

Welcoming and Enrolling Newcomers Webinar

October 24, 2024

Frequently Asked Questions

Below are answers to some common questions that we were not able to respond to verbally during the webinar. You can watch the webinar recording to hear answers to other questions. We also encourage you to read the following DESE documents for answers to many more frequently asked questions on these and related topics:

- [Enrolling and Supporting Newcomer Students in Massachusetts Schools & Districts Frequently Asked Questions, 7/31/24](#)
- [Guidance on Supporting Homeless Students During the State of Emergency, 9/9/24](#)
- [McKinney-Vento Homeless Education Assistance Advisories](#)

Is there a maximum age for public school enrollment of students who have not yet earned a high school diploma or its equivalent?

Although no Massachusetts law or regulation sets the maximum age for enrollment, [G.L. c. 71B, § 1](#) defines “school age child” as “any person of ages three through twenty-one who has not attained a high school diploma or its equivalent.” In accordance with this definition in the state special education law, DESE has consistently advised that school districts should enroll students who have not yet received a high school diploma or equivalent at least through age 21, even if the students may not earn sufficient credits to obtain a high school diploma by the time they turn 22. (From [Enrolling and Supporting Newcomer Students in Massachusetts Schools & Districts Frequently Asked Questions, 7/31/24](#)).

What key information and requirements should schools and districts be aware of in relation to newcomer students who have a disability or suspected disability?

Some newcomer students will be children with disabilities who are entitled to special education services under state and federal special education laws. Districts must ensure that children ages 3 through 21 who have a disability are identified, located, and evaluated to determine eligibility for special education services in a timely manner. It is crucial to engage parents or caregivers early in the process using culturally sustaining practices, including the use of qualified interpreters, to build trust, gather relevant information about the student, and to begin familiarizing the family with the education system in the United States. If parents, guardians, or caregivers provide the school with documentation of a child’s disability from the home country in a language other than English, districts should have it translated. All information obtained at

enrollment or thereafter that is relevant to special education assessments and/or individualized education program (IEP) planning should be provided to the designated special education administrator or other administrators, as appropriate, to facilitate the prompt implementation of services.

Assessments and other evaluation materials used to determine a child's eligibility for special education services, must be "selected and administered so as not to be discriminatory on a racial or cultural basis," and must be "provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer." [34 C.F.R. 300.304\(c\)\(1\)](#).

The district must ensure the IEP team includes participants who are knowledgeable of the child's language needs and who have training, preferably expertise, in second language acquisition. For students who are found eligible for special education services, a free and appropriate public education (FAPE) must be provided in the least restrictive environment in accordance with the student's IEP. Notably, English learners with disabilities must be provided with both the language supports and the disability-related services to which they are entitled under federal and state laws.

Resources:

- [“Welcoming Newcomer and Refugee Students and Families”](#) Memo from Commissioner Riley (March 8, 2022).
[DESE Resources for Supporting English Learners with Disabilities.](#)

(From [Enrolling and Supporting Newcomer Students in Massachusetts Schools & Districts Frequently Asked Questions](#), 7/31/24).

What resources are available to support school districts in determining whether new students may need to be referred for special education supports?

To support schools and districts in meeting their requirement to identify children who might need to be referred for an evaluation to determine eligibility for special education, DESE has created [sample customizable letters and posters](#) for child find purposes. These materials, translated into numerous languages, might be useful for providing information to families and those who are supporting them in the community (such as physicians, social workers, etc.).

(From [Guidance on Supporting Homeless Students During the State of Emergency](#), 9/9/24)

What do we do if students come without immunization records?

For students arriving through emergency shelters, the Department of Public Health (DPH) has contracted with John Snow Inc. (JSI) to offer an immunization assessment with all newly arrived children and their families currently residing in hotels and emergency shelters.

The assessment includes collecting vaccination history and uploading immunization records into the Massachusetts Immunization Information System (MIIS).

In addition, DPH deploys mobile vaccination resources weekly to the Quincy and Allston Family Welcome Center to provide Measles, Mumps, and Rubella (MMR), Varicella and pertussis (whooping cough) vaccination for newly arrived children and their families. Influenza and COVID-19 vaccination were added in early September.

For students and families who do not arrive through emergency shelters, districts should consider reaching out to and partnering with their local boards of health. Many school districts have an existing partnership with their local board of health on public health issues affecting students and families, including childhood immunization. DPH encourages all districts to reach out to their respective local board of health to explore ways to strengthen that partnership. Local boards of health may seek guidance from DPH on establishing an immunization program for children.

(From [Guidance on Supporting Homeless Students During the State of Emergency](#), 9/9/24)

For all students who are considered homeless, McKinney-Vento requires that school districts immediately enroll homeless students in school to provide educational stability and avoid separation from school for days or weeks while documents are located. DESE is aware that this requirement may constitute a departure with respect to school districts' enrollment policies. The immunization statute, G.L. c. 76, § 15, generally requires students to provide proof of immunization prior to enrollment. Since McKinney-Vento is a federal law, its requirements override the state immunization law. However, it should be noted that the immunization law allows, in the absence of a DPH declared epidemic or emergency, the enrollment of students who have not been immunized if they have religious objections to immunization. Moreover, DESE has consulted with DPH regarding this issue and DPH agrees that, in the absence of an emergency or epidemic of disease, the health risk of enrolling homeless students prior to receiving proof of immunization is minimal.

(From DESE's [McKinney-Vento Homeless Education Assistance Advisories](#))

What is DESE’s definition of a “newcomer” student? Are “newcomers” only identified in grades 1-12? Are they identified in PK/K too? How long is a student considered a “newcomer” once they enroll in U.S. schools?

As we shared in the webinar, there is not currently an official state or federal definition of newcomer; this is not a standardized student group that states are required to report on. Because we don’t have this official definition or student group in our reporting systems, DESE’s Office of Language Acquisition has used the term “newcomer” for purposes of data analysis and seeing trends in enrollment. In the webinar we shared that, for the purposes of this analysis, we looked at the number of EL students who were in their first year in U.S. schools (since we already collect that data in SIMS). However, we focused only on first-year ELs in grades 1-12; we did not include K in this analysis because most ELs in K would be in their first year in U.S. schools. To be clear, this is how DESE has started to look at newcomer data in the absence of an official definition of a “newcomer” student. This does *not* change how districts should identify and report first-year ELs in their student information systems. Districts should continue to follow the guidance in the [SIMS Data Handbook](#) for DOE021, which says districts should identify students as EL Students in Their First Year in U.S. Schools if they are a student “with limited English proficiency in grades K through 12 who has attended schools in the United States for less than twelve months.”