



Office of the Superintendent

Mary Skipper, Superintendent
Bruce C. Bolling Municipal Building
2300 Washington Street, 5th Floor
Roxbury, Massachusetts 02119

617-635-9050

superintendent@bostonpublicschools.org
www.bostonpublicschools.org

MEMORANDUM

TO: Chairperson and Members and Boston School Committee
FROM: Superintendent Mary Skipper *AKES*
DATE: May 8, 2024
RE: Inter-district School Choice Program: 2024-2025 School Year

Background

The purpose of this memorandum is to request that a public hearing concerning Boston's participation in the School Choice program during school year 2024-2025 be scheduled for Wednesday, May 22, 2024. The public hearing should be conducted before the scheduled School Committee meeting.

As indicated in the attached document, the Educational Reform Act of 1993 amended the Massachusetts School Choice Law establishing a presumption that each school committee will admit non-residents under the Inter-district School Choice Program unless there is a vote to the contrary by June 1 each year. The law requires that a public hearing be held and that a resolution stating the reasons for withdrawing from the school choice obligation be stated as part of the resolution not to participate.

Since the law was enacted in 1994, the School Committee has annually voted to opt out of the School Choice Program in order to ensure that Boston resident students have priority access to all of our Boston Public Schools (BPS).

Because BPS has opted out of the School Choice Program for the past 30 years, there is no available data to assess the impact if the district did participate in School Choice. Indeed, BPS could not accurately project how many non-resident students would enroll and the impact of that enrollment in terms of the grade levels, communities, and overall cost of participation.



During last year's discussion of the School Choice Program, School Committee members raised questions about the impact of voting to opt out of the program versus participating in the program. Members asked about enrollment, parent choice and the participation status of surrounding communities. Given last year's discussion, we have included additional information to address some of the questions raised. We will also be sharing a brief presentation.

Possible Implications of Participation in School Choice

Under the School Choice Program, when a non-resident student is admitted to a district other than their home district they are considered to be a student in the receiving district and must be treated the same as district resident students while they are enrolled. Accordingly, once enrolled in BPS, any non-resident student is entitled to the same rights and opportunities as resident students including, but not limited to, access to services, transportation and the ability to transfer between schools or programs until they graduate or leave the system. Non-resident students will also have the opportunity to gain acceptance to special admissions high schools, including the city's exam schools, Madison Park Technical Vocational High School, the Boston Arts Academy and other programs. Under the School Choice program, non-resident students' siblings are entitled to sibling preference at the school they attend.

Rationale and Recommendation

Our consideration of the issues involved in deciding whether the Boston Public Schools should participate in School Choice during the 2024-2025 school year is based upon (1) student assignment issues, (2) space limitations, (3) cost implications, and (4) decisions of school committees in neighboring communities.

1. Student Assignment Issues

As of April 1, 2024, an enrollment of 50,205 has been projected for the 2024-2025 school year. Currently, approximately 49,338 students are enrolled in the Boston Public Schools. The implications for non-resident student assignments to BPS are as follows:

- Historically, during the months of July, August and early September, a large number of students who are Boston residents continue to seek school assignments. We are required to provide an assignment for these residents. Enrollment of non-residents in BPS should not take precedence over residents who continue to apply for school assignments through early October.
- In addition, newly arrived families from outside of the United States continue to relocate to Boston and enroll in BPS throughout the school year. Allowing the enrollment of

non-residents would mean that spaces at our most in-demand schools could be more full than usual and that residents who apply late, including newcomers, may not be placed in their first choice school or receive a placement at all, depending on the grade level.

- The district's obligation is to provide seats for city residents. The BPS student assignment policy currently doesn't allow for us to hold seats for latecomers. The district would need to introduce a policy addressing that first. The BPS student population is highly mobile and the district enrolls many students over the course of the year. It would be hard to know how many seats we could assign to non-residents without risking losing seats for residents.

2. Space Implications

Certain schools and programs are popular and over-chosen by Boston residents. Program expansion may not be feasible due to the physical limitations of our buildings should there be an influx of new students.

3. Cost Implications

According to the [state law](#), the tuition for a non-resident student enrolling in a receiving district is 75 percent of the receiving district's actual per pupil spending, but not more than \$5,000. The cost increases incrementally for special education students depending on the services they receive. The state treasury will deduct the school choice tuition amount from the sending district's Chapter 70 aid and will deposit it into the School Choice Tuition Fund. According to the Massachusetts Department of Elementary and Secondary Education (DESE), in FY23 13,541 students participated in the School Choice Program.

Unbudgeted costs would result from the need to provide resources to non-Boston residents. Specialized programs, i.e., special education and programs for English Language Learners have either mandated class size or staffing requirements. Non-residents who apply for specialized services would have to be provided the same services as residents. Since many neighboring communities lack services and programs for students requiring specialized programs, our failure to withdraw from School Choice could result in an influx of students from other communities requesting seats in specialized programs, resulting in unbudgeted costs and fewer seats for residents.

Students who participate in the School Choice Program do not receive transportation services unless those services are included in a student's IEP and/or 504 Plan. Non-resident students with specialized transportation in their IEP and/or 504 Plan would require transportation be provided by the receiving district, but the sending district must reimburse for the full cost.

Because students cannot be on the bus for more than 60 minutes and most of our current routes are already at or near this limit, providing non-resident students with yellow bus transportation would require adding new bus routes to our system. This would be extremely operationally challenging, as our transportation system is already operating at capacity. It would require adding additional buses, drivers, and bus monitors to the fleet, as well as likely expanding to an additional bus yard. All of this would entail new, unbudgeted costs that would likely be substantial. Alternatively, the district could reduce existing service in order to create capacity to meet the new need (e.g. by expanding walkzones so that fewer in-district students qualify for yellow bus transportation).

4. Decisions of Neighboring Communities

During the 2023-2024 school year, 145 school districts, including Boston, did not participate in the Choice Program. None of the communities surrounding the City of Boston participated, including Brookline, Cambridge, Chelsea, Quincy, Dedham, Needham, Milton, Somerville, and Revere. It is expected that they will continue to recommend non-participation during the 2024-2025 school year. The fact that these bordering communities will not participate in the School Choice Program means that Boston students will not be transferring to nearby school systems. Therefore, participating in the School Choice Program will open seats in Boston to non-residents without any reciprocity. You can find the full list of districts [here](#).

Recommendations

Based on the current enrollment in the Boston Public Schools, I recommend that the School Committee vote to withdraw from participation in the state Inter-district School Choice Program for the 2024-2025 school year. I recommend that this vote be taken by the School Committee at the May 22nd, 2024 School Committee Meeting.

Attached you will find DESE's Advisory Opinion on the School Choice Program, a copy of the state law regarding school choice and DESE's School Choice Receiving District Status list. Thank you for your attention to this issue.

Attachments:

[Department of Education Advisory Opinion](#)

[MA State Law](#)

[DESE School Choice Receiving District Status](#)