were offered admission versus 69% of white students, 54% of economically disadvantaged of applying students were admitted versus 72% of non-economically advantaged students, 54% of applicants who are special education students were offered admissions verses 65% of general education students, and 44% of applicants who are English Language Learners were admitted versus 64% of students who are not English Language Learners.

“Why is it that our futures are decided on middle school grades, discipline records, attendance and recommendations made by people who may not even know us instead of judging us purely on our show of potential for hard work and determination?” said Josue Castellon, a junior at Chelsea High School who applied to vocational school but was waitlisted.

Advocates for the lottery system said relying on grades and factors like disciplinary records means students who struggle in a traditional academic setting but who could

potentially thrive in a vocational school miss out on that opportunity. The admissions policies also mean students from disadvantaged groups apply to vocational schools at lower rates than their peers, members of the coalition said, because they assume they will not be admitted because of factors like their grades or attendance record.

Renee Ledbetter, president of United Interfaith Action and president of the New Bedford branch of the NAACP, spoke during the press conference about a student she worked with in New Bedford who was admitted to Greater New Bedford Regional Vocational Technical High School after they moved to a system that is still mostly ranked but allows for 65 students to be admitted through a lottery. This student struggled in school and at home and had a lot of absences, but found a renewed enthusiasm for school after being admitted to vocational school.

“He began to change even before he entered New Bedford Voke this past year. He finally felt worthy. He rose to the opportunity, and he now has As and Bs in all his classes, has a great disciplinary record and is doing well at home,” she said.

SouthCoast vocational schools have disparity in admissions

Both Diman Regional Technical High School in Fall River and New Bedford Voke have lower rates of students who are people of color, disabled, low-income and English Language Learners than the traditional public school districts in their home cities. Both schools admit students from relatively wealthier towns with a higher white population along with students from their home cities, which could account for some disparities.

Voke in particular has seen a sharp disparity in admissions from some disadvantaged groups, especially among English Language Learners. Following the 2021 change from DESE, the school switched to a partial lottery system for admissions.

New Bedford Mayor Jon Mitchell has been outspoken about the need for vocational schools to change their admissions policies. He called the school’s new policy a lottery “only in name” that has not increased the school’s admission of English

Language Learners and said it is flawed in particular because it excludes students who are chronically absent.

This year, despite the move to admitting some students through a lottery, Voke admitted 35% of English Language Learner applicants compared to 66% of students who were not ELL students, according to state data. This means that 4.2% of all students who received offers were ELL students, 29 students in total. In New Bedford Public Schools, state data shows 26.1% of students are English Language Learners.

Voke also admitted 49% of special education applicants versus 66% of general education applicants. Special education students made up 11.6% of accepted applicants, while making up 22.1% of students in New Bedford Public Schools.

“Nobody should confuse any of this with my respect for vocational education and in particular for Greater New Bedford Regional Vocational Technical High School. Our Voke school has performed very well and it’s an institution I’ve long supported,” Mitchell said. “The problem is they have an admissions policy that unfairly keeps some kids out.”

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Still, Diman has seen a wide gap in recent admission rates among some disadvantaged groups, according to the DESE data. This year, the school admitted 18% of ELL applicants versus 40% of non-ELL applicants, and 31% of economically disadvantaged students compared to 51% of applicants who were not economically disadvantaged. Of students who applied this year, 4.6% of those admitted, 21 students,

were ELL students. In Fall River Public Schools, 21.3% of students are English Language learners.

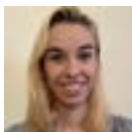
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Bentley said he would want to wait until more data is available before considering moving to a lottery system, and that he's happy with the progress Diman is making toward making the school reflect the demographics of its sending communities. DESE approved their new admissions policies and has not instructed them to change them, he pointed out.

“Right now, we're comfortable, unless the department rules otherwise,” he said.

<https://www.southcoasttoday.com/story/news/education/2023/02/02/lawsuit-alleges-civil-rights-violations-in-voc-tech-admissions/69863920007/>

Lawsuit against DESE alleges civil rights violations in voc tech admissions



Audrey Cooney

The Herald News

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SKIP

BOSTON — A coalition of Massachusetts community groups, unions and civil rights organizations filed a federal civil rights complaint against the state’s Department of Elementary and Secondary Education on Thursday, alleging the state allows vocational technical high schools to use admissions policies that discriminate against protected classes of applicants.

“Our position is not radical. Public schools should no longer be able to use private schools’ admissions criteria to systemically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools,” said state Sen. John Cronin, a Democrat who represents Fitchburg. “So, let’s stop denying kids from disadvantaged backgrounds a pathway to the middle class.”

Cronin was speaking at a press conference on Thursday morning organized by the Vocational Education Justice Coalition, the group behind the lawsuit.

Lawyers from Lawyers for Civil Rights and the Center of Law and Education have filed a federal civil rights complaint to the United States Department of Education's Office of Civil Rights on behalf of four students from Chelsea and Gardner. The complaint alleges that vocational technical high schools discriminate against students of color, disabled students, students who are economically disadvantaged and those who are English Language Learners by looking at criteria like grades, attendance and disciplinary records for students applying for admission.



Members of the Vocational Education Justice Coalition, from left: Lew Finfer, Rep. Antonio Cabral (D-New Bedford), Andrea Shepherd Lomba, MA Communities Action Network, Miriam Albert, Lawyers Committee for Human Rights, Barbara Fields, Black Educators Alliance of Massachusetts and Senator John Cronin (D-Lunenburg), announce the filing of a federal civil rights violation complaint against the Department of Elementary and Secondary Education (DESE) claiming the competitive entry into the state's vocational schools discriminates against minorities, students with disabilities, English Language Learners, and students from low income background.

Kinga Boraondy/ Telegram & Gazette

The complaint asks the U.S. Department of Education's Office of Civil Rights to suspend federal funding to DESE until the state department instructs vocational schools to stop using what the coalition calls discriminatory admissions criteria and implement a fairer admissions process.

The coalition is also asking Gov. Maura Healey to ask the state's Board of Education to change the admissions policy from the ranking of students to a lottery. Cronin and state Rep. Tony Cabral, a Democrat from New Bedford, have filed legislation that would require vocational schools to use a lottery for admissions.

A representative for DESE provided a statement in response to news of the complaint: "The Department of Elementary and Secondary Education (DESE) is reviewing the complaint that the Vocational Education Justice Coalition filed with the Office for Civil Rights and cannot comment on the allegations at this time."

A call to unify admission standards

Cabral, an immigrant from Portugal, said vocational schools should be held to the same standards as other public schools because of the important opportunities they can provide.

"At the age of 14, I couldn't speak a word of English. And why am I here today? Because of public schools and the opportunities I had at public schools," he said during Thursday's press conference.



Previously, the state instructed all vocational high schools to look at applicants' grades, attendance, discipline records and recommendations from school counselors. In June of 2021, the state issued a new directive that says schools must now make their own admissions policies. These policies may not consider a student's record of excused absences from school, or minor behavior or disciplinary infractions.

Schools must also create 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.”

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<https://newbedfordlight.org/vocational-school-admissions-targeted-in-federal-civil-rights-complaint/>

Vocational school admissions targeted in

federal civil rights complaint

“Under the federal legal standard, public schools cannot use [admissions] standards that disproportionately exclude students by race, gender, disability, or language. These criteria do all that.” – Paul Weckstein, Center for Law and Education

By [Colin Hogan](#) February 2, 2023. New Bedford Light

A federal civil rights complaint with connections in New Bedford and the South Coast is taking aim at the state’s vocational and technical schools’ admission policies. The complaint alleges that schools disproportionately exclude students of color, English Language Learners (ELL), and students with disabilities

Disparities at Greater New Bedford Regional Vocational Technical High School (Voc-Tech) have gathered attention as some of the starkest under-representations of students from these groups. As a result, many organizers from the filing group, called the Vocational Education Justice Coalition (VECJ), hail from New Bedford or the South Coast region.

Over the last decade, the number of students whose first language is not English within New Bedford Public Schools has doubled — to over 40% of all students — while Voc-Tech has actually witnessed a decline in the same population, now falling to below 20%.

There’s also now a 20% difference in the number of low income students, and a 10% difference in the number of students with disabilities, between Voc-Tech and the city district. There are also gaps in the number of Hispanic, African American, and white students — among other racial categories measured by the state — that show that Voc-Tech teaches fewer students of color, too.

Critics blame the admissions process, saying that policies prioritized largely irrelevant metrics for a vocational school, leading to these demographic

differences. Grades, attendance, discipline records, counselor recommendations, and sometimes personal interviews were used to create a strict ranking system. Admission would only be offered to the highest ranking students.

“We are excluding the student who can, in fact, most benefit,” said Paul Weckstein, a lawyer with the Center for Law and Education who jointly filed the complaint to the federal Department of Education’s Office of Civil Rights. “Under the federal legal standard, public schools cannot use standards that disproportionately exclude students by race, gender, disability, or language. These criteria do all that.”

Last year, a partial measure was taken after complaints were lodged directly to the Department of Elementary and Secondary Education (DESE) and its commissioner, Jeff Riley. As a result, New Bedford’s Voc-Tech implemented a “qualified lottery,” that reserves a subsection of its seats as exempt from the ranking system.

Still, there was a cutoff to be eligible for this lottery that continued considering grades, attendance, and discipline records.

“Even as some schools began to make changes, admissions still disproportionately leave out students in protected classes,” said Andrea Sheppard Lomba, the executive director of United Interfaith Action of Southeast Massachusetts, a leading group among the filers.

Out of the 28 regional vocational technical high schools, 27 retained some aspect of their ranking system. And Lomba said that both New Bedford and Fall River’s regional technical vocational schools are among the worst offenders of exclusive admissions policies out of 28 such schools.

“It’s unjust, and it’s a violation of our students’ and our families’ civil rights,” she said.

After DESE did not fully eliminate ranked admissions, the group of filers is now asking the federal government to investigate. “The inequities are not just problematic on a policy level, but [they] violate federal law,” said Mirian Albert, of Lawyers for Civil Rights. “DESE has fallen short on meeting its obligations to civil rights standards, and this is unacceptable.”

Rep. Tony Cabral, who co-chairs the state legislative caucus of Gateway Cities, joined the group of filers for a Thursday press conference. With his co-chair, Sen. John Cronin, Cabral said that he will pursue legislation to “remove all of the so-called criteria that is used now.”

“DESE did not do the job that we had asked them to do,” he said. “It is a priority of the [Gateway Cities] caucus that we create an admission practice that is fair.”

The complaint to the federal government seeks to prove that these admissions policies exclude four groups: English Language Learners, students with disabilities, students of color, and low income students. Lawyers said that violations will be found under the Americans with Disabilities Act (ADA) and the federal Carl Perkins Act, which provides funding for vocational education and training.

Affecting local politics

Earlier this month, the New Bedford City Council denied Mayor Jon Mitchell’s latest nominee for the Voc-Tech school committee, Carol Pimental, after multiple councilors questioned her on whether she favored overhauling Voc-Tech’s admission system — the same system now subject to a federal complaint.

Pimental did support a reform to the admissions process, and her appointment subsequently failed to pass the council, marking the second consecutive Mitchell nominee to fail.

“When it comes to the admission policy, I have to disagree with her,” said Councilor Ryan Pereira. When asked if there should be admission criteria used for entrance to the Voc-Tech, Pereira answered, “I don’t see why not.”

Pereira said he had received lots of calls from constituents telling him that the topic of Voc-Tech admissions has become “politicized.” Listening to his constituents, Pereira said he would not vote for Pimental if her appointment were to come before city council again.

“She is very well qualified, but I do not share her beliefs that a complete overhaul [of admissions to Voc-Tech] is required for the sake of overhaul.”

Other city councilors said that reform was needed. “The admissions policy doesn’t work for the students of the Greater New Bedford area, but it also doesn’t work for our employers,” said councilor Shane Burgo.

“I’m not surprised that this [federal complaint] is now occurring,” Burgo said. “There’s a shortage of employees who are trained in these professions, and here we are creating yet another barrier for them.”

“I can’t imagine Mayor Mitchell appointing anyone else that wouldn’t be in favor of changing our admissions policy,” Burgo added, saying that the admissions debate seemed to be the main obstacle for appointing a new Voc-Tech school committee member. “I don’t know why [fellow councilors] would support this when there’s a [federal complaint].”

More Context

Public vocational education in New Bedford is older than almost anywhere in the country. Only two years after Massachusetts enacted its 1906 law to provide “industrial education” — the first state to publicly fund this type of schooling — the New Bedford Independent Industrial School opened its doors.

The current iteration of the Voc-Tech dates to 1977, when it entered its new Ashley Boulevard campus as one of the first “regional” high schools, meaning it would accept students from Fairhaven and Dartmouth too, but operate as an independent district.

The idea was first proposed in 1969, and was eventually championed by Mayor John Markey. At that time, vocational schools were fighting a different type of battle.

“When I attended vocational school it was looked down on as a place to house second-class citizens — people who belong in other institutions besides schools,”

Walter Janiak, the Voc-Tech's first superintendent, told The Standard-Times in 1977.

Janiak said that public perception was improving because students with trade skills had measurable impacts on the community. "The general public recognized our worth long before many people in academia," he said.

Today, the role of Voc-Tech in the community has been almost completely reversed.

More students from Voc-Tech attend four-year private and public colleges (31.1%) than do students from New Bedford High (19.7%). And, as the federal complaint demonstrated, Voc-Tech serves fewer economically disadvantaged students.

Lomba, of the United United Interfaith Action of Southeastern Mass., told a story at Thursday's press conference that demonstrated the new opinion of Massachusetts vocational schools. "My daughters told me, 'Mom, the Voc school is where the good kids go. I want to go to a good college so I have to go to a Voc-Tech school.'"

Lomba called this view of traditional public education "incongruous" with what she knew growing up.

Another speaker was Josue Castellon, 16, a Chelsea High School junior. "The first time I learned about our local vocational school, I instantly knew I wanted to go," he said. "People were telling me bad things about Chelsea High."

Castellon said he was denied admission, and asked: "Why is it that our futures are determined by middle school grades ... and recommendations from people that might not even know us?"

A vocational or traditional public school can lead to either college or career paths, but the demographic trends indicate that vocational schools are increasingly becoming enclaves catering to college-bound, economically secure students — and excluding various other groups of students.

According to detailed admission data from VEJC, the group who filed the complaint, English language learners, students of color, students with disabilities, and low income students are not afforded the same choices to pursue either path, so they're now applying less often.

In New Bedford, this dataset shows that students from these three protected groups are admitted at lower rates to Voc-Tech, but also that they apply less frequently.

Only 32% of eligible English Learners (EL students) applied to New Bedford's Voc-Tech, and from that number only 30% were offered admission. Non-EL students applied at a higher rate (50%) and were accepted at a higher rate (53%).

Similarly, fewer students with disabilities applied versus non-disabled peers, and fewer students of color applied compared to white counterparts. Again, slimmer slices of applicants from protected classes ended up receiving offers of admission.

Administrators from New Bedford's Voc-Tech did not respond to outreach asking for comment.

"This inequity cuts to the core of what it means to be a public school and have a public education," said Max Page, president of the Massachusetts Teachers Association (MTA), which also represents teachers in vocational schools.

"If students choose this pathway, they should have equal access to it." He added, "if we have specialty schools that do have limited space, then there should be a lottery."

New Bedford's Voc-Tech now uses a partial lottery, and Renee Ledbetter, vice president of the local NAACP chapter, said that it has shown successes, and should be expanded.

At Thursday's press conference, she told the story of a student she worked with who did not have the grades for Voc-Tech, but by chance was selected in the partial lottery system.

“He was so proud that he was selected through the lottery that he began to change even before he [enrolled],” Ledbetter said. “He’s now excited to go to school each day. And where he has struggled in a traditional academic setting, he is now thriving in a hands-on environment.”

“Let’s give others a chance,” she said.

Email Colin Hogan at chogan@newbedfordlight.org

AXIOS Boston 2/3/23

Vocational school admissions scrutinized



Illustration: Sarah Grillo/Axios

A new federal lawsuit against Massachusetts education leaders claims the state lets vocational and technical schools "systematically exclude" at-risk students.

The big picture: Votechs have been described as game-changers for low-income, nonwhite students seeking stable, well-paying careers in the trades. But advocates argue the admissions process is booting eligible candidates who fall under those categories.

Driving the news: The [civil complaint](#) was filed by Lawyers for Civil Rights on behalf of education advocates and two high school students of color.

- Advocates are calling the admissions process at votech schools discriminatory and asking the U.S. Department of Education to intervene.

Zoom in: The schools use a ranking system to admit applicants based on grades, attendance, interviews and other factors. Like private schools, they typically only accept the highest-ranking students, the complaint says.

- Advocates say the ranking system undermines traditionally marginalized groups like students who are nonwhite, low-income, English language learners and disabled — all of whom are protected under federal law.

By the numbers: Of students who applied to votech schools for the 2022-2023 school year, 55% of the students of color were offered admission, compared to 69% of the white students, the complaint states, citing state [data](#).

- 54% of students from economically disadvantaged families received offers compared to 72% of their peers, per the complaint.
- 44% of English language learners got offers, compared to 64% of non-ELLs.
- 54% of students with disabilities received admissions offers compared to 65% of students without disabilities.

The state Department of Early and Secondary Education said in a statement it is reviewing the lawsuit and "cannot comment on the allegations at this time."

<https://www.telegram.com/story/news/education/2023/02/03/lawsuit-alleges-bias-in-massachusetts-vocational-technical-schools-admissions/69870008007/>

Suit alleges bias in Massachusetts' vocational technical school admissions

Sam Drysdale

State House News Service. Printed in the Worcester Telegram

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State Senator John Cronin, (D-Lunenburg), discusses the state's unfair vocational education admission policies that work against students of color, English Language Learners, and students with disabilities, during a press conference and lawsuit announcement at the Statehouse in Boston. Kinga Borondy/Telegram & Gazette

BOSTON — State education officials use criteria that allows exclusionary admissions practices at vocational technical schools, leaving behind students of color, English language learners and students with disabilities, according to a new lawsuit filed by a coalition of educational advocacy groups.

The coalition claims the state Department of Elementary and Secondary Education (DESE) allows schools to reject students based on grades, attendance, discipline and guidance counselor recommendations, which they say disproportionately affects students in protected groups.

After graduating from middle school, Chelsea High School junior Josue Castellon wanted to attend Northeast Metropolitan Regional Vocational High School. But Castellon's guidance counselor discouraged him from applying "because of a reason unknown," the student said at a press conference Thursday morning at the Statehouse.

"I wanted to define my own reality, so I continued my application regardless of what my counselor said, and I submitted it. A few months go by and I get a letter from a vocational school and they said, 'We're sorry to deny your application,' " Castellon said. "I was filled with embarrassment and defeat... I was worried that I wouldn't have the same opportunities for my future and I was nervous about going to the traditional high school."

Lawyers for Civil Rights and the Center of Law and Education filed the federal civil rights complaint against the department on Tuesday with the U.S. Department of Education's Office of Civil Rights. The suit was filed on behalf of four students from Chelsea and Gardner, and the Vocational Education Justice Coalition (VEJC), made up of 20 education advocacy, civil rights and union groups.

Voke programs, demand to attend high

Vocational programs have become increasingly popular in Massachusetts in recent years. In the 2020-2021 school year 18,500 rising ninth graders applied for 10,616 available seats in the state's vocational schools, according to the complaint.

For the current school year, 55% of students of color who applied to a vocational program were admitted, compared to approximately 69% of white students, and 54% of students from economically disadvantaged families received offers compared to 72% of their peers, the complaint says.

For students who are English learners, 44% who applied were accepted compared to 64% of native English speakers, and 54% of students with disabilities received admissions offers as opposed to a 65% acceptance rate of those who are not disabled.

Massachusetts has world-class vocational schools, said Sen. John Cronin, D-Lunenburg. The demand to get a placement in a vocational program is high, he said. Competitive entry into the schools, the use of disciplinary records, academic achievement, guidance counselor and teacher recommendations, create a barrier for the state's most vulnerable youngsters.

Eighteen school districts, including Cronin's, feed students into the Montachusett Regional Vocational Technical High School, or Monty Tech, in Fitchburg. Of those eligible eighth graders, 44% are from economically disadvantaged backgrounds, Cronin said. When youngsters from economically disadvantaged background apply for admission, 37% are accepted.

ADVERTISING

However, when students in the remaining 56% apply, the whiter, more economically advantaged students, 65% of those who apply, are accepted, Cronin said, who called the discrepancy in admittances a glaring inequity and urged the state to close the opportunity gap.

“This has big implications for creating economic opportunity for the area's working poor households,” Cronin said. “We need to stop treating vocational schools as if they were private schools. There is no substitute for a seat in a trade school.”

Lottery system suggested

Cronin said he is in favor of using a lottery system to fill the 10,000-plus seats in the state's 28 public vocational high schools.

Currently, the only criteria for acceptance into the programs should be qualifying for promotion from eighth grade to ninth grade after successfully completing elementary education.

Systematically excluding members of protected classes — students of color, students with disabilities, English-language learners and economically disadvantaged youth from acceptance into vocational programs — excludes them from future economic gains, future economic stability and an entry into the middle class, Cronin said.

"No other public school system is allowed to do this, to selectively choose who enters their doors for educational opportunities," said Andrea Shepphard Lomba, executive director of United Interfaith Action of Southeastern Massachusetts, which is a member of the coalition. "We are saying today that this is unjust and it's a violation of our students' and our families' civil rights."

The coalition says DESE regulations approved in 2021 to address admissions policies "made only minimal changes, and DESE continues to grant CVTE (Career and Vocational Technical Education) schools' substantial discretion over their admission procedures."

The 2021 regulations were intended to "promote equitable access," by removing the requirement that grades, attendance, discipline records and counselor recommendations be used as admissions criteria.

DESE Commissioner Jeffrey Riley said at the time that his department planned to be "very forceful" in cases of non-compliance and could in some cases "order changes to admission policies that may include requiring a lottery" system for admittance.

The coalition argued Thursday the DESE's regulation changes were too broad and have not been enforced to make a significant change.

Since the 2021 regulation change was adopted, one of the 28 CVTE schools in Massachusetts has moved away from old admissions criteria to a lottery, the coalition says.

Assabet Valley utilizes admissions lottery

Assabet Valley Regional Technical High School in Marlborough is currently the lone vocational school using the coalition's recommended system, and showed an overall increase in applicants from all but one protected student group, and the percentage of students of color, low-income students and students with disabilities offered seats increased, VEJC said.

The lawsuit does not specify that it is seeking a lottery system, Lawyers Committee for Civil Rights attorney Mirian Albert said. The two legal groups are asking the Department of Education's Office of Civil Rights to initiate an investigation that finds these admission policies unlawful under federal civil rights law and the American Disabilities Act, she said.

When asked if the Department of Education could withhold funds to DESE until it implements an "equitable system" as laid out in the complaint, Albert said "DESE being a recipient of federal funds, it has to comply with civil rights obligations."

"If DESE is not complying with that, you know, that would be a consequence," she said.

DESE received \$12,789,742 in federal grants from the USED in 2020-2021, according to the complaint.

The legal action is paired with two new bills filed in the House and Senate by Cronin and state Rep. Antonio Cabral of New Bedford.

The bills would replace the admittance criteria that includes attendance records, guidance counselor reports, behavior complaints and grades with a lottery system. The Senate docket calls for a "blind lottery," while Cabral's legislation requires a "weighted lottery," which would be weighted towards "protected classes, including

but not limited to, students of color, economically disadvantaged students, students with disabilities and English language learners."

Both bills would also create waitlists for students who did not get a spot from the lottery.

"Our position is not radical. Public schools should no longer be able to use private school admissions criteria to systematically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools," Cronin said. "So let's stop denying kids from disadvantaged backgrounds a pathway to the middle class."

Executive Director of the Massachusetts Association of Vocational Administrators Steve Sharek said the organization is committed to giving any student who wants to go to vocational school the opportunity to do so.

"There simply aren't enough seats to meet the growing demand," he said in a statement. "Our schools are very serious about expanding access to a more diverse population of students. We're committed to improving our admissions procedures. Nearly 97 percent of the regional vocational-technical and agricultural high schools in Massachusetts have made changes in their admissions policies, practices, or staffing. We're seeing improvement.

"We need two things: (1) a bit more time to gauge what impact all these changes are making and (2) better access to middle schools so we can inform all students about the kind of education we offer. In some cases, we have only limited access to students in some of these protected classes."

Worcester Telegram & Gazette reporter Kinga Borondy contributed to this story.

https://www.salemnews.com/news/federal-lawsuit-targets-vocational-school-admissions-policies/article_55b02e34-a31e-11ed-8392-ab0460d02e87.html

Federal lawsuit targets vocational school admissions policies

- By Christian M. Wade | Statehouse Reporter. Salem Daily News
- Feb 2, 2023

BOSTON — Civil rights groups have filed a federal lawsuit against Massachusetts over its “exclusionary” admissions policies at vocational and technical schools, alleging the taxpayer-funded schools are cherry-picking high-performing students while weeding out minorities and low-income applicants.

The complaint, filed by the Vocational Education Justice Coalition on behalf of several prospective vocational students, alleges that the state Department of Elementary and Secondary Education has “persistently failed to properly interpret the civil rights laws” in its statewide admissions policies.

That has allowed the state’s 37 vocational and technical schools to continue using “unvalidated criteria that disproportionately exclude students in protected classes,” lawyers for the coalition allege in the 181-page complaint.

“The result is public school admissions processes that begin to resemble those at selective private schools — where students are ‘rank ordered’ on various exclusionary criteria and then offered admission based on their point score,” they wrote.

The complaint asks the U.S. Department of Education’s Office of Civil Rights to suspend any federal education funding to the state unless it prohibits the schools from utilizing “discriminatory admissions criteria” and require a “more equitable admission process” for students.

The coalition said the latest admissions data shows that of students applying to vocational and technical schools for the current school year, nearly 50% were white, compared to 37% minorities. Only 30% of students admitted in the current school year were English language learners, they said.

School administrators say they’ve taken steps to diversify student bodies by updating their admissions policies to comply with state regulations.

A recent survey by the Massachusetts Association of Vocational Administrators found nearly 97% of the state’s regional vocational-technical and agricultural high schools have made changes in admissions policies, practices or staffing in recent years.

The changes ranged from doing away with the traditional system of ranking applicants on their academic, attendance and disciplinary records, to increasing bilingual staff and allowing interviews as part of the application process.

Some schools, including the Essex North Shore Agricultural & Technical School in Danvers, have been testing out a lottery system in parts of the admissions process, according to the report.

Steven Sharek, the association's executive director, said vocational schools are "very serious" about expanding access to low-income and minority students, but need more time to implement changes and more funding to help build new schools and expand classrooms.

"We're committed to improving our admissions procedures," he said in a statement. "We're seeing improvement."

Nearly 55,000 Massachusetts high school students are enrolled in career and technical education programs. An estimated 6,000 students are on waiting lists to get into the schools, according to the association.

"There simply aren't enough seats to meet the growing demand," Sharek said. "To fix this, we need a massive capital investment to expand our schools and build new ones."

For years, education reform advocates, lawmakers and local officials have called on state education leaders to mandate that vocational schools use lotteries, like other schools, to fill limited classroom openings at vocational and technical schools.

Currently applicants are scored on their academic, attendance and disciplinary records.

Legislation that would set up a lottery system has been filed in several consecutive legislative sessions, but the effort has failed to win traction. Similar proposals have been re-filed for consideration in the new two-year session.

In 2021, Education Commissioner Jeff Riley singled out six vocational schools that had “enrollment discrepancies” between their student demographics and those of the traditional high schools in their communities.

He sent letters to the schools asking them to voluntarily make changes to admissions policies “that may be impacting equitable student access.”

Municipal leaders, including Haverhill Mayor Jim Fiorentini, had called on the state to scrap the current admissions policies.

Instead, the state Board of Elementary and Secondary Education adopted new regulations requiring vocational schools to adopt “data-informed admissions policies” to promote “equitable access” to the programs. Under the rules, the equity plans will be subject to annual approval by local school committees.

But advocates say the data shows that those changes have done little to even out disparities in school admissions.

“Any student who successfully completes middle school should have an equal shot admission to a vocational educational program,” said Andrea Shepherd Lomba, with the Massachusetts Communities Action Network, which is part of the coalition. “Rank-ordering students based on their grades or attendance, and only admitting the top students, is antithetical to the whole purpose behind vocational education.”

Christian M. Wade covers the Massachusetts Statehouse for North of Boston Media Group's newspapers and websites. Email him at cwade@cnhnews.com

<https://www.tauntingazette.com/story/news/education/2023/02/02/lawsuit-alleges-civil-rights-violations-in-voc-tech-admissions/69863920007/>

Lawsuit against DESE alleges civil rights violations in voc tech admissions



Audrey Cooney

The Herald News. Printed in the Taunton Gazette. February 3, 2023

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BOSTON — A coalition of Massachusetts community groups, unions and civil rights organizations filed a federal civil rights complaint against the state's Department of Elementary and Secondary Education on Thursday, alleging the state allows vocational technical high schools to use admissions policies that discriminate against protected classes of applicants.

“Our position is not radical. Public schools should no longer be able to use private schools' admissions criteria to systemically discriminate and keep the most vulnerable eighth graders in our state out of our trade schools,” said state Sen. John Cronin, a Democrat who represents Fitchburg. “So, let's stop denying kids from disadvantaged backgrounds a pathway to the middle class.”

Cronin was speaking at a press conference on Thursday morning organized by the Vocational Education Justice Coalition, the group behind the lawsuit.

Lawyers from Lawyers for Civil Rights and the Center of Law and Education have filed a federal civil rights complaint to the United States Department of Education's

Office of Civil Rights on behalf of four students from Chelsea and Gardner. The complaint alleges that vocational technical high schools discriminate against students of color, disabled students, students who are economically disadvantaged and those who are English Language Learners by looking at criteria like grades, attendance and disciplinary records for students applying for admission.



The complaint asks the U.S. Department of Education's Office of Civil Rights to suspend federal funding to DESE until the state department instructs vocational schools to stop using what the coalition calls discriminatory admissions criteria and implement a fairer admissions process.

The coalition is also asking Gov. Maura Healey to ask the state's Board of Education to change the admissions policy from the ranking of students to a lottery. Cronin and state Rep. Tony Cabral, a Democrat from New Bedford, have filed legislation that would require vocational schools to use a lottery for admissions.

A representative for DESE provided a statement in response to news of the complaint: "The Department of Elementary and Secondary Education (DESE) is reviewing the

complaint that the Vocational Education Justice Coalition filed with the Office for Civil Rights and cannot comment on the allegations at this time."

A call to unify admission standards

Cabral, an immigrant from Portugal, said vocational schools should be held to the same standards as other public schools because of the important opportunities they can provide.

"At the age of 14, I couldn't speak a word of English. And why am I here today? Because of public schools and the opportunities I had at public schools," he said during Thursday's press conference.



Previously, the state instructed all vocational high schools to look at applicants' grades, attendance, discipline records and recommendations from school counselors. In June of 2021, the state issued a new directive that says schools must now make their own admissions policies. These policies may not consider a student's record of excused absences from school, or minor behavior or disciplinary infractions.

Schools must also create 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.”

Only one of 28 vocational schools uses a lottery

But advocates say this change has not gone far enough and are pushing to require vocational schools to use a lottery system that would not rank some students over others. Out of 28 vocational high schools in Massachusetts, only one, Assabet Valley Regional Technical High School in Marlborough, has switched to a full lottery system for admissions offers. The other 27 all use a points-based ranking system when considering applicants, which includes looking at students' disciplinary records.



The coalition analyzed data from DESE on admissions to the state's vocational high schools for the 2022-2023 school year. It indicates that across the 27 vocational schools statewide that have not switched to a lottery system, 55% of applicants of color were offered admission versus 69% of white students, 54% of economically disadvantaged of applying students were admitted versus 72% of non-economically advantaged students, 54% of applicants who are special education students were offered admissions versus 65% of general education students, and 44% of applicants who are English Language Learners were admitted versus 64% of students who are not English Language Learners.

“Why is it that our futures are decided on middle school grades, discipline records, attendance and recommendations made by people who may not even know us instead of judging us purely on our show of potential for hard work and determination?” said Josue Castellon, a junior at Chelsea High School who applied to vocational school but was waitlisted.

Advocates for the lottery system said relying on grades and factors like disciplinary records means students who struggle in a traditional academic setting but who could

potentially thrive in a vocational school miss out on that opportunity. The admissions policies also mean students from disadvantaged groups apply to vocational schools at lower rates than their peers, members of the coalition said, because they assume they will not be admitted because of factors like their grades or attendance record.

Renee Ledbetter, president of United Interfaith Action and president of the New Bedford branch of the NAACP, spoke during the press conference about a student she worked with in New Bedford who was admitted to Greater New Bedford Regional Vocational Technical High School after they moved to a system that is still mostly ranked but allows for 65 students to be admitted through a lottery. This student struggled in school and at home and had a lot of absences, but found a renewed enthusiasm for school after being admitted to vocational school.

“He began to change even before he entered New Bedford Voke this past year. He finally felt worthy. He rose to the opportunity, and he now has As and Bs in all his classes, has a great disciplinary record and is doing well at home,” she said.

SouthCoast vocational schools have disparity in admissions

Both Diman Regional Technical High School in Fall River and New Bedford Voke have lower rates of students who are people of color, disabled, low-income and English Language Learners than the traditional public school districts in their home cities. Both schools admit students from relatively wealthier towns with a higher white population along with students from their home cities, which could account for some disparities.

Voke in particular has seen a sharp disparity in admissions from some disadvantaged groups, especially among English Language Learners. Following the 2021 change from DESE, the school switched to a partial lottery system for admissions.

New Bedford Mayor Jon Mitchell has been outspoken about the need for vocational schools to change their admissions policies. He called the school’s new policy a lottery “only in name” that has not increased the school’s admission of English

Language Learners and said it is flawed in particular because it excludes students who are chronically absent.

This year, despite the move to admitting some students through a lottery, Voke admitted 35% of English Language Learner applicants compared to 66% of students who were not ELL students, according to state data. This means that 4.2% of all students who received offers were ELL students, 29 students in total. In New Bedford Public Schools, state data shows 26.1% of students are English Language Learners.

Voke also admitted 49% of special education applicants versus 66% of general education applicants. Special education students made up 11.6% of accepted applicants, while making up 22.1% of students in New Bedford Public Schools.

“Nobody should confuse any of this with my respect for vocational education and in particular for Greater New Bedford Regional Vocational Technical High School. Our Voke school has performed very well and it’s an institution I’ve long supported,” Mitchell said. “The problem is they have an admissions policy that unfairly keeps some kids out.”

Since the new instructions from DESE were released, Diman has switched to looking at an applicant’s grades and attendance and asking for a letter of recommendation from a school counselor. They now only consider a student’s disciplinary record if a student was charged with a felony or received a suspension of longer than 10 days, according to principal Andrew Rebello. The school previously asked for three letters of recommendation and also considered minor disciplinary infractions.

Brian Bentley, Diman’s interim superintendent, said the school has recently ramped up its ELL services and hired more special education teachers.

Still, Diman has seen a wide gap in recent admission rates among some disadvantaged groups, according to the DESE data. This year, the school admitted 18% of ELL applicants versus 40% of non-ELL applicants, and 31% of economically disadvantaged students compared to 51% of applicants who were not economically disadvantaged. Of students who applied this year, 4.6% of those admitted, 21 students,

were ELL students. In Fall River Public Schools, 21.3% of students are English Language Learners.

Some gaps were narrower and showed an increase in the rates at which members of a disadvantaged group was admitted; 34% of special education applicants were admitted this year verses 39% of general education applicants. This means 15.2% of students who were accepted were special education students. Currently, 9.9% of students at Diman are in special education.

Bentley said he would want to wait until more data is available before considering moving to a lottery system, and that he's happy with the progress Diman is making toward making the school reflect the demographics of its sending communities. DESE approved their new admissions policies and has not instructed them to change them, he pointed out.

“Right now, we're comfortable, unless the department rules otherwise,” he said.

Vocational school admissions debate at center of New Bedford stand-off

By Michael Jonas
CommonWealth executive editor
February 3, 2023

Critics of vocational school admissions in the state are now literally making a federal case of the issue with yesterday's filing of a civil rights complaint with the US Department of Education alleging discriminatory practices in the admissions policies at Massachusetts

The three communities served by the school - New Bedford, Dartmouth, and Fairhaven - get appointees on the vocational school board. But Mitchell's efforts to name a board member who favors reform of the admission policies have twice been blocked by the city council.

After one nominee was shot down, he put forward another candidate, Carol Pimental, but her nomination was rejected last month in a 5-4 vote. Councilors voting against Pimental made

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Hot commodity: In demand where they were once spurned, vocational high schools need more seats for students, not lawsuits

By David Mancuso

Parents and their lawyers are calling for fair access to some of the state's better performing public schools. This time the focus is on vocational schools. Like the fight against charter schools in the past, the argument is once again about "cherry picking" top performing students over students of color, or lower incomes.

Lawyers for Civil Rights and the Center of Law and Education filed a lawsuit last week arguing the state allows vocational schools to use "exclusionary criteria," such as attendance, discipline records, English language skills, disabilities, and attendance to determine who gets access to the education vocational schools provide and who doesn't.

In 2021, the state eliminated a requirement that vocational programs weigh applicants' academic records. The suit suggests that most vocational schools still use the practice.

Mirian Albert, staff attorney for Lawyers for Civil Rights told, The Boston Globe that students interested in a vocational career should be given a “fair shot,” at being able to attend a vocational school. “All students are different, and they have different skills and abilities,” Albert told the paper. “Public school education should celebrate those differences and uplift these students...”

Ok, do we really need a lawyer to argue that point in court

There is clearly high demand for what vocational schools offer. Every businessperson knows that combining demand with scarcity either drives up the price of admission or leads to organizational failure. A lawsuit will not reduce the waitlist or the need for vocational education. Scarcity is seldom resolved in the courts and is best addressed by increasing supply - and, in this case, increasing the number of vocational schools.

“The model of applied learning works,” Heidi Riccio, superintendent of Essex North Shore Agricultural & Technical School, told Contrarian Boston. “We should be looking at ways to expand vocational education across the Commonwealth as the need for this form of learning has proven to be a success.

Our workforce and economy in the Commonwealth are depending on schools to do the work necessary to build the career pipeline. Vocational schools fill a critical need. Attacking rather than supporting them seems counter-productive for everyone.

Would it not be better for everyone for the state to increase the number of vocational school seats available, or is that solution too obvious?

Photo by PTTI EDU on Unsplash