

603 CMR 17.00: RACIAL IMBALANCE AND MAGNET SCHOOL PROGRAMS

Section

- 17.01: Definitions
- 17.02: Eligibility
- 17.03: Modification of Proposals
- 17.04: Withholding of Funds
- 17.05: Payment of Funds
- 17.06: Use of Funds
- 17.07: Compliance

17.01: Definitions

Equal Educational Improvement Funds. Funds made available by the Board of Education to a school district that has been found to have at least one racially imbalanced school. The amount of these funds will be based on the number of students whose transfer from one school to another contributes to the implementation of a Board-approved racial imbalance plan. These funds must be used to improve the quality of education in such school districts.

Racial Imbalance. The condition of a public school in which more than 50% of the pupils attending such school are minority students as defined in the regulations promulgated under the Federal Emergency School Aid Act, Title VII of Public Law 92-318, as amended.

Racial Isolation. The condition of a public school in which more than 30% of the pupils attending such school are not minority students as defined in the regulations promulgated under the Federal Emergency School Aid Act, Title VII of Public Law 92-318, as amended.

Magnet School Facility. A racially balanced public school or part thereof that is under the control and supervision of a school committee that attracts pupils on a voluntary basis from outside the neighborhood in which it is located for the purpose of reducing or eliminating racial imbalance or racial isolation and that attracts students because of the unique or innovative characteristics of the program or activities offered, the staff, the available resources, the curriculum, or other dimensions of the overall educational experience.

Magnet School Educational Program. Educational measures including, but not limited to, planning and special services, instruction or treatment of children, whether at the public school or other public or private facility or place; and that provide children with a racially balanced educational experience in which not more than 50% nor less than 30% of the students involved are minority, except in special circumstances.

17.02: Eligibility

(1) The Board of Education shall notify the superintendent of schools and the school committee whenever it appears from the data collected in the October 1 School Census that the population of a school or a school district is more than 50% minority. Such notification shall inform the school district of the availability of technical assistance and funds from the Board to enable the school district to correct such racial imbalance through the establishment of a desegregation plan. Such plan may include: redistricting, the establishment of magnet school facilities or magnet school educational programs or other methods of student assignment approved by the Board.

(2) Upon approval of the desegregation plan by the Board of Education, the school district becomes eligible to apply for additional desegregation funds to implement the plan. These funds

603 CMR: DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

may be used for planning, staff development, magnet theme development, parent information centers, or other innovative programs approved by the Board.

(3) Following the receipt of the funds described in 603 CMR 17.02(2) and the implementation of the desegregation plan, a school district may become eligible to apply for Equal Education Improvement funds. Such funds may be used for hiring of staff, staff training, and programs of instruction and support in order to maintain a desegregated school system.

603 CMR: DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

17.03: Modification of Proposals

The Board of Education reserves the right to fund part of a proposal and seek modifications of those parts of a proposal that are found to be unacceptable.

17.04: Withholding of Funds

The Board of Education reserves the right to withhold desegregation funds upon a determination that a school district is not complying with the terms of this program or its previously approved plan.

17.05: Payment of Funds

Payment of funds by the Board of Education will be made on a periodic basis, subject to termination upon a showing that proposed activities are not being satisfactorily carried out.

17.06: Use of Funds

Funds applied for under 603 CMR 17.00 must not be used to supplant funding from other federal, state and local sources.

17.07: Compliance

Each school district applying for funds under 603 CMR 17.00 shall agree to comply with all provisions of the Civil Rights Act of 1964 and M.G.L. c.76, § 5, and all regulations promulgated to implement those statutes.

REGULATORY AUTHORITY

603 CMR 17.00: M.G.L. c.15, § 1I; c. 69, § 1B; c.71, §§ 37D, 37I, and 37J.