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Enough is Enough: Strategies and Solutions to Diversify Boston’s Exam Schools

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Introduction

It is an acknowledged fact that Boston’s exam schools—Boston Latin Academy, Boston Latin School, and John D. O’Bryant School of Mathematics and Science—collectively fail to reflect the diversity of the city.

A key reason for this lack of diversity is Boston’s exam school admissions policy—which consists solely of grade point average and performance on an entrance exam—criteria that disproportionately exclude Black and Latinx students. As a result, Black and Latinx students are underrepresented at some of the most prestigious public schools in the country and deprived of the benefits that flow from attending them. There is no educational necessity justifying this admissions policy, and less discriminatory alternatives are available.

Civil rights organizations, including Lawyers for Civil Rights (LCR) and the Boston chapter of the National Association for the Advancement of Colored People (NAACP), have long believed that the City must reform its exam school admissions policy in order to afford students of color the same opportunity as white students to attend these schools. This fact sheet outlines the scope of the problem and proposes legally sound solutions for changing the admissions policy based on the feedback of hundreds of parents and students in community forums across diverse neighborhoods in Boston.

The Facts

Year after year, month after month, Boston’s newspapers of record report on the “alarming pattern of racial segregation” that has re-emerged in Boston Public Schools (BPS) over the past two decades and the “vast opportunity gap” separating Boston’s “educational winners” from the rest of the city.¹ Nowhere is this gap more clear than in BPS’s exam schools. Yet the disparities in the make-up of exam school student bodies persists, because BPS refuses to change a key obstacle to exam school diversity: the admissions process.

In May 2017, LCR, the NAACP, Massachusetts Advocates for Children (MAC), the ACLU of Massachusetts and the Black Educators Alliance of Massachusetts (BEAM) published *A Broken Mirror: Exam School Admissions Fail to Reflect Boston’s Diversity*. As the report outlines, neither student grades nor the Independent School Entrance Exam (ISEE) are fair or reliable measures of student aptitude, given the enormous variations in grading amongst Boston’s charter, parochial, and traditional public schools and the failure of the ISEE to test material studied in BPS classrooms.²

¹ See, e.g., Vaznis, J., *Boston’s schools are becoming re-segregated*, Boston Globe (Aug. 4, 2018); M. Gay et al, *The race to get into Boston’s exam schools*, Boston Globe (Jan. 17, 2019).

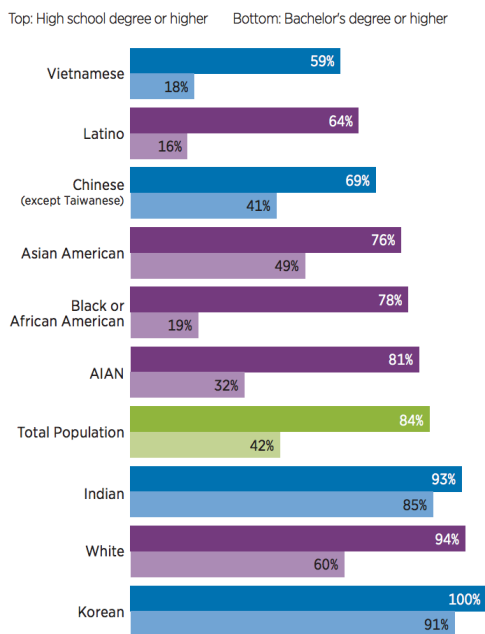
² Moreover, there is no evidence that the ISEE “accurately predicts the high school performance of students of color,” as its predictive validation study lacked sufficient sample sizes of students of color. Boigon, M., *Boston Schools Ignored Anti-Bias Bid Specs In*

Moreover, these problematic criteria disproportionately exclude Black and Latinx students. The percentages of Black and Latinx 6th and 8th graders invited to enroll in Boston Latin School (BLS) in 2017 were more than two and a half times below their district-wide enrollment rates. As a result, every single majority white neighborhood in Boston had an exam school admission rate above 50%; by contrast, all majority Black and Latinx neighborhoods had admission rates below 50%. In 2017-2018, Black students comprised 7.9% of the student body at BLS, but 31.5% of the district as a whole; Latinx students constituted 12.7% of enrollees at BLS but 41% of enrollees in the district. By contrast, white students make up 45.9% of the BLS student body, but only 14.2% of the district's student body.

Further, although Black and Latinx students bear the brunt of the disproportionate impact, the unavailability of disaggregated data on Asian-American students masks the impact that the exam school admissions policy has on Asian-American sub-groups (particularly Southeast Asians) and on low-income Asian-Americans. In other educational and economic contexts, this willful blindness to the enormous variation among Asian-American groups has meant little attention is paid to, for example, the relative economic vulnerability of Vietnamese-Americans or the fact that wealth inequality is larger for Asian-Americans than for whites.³ Around the country and in Boston, individuals from Vietnam, Cambodia, and Laos are much more likely to identify as English language learners and live in poverty and far less likely to obtain a high school or college diploma than their white counterparts.⁴

Educational Attainment for the Population 25 Years & Older

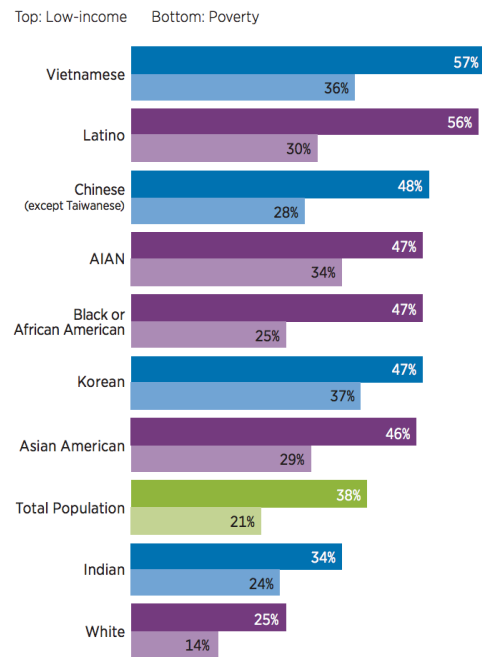
by Race, Hispanic Origin, and Ethnic Group, Boston 2006–2010, Ranked by Percent Holding a High School Degree or Higher



U.S. Census Bureau, 2006–2010 American Community Survey 5-Year Estimates, Table B15002.

Poverty & Low-Income

by Race, Hispanic Origin, and Ethnic Group, Boston 2006–2010, Ranked by Percent Low-Income



U.S. Census Bureau, 2006–2010 American Community Survey 5-Year Estimates, Table C17002.

Awarding Testing Contracts, WGBH (Nov. 2, 2018), available at: <https://www.wgbh.org/news/education/2018/11/02/boston-schools-ignored-bid-specs-in-awarding-testing-contracts>.

³ Weller, C. & Thompson, J., *Wealth inequality among Asian Americans greater than among whites*, Center for American Progress (Dec. 20, 2016).

⁴ See Bratberg, M., *Global Boston*, Boston College Department of History (2017); *Overview of Southeast Asian educational challenges: fact sheet*, Southeast Asian Resource Action Center (Feb. 2013); *Increase access to higher education: fact sheet*, Southeast Asian Resource Action Center (Feb. 2013). The graphs can be found at Asian-Americans Advancing Justice, *A Community of Contrasts*, at 17-18 (2013); BRA Research Division, *Boston Citywide Plan: Trends in Poverty and Inequality*, at 32 (2015).

The evidence supporting a change to BPS’s admissions criteria continues to mount. In October 2018, Joshua Goodman and Melanie Rucinski of the Harvard Kennedy School’s Rappaport Institute for Greater Boston released a policy brief entitled “Increasing Diversity in Boston’s Exam Schools.” Noting that Black and Latinx students are “less likely to apply and be invited to exam schools” than their peers, Goodman and Rucinski observed that “only some” of the ISEE’s topics are covered in BPS classrooms and that many of the tested concepts, including algebra, are “accessible only to students who have prepared for the exam outside of school.”

The Harvard researchers concluded that although substantial racial gaps exist in ISEE-taking rates, ISEE scores, GPAs, and listing BLS as a first choice, these gaps could not be explained by or attributed to “underlying differences in academic strength,” given that high-achieving Black and Latinx students were “substantially less likely to be invited to exam schools” than peers of “similar academic strength,” as measured through MCAS (Massachusetts Comprehensive Assessment System) scores. Goodman and Rucinski concluded that “many talented Black and [Latinx] students in BPS do not enroll at the exam schools due to various factors that make it more difficult for them to succeed in the admissions process” and that alternative means of admitting students could be accomplished “while maintaining the high academic requirements of the current admissions process.”⁵

Community Recommendations

In 2017 and 2018, LCR and the NAACP Boston Branch convened a series of neighborhood meetings in Dorchester, East Boston, Mattapan, and the North End of Boston. At these neighborhood meetings, which were co-hosted by a large and diverse coalition of community stakeholders⁶, hundreds of parents, students, educators and concerned community members came together to discuss how BPS should change exam school admissions policies to better reflect the diversity of our city.

Numerous suggestions were made. Most prominent were:

1. Proposals that BPS invite a top percentage of students in each public school to attend the BPS high school of their choice;
2. Proposals that BPS invite a top percentage of students in each Boston zip code to attend the BPS high school of their choice;
3. Proposals that BPS employ a holistic model to evaluate students individually and seek to admit an academically excellent class that is diverse across multiple dimensions, including socio-economic status, school of attendance at the time of application, artistic and/or athletic ability, community service, race/ethnicity, prior BPS attendance, and zip code.
4. Proposals that BPS develop a test based on its curriculum, rather than rely on an exam that is not aligned with the BPS curriculum and so disadvantages public school students.

Notably, all of these proposals are aligned with long-standing guidance from the U.S. Department of Education regarding how schools can diversify their student bodies in ways that are constitutionally sound.⁷ Data indicates

⁵ Goodman, J. & Rucinski, M., *Increasing Diversity in Boston’s Exam Schools*, Harvard Kennedy School, Rappaport Institute of Greater Boston, (Oct. 2018).

⁶ These organizations include MAC, BEAM, Downtown Progressives, East Boston Ecumenical Community College, Fair Test, Boston Teachers Union, Center for Collaborative Education, Center for Law and Education, Massachusetts Appleseed, Greater Boston Latino Network, Boston Network for Black Student Achievement, Massachusetts Communities Action Network, Quality First, Citizens for Public Schools, JP Progressives, West Roxbury Progressives, Educations for Excellence, The City School and Mattapan United.

⁷ U.S. Department of Justice, U.S. Department of Education, *Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools* (2011).

that the adoption of even one of these strategies would markedly increase the number of Black and Latinx students invited to enroll in Boston’s exam schools, while maintaining the schools’ rigorous academic standards.

Conclusion

The racial and socio-economic makeup of Boston’s elite exam schools is not a foregone conclusion. Only twenty years ago, using different admissions policies, the exam schools admitted much more diverse student bodies while maintaining their standards of academic excellence. Although a 1998 court challenge resulted in the termination of the particular admissions policies in use at the time, subsequent cases from the United States Supreme Court have confirmed that an academic institution’s narrowly tailored use of race in admissions decisions is constitutionally permissible because it furthers that school’s compelling interest in obtaining the educational benefits that flow from a diverse study body. Similarly, race-neutral admissions policies that result in greater diversity – such as admitting top tier students from each public school or each zip code – have also been sanctioned by the courts. And yet, BPS has been unwilling to take action to reshape its admissions model so that its exam schools reflect the communities they serve.

In the landmark opinion affirming the compelling interest in educational diversity, Justice Sandra Day O’Connor wrote that in order to “cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity.”⁸ Boston’s exam schools are regarded as the best of public education; they are pathways to higher education, to professional accolades, and to civic leadership. These schools must be opened to qualified students of every race and ethnicity. BPS should implement the changes put forward by its communities of color that would achieve this result.

⁸ *Grutter v. Bollinger*, 539 U.S. 306, 332 (2003).