SCHOOL ADMISSIONS

Purpose and Construction of 6-3 CMR 26.00

(1) 603 CMR 26.00 is promulgated to insure the right of access to the public schools of the Commonwealth and the equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools without regard to race, color, creed, sex, gender identity, religion, sexual orientation, age, homelessness, or disability. 603 CMR 26.00 shall be liberally construed for these purposes.

(2) The obligation to comply with 603 CMR 26.00 is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, creed, sex, gender identity, religion, sexual orientation, age, homelessness, or disability.

School Admissions

(1) All public schools in the Commonwealth shall admit students without regard to race, color, creed, sex, gender identity, religion, sexual orientation, age, homelessness, or disability. This includes, but is not limited to regional vocational-technical schools, elementary, secondary, trade, and selective academic high schools.

(2) No school shall discourage in any express or implied manner, applicants for admission because of race, color, creed, sex, gender identity, religion, sexual orientation, age, homelessness, or disability. Written materials used by a school to recruit students shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation, in the agreed, in such material shall depict students of both sexes and of minority groups. Reference to only one sex in the name of schools, programs or activities shall not be retained.

(3) The national citizenship of any applicant shall not be a criterion for admission to any public school nor shall national citizenship be a factor in the assignment or availability of courses of study or extra-curricular activities.

(4) Any standards used as part of the admissions process, including but not limited to testing, the use of recommendations and interviewing, to any public school (as referred to in 603 CMR 26.02 (1)) shall not discriminate on the basis of race, color, creed, sex, gender identity, religion, sexual orientation, age, homelessness, or disability. Limited English-speaking ability (as defined by M.G.L.c.71A) shall not be used as a deterrent to or limitation on admissions.

(5) If admission to any school including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, is dependent upon the participation or completion of courses or programs which were previously limited to students of one sex or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any racial, ethnic or religious group of students to participate in such programs, then such criteria must be abolished.

(6) Nothing in 603 CMR 26.00 shall be construed as to control the interpretation of or interfere with the implementation of St. 1965 c. 641, as amended by St, 1974 c. 636, providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

LEGAL REFS.: M.G.L. 15:IG; 76:1; 76:5; 76:15; 76:15A
603 CMR 26:01; 26:02; 26:03

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