

SCHOOL CHOICE MATTERS

Massachusetts Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Massachusetts

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Massachusetts laws provide that students may attend school in a city or town where they do not reside, provided that the receiving district is paid a tuition rate by the commonwealth.</p> <p>These laws require acceptance of open enrollment students if capacity exists; however, districts may adopt resolutions withdrawing from the obligation to accept students. This resolution must be filed with the Department, but the Department has no power to review this type of decision.</p> <p>(General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding)</p>
<p>Transfers Within Districts</p>	<p>LIMITED</p> <p>School officials can block transfers</p>	<p>Massachusetts schools may have an intradistrict choice plan – in situations where nonresident students apply for these schools, the intradistrict choice plan may give preference to resident students in assigning students to schools.</p> <p>(General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding)</p>
<p>Year-round Transfer Window</p>	<p>LIMITED</p> <p>Restricted transfer window</p>	<p>The application process is to be established by the local district, which includes the admission deadlines. A school choice district may accept students at any time during the year – except if there are more applicants than seats available, the receiving district must conduct a random selection process with specific deadlines.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Advisory on Inter-District school Choice Pursuant to G.L. c. 76, Sec. 12B, Frequently Asked Questions and Answers)</p>

<p>Tuition-Free Public Schools</p>	<p>YES Prohibition on parent tuition</p>	<p>The receiving district is responsible for paying tuition for inter-district school students. The tuition amount is equal to 75% of the actual per pupil spending amount, but not more than \$5,000.</p> <p>(General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding)</p>
<p>School Capacity Transparency</p>	<p>NO No transparency policy</p>	<p>School districts report information on open enrollment to the state and the state posts this information on the Inter-District School Choice. This includes data on which districts have elected to administer a school choice program for the upcoming school year and for which grades. Districts are not required to report school capacity by grade level.</p>
<p>Transfer Data Transparency</p>	<p>LIMITED Information only collected and/or some data not reported</p>	<p>Annually, the school committee of each city, town, or regional school district must submit a report to the Department of Elementary and Secondary Education noting the:</p> <ul style="list-style-type: none"> • Capacity of each school for the following academic year; • The number of students expected to attend school in the district the following academic year; • The number of open enrollment students in the prior year and those who are expected to no longer be attending; • The number of additional seats available to non-resident students reduced by the number of students enrolled under the program for the elimination of racial imbalance. <p>(General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding)</p> <p>The Department posts the school choice receiving district status on the Inter-District School Choice page, which includes which districts participate and what grades are available for enrollment.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Inter-District School Choice Receiving District Status (2023))</p>
<p>Transparent Appeal Process</p>	<p>NO</p>	<p>Massachusetts policy does not provide for an appeal of a district’s denial of transfer.</p>

SOURCE CITATIONS

Statutes

[General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding](#)

State Department of Education

[Massachusetts Department of Elementary and Secondary Education, Inter-District School Choice](#)

[Massachusetts Department of Elementary and Secondary Education, Inter-District School Choice Receiving District Status \(2023\)](#)

[Massachusetts Department of Elementary and Secondary Education, Advisory on Inter-District school Choice Pursuant to G.L. c. 76, Sec. 12B, Frequently Asked Questions and Answers](#)



Charter Schools in Massachusetts

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>LIMITED</p> <p>No real authorizer options</p>	<p>Massachusetts law provides for two charters:</p> <ul style="list-style-type: none"> • A commonwealth charter school, a public school operated independently of a school committee and managed by a board of trustees; and • A Horace Mann charter school, operated under a charter approved by the school committee and the local collective bargaining unit. <p>Massachusetts provides for only one option for charter school authorizers: the Board of Elementary and Secondary Education. Both kinds of charters must be authorized by the Board to operate.</p> <p>(General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>
<p>Charter Appeal Process</p>	<p>NO</p> <p>No appeals process</p>	<p>Massachusetts law does not provide for an appeal when an application is denied.</p>
<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Massachusetts law provides that charter schools must operate in accordance with its charter and the provisions of law regulating other public schools. Section 41 (tenure of teachers and superintendents) and Section 42 (dismissal or demotion of teachers) do not apply to employees of commonwealth charter schools.</p> <p>Horace Mann charter schools are exempt from local collective bargaining agreements, to the extent provided by the terms of the charter. However, employees of these charter schools will continue to be members of the local collective bargaining unit.</p> <p>Charter school employees, according to Massachusetts law, are considered public employees for collective bargaining.</p> <p>Educators must be certified, or they must have successfully passed the state teacher tests as required in law.</p>

		<p>(General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>
<p>Equitable Charter Funding</p>	<p>YES</p> <p>Students are funded as in a traditional district school</p>	<p>Massachusetts law provides that no public school district’s total charter school tuition payment to commonwealth charter schools shall exceed 9% of the district’s net school spending.</p> <p>The funding formula established by Massachusetts law requires the commonwealth to pay a tuition amount to the charter school, which is the sum of the tuition amounts calculated separately for each district sending students to the charter school. As much as practicable, this amount must be the actual per pupil spending amount that would be expended in the school district if the student were to attend the district schools.</p> <p>The per pupil tuition amount must include a per pupil foundation budget component, adjusted to reflect the actual net school spending in the sending district, and a per pupil facilities component.</p> <p>Further details on the funding formula are provided in the charter school law.</p> <p>(General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>
<p>Charter Facilities Funding</p>	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>Massachusetts law makes clear that charter schools have the power to acquire real property, from public or private sources, by lease, lease with an option to purchase or by gift, for use as a school facility. For Horace Mann schools, the approval of the local school committee is to be obtained before acquisition of any real property owned or controlled by the body.</p> <p>A charter school may be located in part of an existing public school building, in space provided on a private work site, in a public building or any other suitable location.</p> <p>Massachusetts laws clearly prohibits school building assistance funds authorized under the law to be awarded to a commonwealth charter school for the purpose of constructing, reconstructing, or improving a commonwealth charter school.</p> <p>Subject to an appropriation, the Department must provide funding for a portion of the per pupil facilities needs component. For fiscal year 2023, and every year after, the funding must not be less than \$1,088 per student.</p> <p>(General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>

<p>Options for High-Performing Charters</p>	<p>LIMITED No opportunities for high-performing charter schools</p>	<p>When deciding on charter renewal, the Board must consider progress made in student academic achievement. There does not appear to be other policies relating to high-performing charter schools and related incentives. (General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>
<p>Charter Zoning Exemptions</p>	<p>LIMITED Less than full protections</p>	<p>No policies found relating to exemptions from local zoning and ordinances for charter schools.</p>

SOURCE CITATIONS

Statutes	Administrative Code	State Department of Education
<p>General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding</p>	<p>603 CMR 1.00 Charter Schools</p>	<p>Massachusetts Department of Elementary and Secondary Education, Massachusetts Charter Schools</p>



Private School Choice in Massachusetts

POLICY	OVERALL RATING	PROGRAM OVERVIEW
Universal Eligibility	<p>NO</p> <p>No choice program</p>	<p>Massachusetts does not have a private school choice program.</p>
Comparable Student Funding	<p>NO</p> <p>No choice program</p>	
Uncapped Student Access	<p>NO</p> <p>No choice program</p>	
Extended Application Window	<p>NO</p> <p>No choice program</p>	
Student Testing Options	<p>NO</p> <p>No choice program</p>	
School Autonomy	<p>NO</p> <p>No choice program</p>	

Accessible School Participation	NO No choice program	
ESAs and Parent-Directed Spending		
Freedom to Customize	NO No ESA or microgrant program	Massachusetts does not have an education scholarship account or microgrant program.
Freedom to Access	NO No ESA or microgrant program	
Carry-Over Funding	NO No ESA or microgrant program	
Tax Credits		
Full Tax Credit	NO No choice program	Massachusetts does not have an education tax credit program.



Homeschooling in Massachusetts

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p>NO Permission required</p>	<p>Massachusetts law provides that students may meet compulsory attendance requirements by attending a “day school approved by the school committee.”</p> <p>(General Laws Chapter 76, Section 1 Requirements and exceptions)</p> <p>According to the Massachusetts Department of Elementary and Secondary Education, each school committee in the state must have a policy on approving homeschooling plans.</p> <p>These policies are left to the local districts to decide – the Department does not approve home schooling plans or oversee the policies.</p> <p>Parents must first notify the district in which they live that they intend to homeschool their children. Once the district receives this notification, the district will then provide the parent with the district’s policy and ask the parent to submit the proposed homeschool plan for approval.</p> <p>According to the Department, the district will review the proposed homeschool plan for the content, instructional materials, duration and frequency of instruction, methods of instruction, evaluation, and whether it enables the child to make adequate progress in the areas that Massachusetts identifies as essential.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Home Schooling)</p>
<p>No Extra Homeschool Notifications</p>	<p>NO Annual notification</p>	<p>Massachusetts policy does not require parents to provide annual notification. Home school policies are left to the discretion of the local school district.</p> <p>Note Per HSLDA: “Although Massachusetts school districts vary, HSLDA has found that most require an annual notice of intent to provide home instruction.”</p> <p>How to Comply with Massachusetts' Homeschool Law (hslida.org)</p>

<p>No Certification to Homeschool</p>	<p>YES No certification requirement</p>	<p>Massachusetts policy does not require homeschool parents to possess teacher certification.</p>
<p>Flexible Assessment Options</p>	<p>YES Flexible academic accountability</p>	<p>Massachusetts does not provide for assessment of academic progress of homeschool students. Massachusetts law does require “instruction in all the studies required by law” to be equal in “thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town.” (General Laws Chapter 76, Section 1 Requirements and exceptions)</p>

SOURCE CITATIONS

Statutes

[General Laws Chapter 76, Section 1 Requirements and exceptions](#)

State Department of Education

[Massachusetts Department of Elementary and Secondary Education, Home Schooling](#)

POLICY ENHANCERS



Part-time Enrollment in Massachusetts

POLICY	RATING	POLICY OVERVIEW
Resident Course Access	<p>LIMITED</p> <p>By type of student, type of course, or district policy</p>	<p>Part-time enrollment of homeschool students is at the local school district's discretion. The Department does not review these decisions.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Home Schooling)</p> <p>Massachusetts policy does not address private school student access to part-time enrollment.</p>
Nonresident Course Access	<p>LIMITED</p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>Massachusetts policy does not provide for part-time enrollment in public school courses outside of a student's district of residence.</p>
Virtual Course Access	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Commonwealth virtual schools are authorized by Massachusetts law – there is no indication these options are available to nonpublic and homeschool students. Through an education collaborative of two or more boards of trustees of charter schools, charter school students may participate.</p> <p>(General Laws Chapter 71, Section 94 Commonwealth virtual schools)</p> <p>Massachusetts has created two commonwealth virtual schools that serve students in grades K-12:</p> <ul style="list-style-type: none"> • Greater Commonwealth Virtual School • TEC Connections Academy Commonwealth Virtual School

		<p>Students may take individual courses at these virtual schools, so long as there is an agreement between the school and the student’s local school district.</p> <p>(Massachusetts Dept of Elementary and Secondary Education, Virtual School Frequently Asked Questions – For Parents)</p> <p>Massachusetts also offers single district virtual schools.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Single District Virtual Schools (SDVS))</p>
<p>Extracurricular Access</p>	<p>NO</p> <p>No requirement to make extra/ co-curricular opportunities available to all students</p>	<p>Homeschool student participation in athletics and other extracurricular activities is left to the local district's discretion. The Department does not review these decisions.</p> <p>(Massachusetts Department of Elementary and Secondary Education, Home Schooling)</p> <p>The MIAA Handbook for participation in interscholastic athletic events provides that students who are not being educated on the high school campus that will issue their diplomas are not eligible to participate unless they receive a waiver.</p> <p>(Massachusetts Interscholastic Athletic Association, Rules and Regulations Governing Athletics)</p>

SOURCE CITATIONS

<p>Statutes</p> <p>General Laws Chapter 71, Section 94 Commonwealth virtual schools</p>	<p>State Department of Education</p> <p>Massachusetts Department of Elementary and Secondary Education, Home Schooling</p> <p>Massachusetts Dept of Elementary and Secondary Education, Virtual School Frequently Asked Questions – For Parents</p> <p>Massachusetts Department of Elementary and Secondary Education, Single District Virtual Schools (SDVS)</p>	<p>Other Resources</p> <p>Greater Commonwealth Virtual School</p> <p>TEC Connections Academy Commonwealth Virtual School</p> <p>Massachusetts Interscholastic Athletic Association, Rules and Regulations Governing Athletics</p>
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Learn Everywhere in Massachusetts

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	<p>Massachusetts has not established a Learn Everywhere program.</p>
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Massachusetts

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p>LIMITED</p> <p>Less than equitable and/or for some students only</p>	<p>Subject to an appropriation, Massachusetts law notes that the Board must develop and administer a school choice transportation reimbursement program to reimburse the transportation of students participating. Students eligible for the reimbursement will be limited to those eligible to receive free or reduced cost lunches.</p> <p>(General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding)</p>
<p>Fair Transportation Access</p>	<p>YES</p>	<p>Private School Students Massachusetts laws provide that students who attend approved private schools, in both elementary and high school grades, are entitled to the same rights and privileges as to transportation to and from school as are provided for students in public schools.</p> <p>(General Laws Chapter 76, Section 1 Requirements and exceptions)</p> <p>Charter School Students Massachusetts law provides that students who reside in the school district in which the charter school is located must be provided with transportation to the charter school by the resident district’s school committee on similar terms and conditions as transportation is provided to students attending local district schools, so long as the transportation is requested by the charter school.</p> <p>(General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding)</p>

<p>Vehicle Flexibility</p>	<p>YES</p>	<p>Massachusetts laws provide for the vehicle requirements for school buses when transporting students to and from schools.</p> <p>(General Laws Chapter 90, Section 7B Equipment and operation of school buses)</p> <p>Massachusetts has promulgated rules for the minimum standards for construction and equipment of school buses.</p> <p>Massachusetts Rules provide for Type A, Type B, Type C, and Type D buses – Type A vehicles are van-type compact vehicles designed for carrying more than ten persons.</p> <p>(540 CMR 7.00 Minimum Standards for Construction and Equipment of School Buses and Minimum Standards for School Pupil Transport Vehicles)</p>
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SOURCE CITATIONS

<p>Statutes</p> <p>General Laws Chapter 71, Section 89 Commonwealth charter schools; Horace Mann charter schools; applications; enrollment; employees; funding</p> <p>General Laws Chapter 76, Section 1 Requirements and exceptions</p> <p>General Laws Chapter 76, Section 12B Definitions; attendance of school other than in city or town of residence of child; reports; tuition; parent information system; transportation reimbursement program; funding</p>	<p>Administrative Code</p> <p>540 CMR 7.00 Minimum Standards for Construction and Equipment of School Buses and Minimum Standards for School Pupil Transport Vehicles</p>
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