

**Commonwealth of Massachusetts Virtual School Enrollment Restrictions
December 2019**

This memorandum provides guidance regarding enrollment limitations related to the statewide cap on total enrollment in Commonwealth of Massachusetts Virtual Schools and restrictions that school districts may enact as outlined by the [Commonwealth of Massachusetts Virtual School Statute](#) (M. G. L. c. 71, § 94) and the corresponding [Virtual School Regulations](#) (603 CMR 52.00).

Commonwealth of Massachusetts Virtual Schools

A Commonwealth of Massachusetts Virtual School (CMVS) is a public school operated by a board of trustees where teachers primarily teach from a remote location using the Internet or other computer-based methods and students are not required to be located at the physical premises of the school. Each CMVS determines what grade levels it will serve and what particular programs it will offer. The Board of Elementary and Secondary Education (Board) has granted two virtual school certificates, one to the Greenfield Commonwealth Virtual School (GCVS) and one to the TEC Connections Academy Commonwealth Virtual School (TECCA). Each certificate outlines the material terms of the virtual school, including the maximum enrollment numbers per school. Below is a list of Massachusetts virtual schools:

CMVS	Grades Served	Maximum Enrollment
Massachusetts Virtual Academy at Greenfield Commonwealth Virtual School	K-12	750
TEC Connections Academy (TECCA) Commonwealth Virtual School	K-12	2,000

Any student in the state can apply for admission to a virtual school. If more students apply to a CMVS than there is space available, the school will hold a lottery to determine which students will be admitted. Once a student is admitted to a CMVS, he or she is entitled to attend in subsequent years without reapplying.

Restrictions

Statewide 2 Percent Cap

The CMVS statute (M. G. L. c. 71, § 94)¹ and the CMVS regulations (603 CMR 52.00)² articulate that under no circumstances can the total number of full-time students attending a CMVS exceed two percent of the total student enrollment in Massachusetts public schools. In 2019-20 there were 948,828 public school students in Massachusetts, with 2,846 attending the two Commonwealth Virtual Schools, which represents .30 percent of all students.

Annual Process for Statewide 2 percent Cap

The Department will annually calculate, based on the October SIMS data, the number of full-time students allowed to attend the Commonwealth of Massachusetts virtual schools. This cap is based on 2 percent of the total number of full-time students attending public schools in the Commonwealth.

¹ G.L. c. 71, § 94 (c) is as follows, “[u]nder no circumstances shall the total number of full-time students attending commonwealth virtual schools exceed 2 per cent of the total number of students attending public schools in the commonwealth.”

² 52.05: Student Recruitment, Enrollment, and Retention: (1) Statewide Cap. The Board will use the October SIMS data to determine if the number of full-time students allowed to attend a Commonwealth of Massachusetts virtual school is above the 2% cap. Once the 2% cap is reached, no additional full-time enrollments will be allowed.

Discretionary Enrollment Restrictions by District

The CMVS statute (G. L. c. 71, § 94)³ indicates and the CMVS regulations (603 CMR 52.00)⁴ reiterate that a school committee of a sending district may vote to restrict enrollment of its students in a CMVS if the total enrollment of students enrolled the CMVS from the district exceeds 1 percent of the total enrollment in its district; provided, however, that no student enrolled in a CMVS can be compelled to withdraw because of that vote. Only full-time CMVS students count towards the 1 percent threshold.

Annual Process for Discretionary Enrollment Restrictions by District

Guided by the provisions of the virtual school statute, the Department of Elementary and Secondary Education (Department) annually generates a list of districts that enroll more than 1 percent of their total enrollment in CMVSs based on the October SIMS data. **See Appendix A.** Accordingly, school committees may use the annual list, found below, as they consider whether or not their district will restrict full-time enrollment of future students in a CMVS to 1 percent of the district's total enrollment.

List of Districts Eligible to Restrict Enrollment

If a school committee is considering restricting enrollment in the CMVS for the upcoming school year, the Department requires the vote be taken prior to March 1, of the current school year. Additionally, once the vote is taken, the district must report the results to the Department by March 8. Please fill out and sign the attached template, **Appendix B**, and submit to rhersh@doe.mass.edu.

Annually, upon receipt of this information, the Department will generate a list of districts that voted to cap enrollment at 1 percent of their total enrollment in CMVSs for the upcoming school year. The Department will provide this list to the CMVS to guide their enrollment processes for the upcoming school year. However, no student currently enrolled in a CMVS shall be compelled to withdraw as a result of the vote. Enrollment restrictions may not take an immediate effect if enrollment from the district is greater than 1 percent.

If sending districts begin to exercise their option to vote to restrict enrollment to 1 percent, CMVSs face the possibility of proration of virtual school tuition or may skip over applicants who reside in these districts who apply for enrollment. CMVS should provide adequate notice to all applicants of restrictions put in place by districts that have voted to do so. The Department will communicate the list of districts that voted to restrict enrollment for the upcoming school year to each CMVS and provide guidance on how to conduct the primary enrollment processes before May 1 as required by the Virtual School Regulations.

If you have questions regarding potential district enrollment restrictions related to enrollment in Commonwealth of Massachusetts Virtual Schools, please contact Ruth Hersh at rhersh@doe.mass.edu.

³ G.L. c. 71, § 94(t) is as follows, “[a] school committee may, by vote, restrict enrollment of its students in commonwealth virtual schools if the total enrollment of its students in commonwealth virtual schools exceeds 1 per cent of the total enrollment in its district; provided, however, that no student enrolled in a commonwealth virtual school shall be compelled to withdraw as a result of that vote.”

⁴ 52.05: Student Recruitment, Enrollment, and Retention: (11) Enrollment Restrictions. In accordance with the guidance issued by the Department, a school committee may vote to restrict full-time enrollment of future students in a Commonwealth of Massachusetts virtual school if the district's total full-time student enrollment exceeds 1% of the total enrollment in the district. The Department will publish an annual list of districts eligible to restrict future full-time enrollment. October SIMS data will be used to assess which school committees are eligible to vote to restrict future full-time enrollment.

APPENDIX A:

FY2020 DISTRICT ENROLLMENT INFORMATION AND % IN CMVS

The table below provides information about the total district enrollment and Commonwealth of Massachusetts Virtual School (CMVS) and the percentage of students enrolled in a CMVS, by district. The five columns in the table include the following:

- 1) *Local Education Agency (LEA): school district code.*
- 2) *School District: name.*
- 3) *Total district enrollment: As of the FY2020 October SIMS, the number of students enrolled in each district.*
- 4) *CMVS Enrollment from District: number of students from each district enrolled in one of the two CMVSs.*
- 5) *Percentage of Students from each district attending one of the CMVSs. Table is organized from largest percentage to smallest.*

There are 13 districts that enroll 1 percent or more of total enrollment in a CMVS. These are shaded below.

ORG_CODE	School District	Total District Enrollment	Virtual Enrollment from District	% of Students from District attending CMVS
01210000	Hancock	47	1	2.13
02150000	North Brookfield	549	9	1.64
03430000	Winchendon	1,241	20	1.61
07780000	Quaboag Regional	1,238	18	1.45
06150000	Athol-Royalston	1,543	21	1.36
02270000	Palmer	1,321	18	1.36
01140000	Greenfield	1,752	20	1.14
03490000	Worthington	88	1	1.14
03090000	Ware	1,147	13	1.13
01500000	Lee	717	8	1.12
07670000	Spencer-E Brookfield	1,416	15	1.06
07630000	Somerset Berkley Regional School District	1,042	11	1.06
02360000	Pittsfield	5,324	54	1.01
06720000	Gateway	830	8	0.96
06620000	Farmington River Reg	105	1	0.95
07700000	Tantasqua	1,806	17	0.94
06830000	Hampshire	744	7	0.94
01170000	Hadley	534	5	0.94
01030000	Gardner	2,368	22	0.93
02770000	Southbridge	1,936	18	0.93
07550000	Ralph C Mahar	650	6	0.92
07530000	Quabbin	2,184	19	0.87
03100000	Wareham	2,177	18	0.83
01610000	Ludlow	2,561	21	0.82

02620000	Saugus	2,639	21	0.8
02140000	Northbridge	2,022	16	0.79
06320000	Chesterfield-Goshen	128	1	0.78
03310000	Westport	1,424	11	0.77
00770000	Douglas	1,298	10	0.77
03220000	West Boylston	920	7	0.76
03160000	Webster	1,879	14	0.75
01860000	Millbury	1,729	13	0.75
00680000	Conway	133	1	0.75
01910000	Monson	941	7	0.74
06740000	Gill-Montague	940	7	0.74
00910000	Erving	135	1	0.74
01620000	Lunenburg	1,652	12	0.73
06220000	Blackstone-Millville	1,664	12	0.72
03400000	Williamsburg	138	1	0.72
00240000	Belchertown	2,255	16	0.71
02810000	Springfield	25,215	177	0.7
06100000	Ashburnham-Westminster	2,365	16	0.68
03060000	Wales	146	1	0.68
00200000	Barnstable	5,083	34	0.67
01330000	Holbrook	1,345	9	0.67
00610000	Chicopee	7,297	48	0.66
02090000	North Adams	1,368	9	0.66
01960000	Nahant	154	1	0.65
02440000	Randolph	2,800	18	0.64
07120000	Monomoy Regional School District	1,887	12	0.64
06350000	Central Berkshire	1,575	10	0.63
00950000	Fall River	10,362	63	0.61
06050000	Amherst-Pelham	1,358	8	0.59
00960000	Falmouth	3,287	19	0.58
02490000	Richmond	171	1	0.58
06450000	Dennis-Yarmouth	2,958	17	0.57
07500000	Pioneer Valley	707	4	0.57
02010000	New Bedford	13,002	72	0.55
00010000	Abington	2,172	12	0.55
01380000	Hopedale	1,099	6	0.55
02230000	Orange	541	3	0.55
00830000	East Bridgewater	2,239	12	0.54
06900000	King Philip	2,022	11	0.54
01740000	Maynard	1,292	7	0.54
02610000	Sandwich	2,502	13	0.52
03040000	Uxbridge	1,742	9	0.52
01110000	Granby	762	4	0.52
00970000	Fitchburg	5,466	28	0.51
06800000	Hampden-Wilbraham	3,026	15	0.5
02260000	Oxford	1,598	8	0.5
03250000	Westfield	5,320	26	0.49
00160000	Attleboro	6,021	29	0.48

03010000	Tyngsborough	1,654	8	0.48
01410000	Hudson	2,610	12	0.46
02120000	North Attleborough	4,186	19	0.45
02950000	Tewksbury	3,417	15	0.44
02100000	Northampton	2,724	12	0.44
03140000	Watertown	2,716	12	0.44
01720000	Mashpee	1,582	7	0.44
07000000	Martha's Vineyard	681	3	0.44
07650000	Southern Berkshire	678	3	0.44
03480000	Worcester	25,515	110	0.43
00050000	Agawam	3,702	16	0.43
01100000	Grafton	3,226	14	0.43
01820000	Middleborough	3,019	13	0.43
02510000	Rockland	2,305	10	0.43
01370000	Holyoke	5,437	23	0.42
06500000	Dighton-Rehoboth	2,875	12	0.42
00360000	Bourne	1,921	8	0.42
01010000	Franklin	5,136	21	0.41
01440000	Ipswich	1,704	7	0.41
02930000	Taunton	8,150	33	0.4
02180000	Norton	2,473	10	0.4
07200000	Narragansett	1,484	6	0.4
07660000	Southwick-Tolland-Granville Regional School District	1,491	6	0.4
07100000	Mendon-Upton	2,282	9	0.39
01000000	Framingham	9,306	35	0.38
07750000	Wachusett	7,075	27	0.38
06400000	Concord-Carlisle	1,314	5	0.38
06580000	Dudley-Charlton Reg	3,734	14	0.37
06750000	Hamilton-Wenham	1,887	7	0.37
00480000	Burlington	3,596	13	0.36
01970000	Nantucket	1,684	6	0.36
01050000	Georgetown	1,381	5	0.36
07300000	Northboro-Southboro	1,400	5	0.36
06030000	Adams-Cheshire	1,106	4	0.36
06250000	Bridgewater-Raynham	5,437	19	0.35
00710000	Danvers	3,472	12	0.35
06650000	Freetown-Lakeville	2,867	10	0.35
01420000	Hull	875	3	0.34
02580000	Salem	3,682	12	0.33
02650000	Seekonk	2,105	7	0.33
00510000	Carlisle	605	2	0.33
01180000	Halifax	604	2	0.33
00450000	Brookfield	307	1	0.33
01280000	Haverhill	8,140	26	0.32
01530000	Leominster	6,169	19	0.31
03080000	Waltham	5,802	18	0.31
01700000	Marlborough	4,819	15	0.31

00520000	Carver	1,592	5	0.31
00350000	Boston	50,860	151	0.3
02390000	Plymouth	7,409	22	0.3
01490000	Lawrence	13,660	40	0.29
01810000	Methuen	6,987	20	0.29
07730000	Triton	2,393	7	0.29
00070000	Amesbury	2,051	6	0.29
06160000	Ayer Shirley School District	1,716	5	0.29
07600000	Silver Lake	1,741	5	0.29
06980000	Manchester Essex Regional	1,392	4	0.29
01600000	Lowell	14,545	41	0.28
02920000	Swansea	2,114	6	0.28
06200000	Berlin-Boylston	1,058	3	0.28
02480000	Revere	7,690	21	0.27
00300000	Beverly	4,780	13	0.27
01890000	Milton	4,478	12	0.27
01670000	Mansfield	3,691	10	0.27
00870000	East Longmeadow	2,636	7	0.27
06600000	Nauset	1,503	4	0.27
00180000	Avon	730	2	0.27
02290000	Peabody	6,081	16	0.26
03360000	Weymouth	5,862	15	0.26
02780000	South Hadley	1,906	5	0.26
00650000	Cohasset	1,518	4	0.26
00860000	Easthampton	1,565	4	0.26
01510000	Leicester	1,511	4	0.26
01520000	Lenox	779	2	0.26
02710000	Shrewsbury	6,325	16	0.25
00880000	Easton	3,621	9	0.25
06730000	Groton-Dunstable	2,375	6	0.25
03460000	Winthrop	1,978	5	0.25
00790000	Dracut	3,731	9	0.24
03070000	Walpole	3,717	9	0.24
07800000	Whitman-Hanson	3,801	9	0.24
07170000	Mohawk Trail	851	2	0.24
00310000	Billerica	4,850	11	0.23
02200000	Norwood	3,547	8	0.23
02850000	Stoughton	3,539	8	0.23
00170000	Auburn	2,652	6	0.23
00250000	Bellingham	2,172	5	0.23
01770000	Medway	2,211	5	0.23
07050000	Masconomet	1,766	4	0.23
01270000	Hatfield	433	1	0.23
00490000	Cambridge	7,236	16	0.22
00930000	Everett	7,145	16	0.22
01640000	Lynnfield	2,223	5	0.22
03230000	West Bridgewater	1,386	3	0.22
01650000	Malden	6,565	14	0.21

02840000	Stoneham	2,406	5	0.21
07450000	Pentucket	2,427	5	0.21
00440000	Brockton	16,104	32	0.2
01980000	Natick	5,588	11	0.2
01850000	Milford	4,457	9	0.2
03470000	Woburn	4,519	9	0.2
01680000	Marblehead	3,008	6	0.2
01630000	Lynn	16,242	31	0.19
00400000	Braintree	5,853	11	0.19
02110000	North Andover	4,718	9	0.19
00720000	Dartmouth	3,623	7	0.19
07350000	North Middlesex	3,155	6	0.19
00940000	Fairhaven	2,063	4	0.19
01250000	Harvard	1,065	2	0.19
00500000	Canton	3,347	6	0.18
00230000	Bedford	2,730	5	0.18
02310000	Pembroke	2,754	5	0.18
02910000	Swampscott	2,249	4	0.18
00080000	Amherst	1,095	2	0.18
01450000	Kingston	1,090	2	0.18
00570000	Chelsea	6,404	11	0.17
01760000	Medford	4,236	7	0.17
03320000	West Springfield	4,137	7	0.17
01070000	Gloucester	2,896	5	0.17
01360000	Holliston	2,942	5	0.17
06180000	Berkshire Hills	1,199	2	0.17
07400000	Old Rochester	1,179	2	0.17
02740000	Somerville	5,009	8	0.16
02170000	North Reading	2,426	4	0.16
00640000	Clinton	1,935	3	0.16
01710000	Marshfield	4,003	6	0.15
03210000	Westborough	3,972	6	0.15
00990000	Foxborough	2,582	4	0.15
06700000	Frontier	664	1	0.15
01550000	Lexington	7,301	10	0.14
03260000	Westford	4,985	7	0.14
00730000	Dedham	2,779	4	0.14
02380000	Plainville	717	1	0.14
00820000	Duxbury	2,996	4	0.13
02040000	Newburyport	2,286	3	0.13
00560000	Chelmsford	5,098	6	0.12
01780000	Melrose	4,023	5	0.12
01580000	Littleton	1,697	2	0.12
02520000	Rockport	868	1	0.12
02880000	Sudbury	2,688	3	0.11
02730000	Somerset	1,763	2	0.11
00270000	Berkley	918	1	0.11
02870000	Sturbridge	891	1	0.11

02430000	Quincy	9,774	10	0.1
00460000	Brookline	7,838	8	0.1
00090000	Andover	5,939	6	0.1
00260000	Belmont	4,794	5	0.1
02460000	Reading	4,202	4	0.1
01590000	Longmeadow	2,872	3	0.1
02640000	Scituate	3,014	3	0.1
00030000	Acushnet	1,025	1	0.1
02070000	Newton	12,899	12	0.09
03050000	Wakefield	3,517	3	0.09
03420000	Wilmington	3,231	3	0.09
07250000	Nashoba	3,208	3	0.09
02190000	Norwell	2,236	2	0.09
07150000	Mount Greylock	1,164	1	0.09
03440000	Winchester	4,728	4	0.08
01870000	Millis	1,193	1	0.08
02760000	Southborough	1,292	1	0.08
00100000	Arlington	6,128	4	0.07
01310000	Hingham	4,302	3	0.07
02900000	Sutton	1,368	1	0.07
06950000	Lincoln-Sudbury	1,563	1	0.06
01990000	Needham	5,783	3	0.05
06000000	Acton-Boxborough	5,501	3	0.05
02660000	Sharon	3,652	2	0.05
00670000	Concord	2,090	1	0.05
03300000	Weston	2,069	1	0.05
01220000	Hanover	2,672	1	0.04
00140000	Ashland	2,883	1	0.03
01390000	Hopkinton	3,893	1	0.03
03350000	Westwood	3,019	1	0.03
03170000	Wellesley	4,918	1	0.02
00380000	Boxford	752	0	0.00
00410000	Brewster	471	0	0.00
00430000	Brimfield	302	0	0.00
00630000	Clarksburg	198	0	0.00
00740000	Deerfield	386	0	0.00
00780000	Dover	493	0	0.00
00850000	Eastham	194	0	0.00
00890000	Edgartown	391	0	0.00
00980000	Florida	95	0	0.00
01090000	Gosnold		0	0.00
01350000	Holland	232	0	0.00
01540000	Leverett	142	0	0.00
01570000	Lincoln	1,136	0	0.00
01690000	Marion	438	0	0.00
01730000	Mattapoisett	449	0	0.00
01750000	Medfield	2,625	0	0.00
01840000	Middleton	720	0	0.00

02080000	Norfolk	987	0	0.00
02130000	Northborough	1,609	0	0.00
02210000	Oak Bluffs	427	0	0.00
02240000	Orleans	199	0	0.00
02300000	Pelham	125	0	0.00
02340000	Petersham	132	0	0.00
02400000	Plympton	223	0	0.00
02420000	Provincetown	131	0	0.00
02500000	Rochester	513	0	0.00
02530000	Rowe	73	0	0.00
02630000	Savoy	58	0	0.00
02690000	Sherborn	414	0	0.00
02720000	Shutesbury	124	0	0.00
02750000	Southampton	495	0	0.00
02890000	Sunderland	222	0	0.00
02960000	Tisbury	299	0	0.00
02980000	Topsfield	652	0	0.00
03000000	Truro	115	0	0.00
03150000	Wayland	2,748	0	0.00
03180000	Wellfleet	108	0	0.00
03270000	Westhampton	120	0	0.00
03370000	Whately	127	0	0.00
03500000	Wrentham	956	0	0.00
06550000	Dover-Sherborn	1,238	0	0.00
06850000	Hawlemont	144	0	0.00
07280000	New Salem-Wendell	145	0	0.00
07740000	Up-Island Regional	412	0	0.00

APPENDIX B:

LETTER TEMPLATE FOR DEPARTMENT NOTIFICATION OF SCHOOL COMMITTEE VOTE TO RESTRICT CMVS ENROLLMENT

[date]

Commissioner of Elementary and Secondary Education
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148

Dear Commissioner,

On behalf of the [insert district name] School Committee, I respectfully report that based on the **October 2019** SIMS data, the [insert district name] School Committee has voted to restrict full-time enrollment of future students in a Commonwealth Massachusetts Virtual Schools (CMVS) to 1 percent of the district's total enrollment because [insert reasons]. This goes into effect as of the 2020-2021 school year.

The Commonwealth Massachusetts Virtual Schools (CMVS) statute (G. L. c. 71, § 94) indicates and the CMVS regulations (603 CMR 52.00) reiterate that a school committee of a sending district may vote to restrict enrollment of its students in a CMVS if the total enrollment of students enrolled the CMVS from the district exceeds 1 percent of the total enrollment in its district; provided, however, that no student enrolled in a CMVS can be compelled to withdraw because of that vote. Only full-time CMVS students count towards the 1 percent threshold.

The [insert school name] School Committee voted to restrict full-time enrollment on [insert date] at a meeting held in compliance with Massachusetts [Open Meeting Law](#) G.L. c. 30A, §§ 18-25, and the regulations, guidance, and directives of the Office of the Attorney General. At that meeting, the School Committee authorized me to submit this letter on their behalf [only if the undersigned is the District's Superintendent or School Committee chairperson]. Once we have final minutes from that school committee meeting, I will submit the minutes as additional evidence that the [insert district name] School Committee has voted to restrict enrollment.

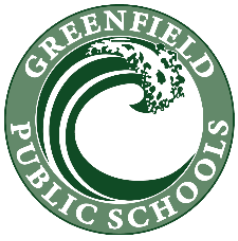
Please contact [insert contact name, email and phone number] if you have any questions about this request.

Sincerely,

[Insert individual]

cc. [School or Board personnel as appropriate]

[Ruth Hersh, School Redesign and Education Collaborative Manager]



GREENFIELD PUBLIC SCHOOLS

195 Federal Street, Suite 100, Greenfield, MA 01301

“Every Child’s Success is Our Mission”

Ph: 413-772-1310 / Fax: 413-772-1379

Jordana B. Harper, Superintendent of Schools

*** DRAFT ***

March 4, 2020

Commissioner of Elementary and Secondary Education
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148

Dear Commissioner:

On behalf of the Greenfield Public Schools’ School Committee, I respectfully report that based on the October 2019 SIMS data, the Greenfield Public Schools’ School Committee has voted to restrict full-time enrollment of future students in a Commonwealth Massachusetts Virtual Schools (CMVS) to 1 percent of the district’s total enrollment because of the adverse educational and financial impact of exceeding the 1 percent cap on the enrollment of the Greenfield Public Schools. This goes into effect as of the 2020-2021 school year.

The Commonwealth Massachusetts Virtual Schools (CMVS) statute (G. L. c. 71, § 94) indicates and the CMVS regulations (603 CMR 52.00) reiterate that a school committee of a sending district may vote to restrict enrollment of its students in a CMVS if the total enrollment of students enrolled the CMVS from the district exceeds 1 percent of the total enrollment in its district; provided, however, that no student enrolled in a CMVS can be compelled to withdraw because of that vote. Only full-time CMVS students count towards the 1 percent threshold.

The Greenfield Public Schools’ School Committee voted to restrict full-time enrollment on March 4, 2020 at a meeting held in compliance with Massachusetts [Open Meeting Law](#) G.L. c. 30A, §§ 18-25, and the regulations, guidance, and directives of the Office of the Attorney General. At that meeting, the School Committee authorized me to submit this letter on their behalf. Once we have final minutes from that school committee meeting, I will submit the minutes as additional evidence that the Greenfield Public Schools’ School Committee has voted to restrict enrollment.

Please contact me if you have any questions about this request.

Sincerely,

Jordana B. Harper

cc Amy Proietti, School Committee Chair
Ruth Hersh, School Redesign and Education Collaborative Manager