



OFFICIAL MINUTES OF THE BOSTON SCHOOL COMMITTEE EXAM SCHOOLS ADMISSIONS TASK FORCE

March 23, 2021

The Boston School Committee's Exam Schools Admissions Task Force held a remote meeting on March 23, 2021 at 5 p.m. on Zoom. For more information about any of the items listed below, visit <https://www.bostonpublicschools.org/esataskforce>, email feedback@bostonpublicschools.org or call the Boston School Committee Office at (617) 635-9014.

ATTENDANCE

Exam Schools Admissions Task Force Members Present: Co-Chair Michael Contompasis; Co-Chair Tanisha Sullivan; Samuel Acevedo; Acacia Aguirre; Matt Cregor; Tanya Freeman-Wisdom; Katherine Grassa; Zena Lum; Zoe Nagasawa; Rachel Skerritt; and Rosann Tung.

Exam Schools Admissions Task Force Member Absent: Tamara Waite.

BPS Staff Present: Monica Roberts, Chief of Student, Family and Community Advancement; and Monica Hogan, Senior Executive Director of the Office of Data and Accountability.

DOCUMENTS PRESENTED

[Agenda](#)

[Listening Session Minutes: March 13, 2021](#)

[Meeting Minutes: March 16, 2021](#)

[Presentation: Use of Socioeconomic/Tier Criteria in Other District Admissions](#)

[Presentation: Admissions Recommendation Recap](#)

CALL TO ORDER

Ms. Parvex called the roll. Ms. Waite was absent. All other members were present.

Mr. Contompasis called the meeting to order. He announced that simultaneous interpretation services were available in Spanish, Haitian Creole, Cabo Verdean, Vietnamese, Cantonese, Mandarin, Portuguese, Somali, Arabic, and American Sign Language (ASL); the interpreters introduced themselves and gave instructions in their native language on how to access simultaneous interpretation by changing the Zoom channel.

APPROVAL OF MEETING MINUTES: MARCH 13 AND MARCH 16, 2021

Approved – The Task Force unanimously approved the minutes of the March 13, 2021 Exam Schools Admissions Task Force listening session and the March 16, 2021 Exam Schools Admissions Task Force meeting.

PRESENTATION

Ms. Sullivan welcomed the members and public and introduced Ms. Robert and Ms. Hogan who were going to review the temporary exam school policy in place for SY 2021-2022 and also present an overview of selective school admissions policies in other districts.

Ms. Roberts explained that the SY 2021-2022 was only a one-year policy that would revert to the previous policy after this school year. She said the Task Force's charge was to make recommendations for the long-term policy.

She described how BPS created the pool of eligible applicants and the invitation process to an exam school. She gave an overview that 20% of seats for each exam school is reserved for the top ranking students based on grade point average (GPA) citywide, and 80% of the seats are allotted using a combination of students GPA and zip code. Ms. Sullivan asked and got confirmation that a random number is assigned only if there were two or more students who had the exact same GPA. She also asked how the working group was able to determine the minimum seat allocated for students in a particular zip code. Ms. Hogan explained they ascertained the income data and the percentage of school age children from the Boston Planning and Development Agency based on the census from the American Community survey.

Ms. Sullivan asked how BPS determined how many seats per zip code once it knew the percentage of school age children per zip code. Ms. Hogan answered that BPS conducts a process each year to determine how many seats are available at all the schools in the district, through projections. Based on this, staff determine how many invitations will be sent out. Ms. Sullivan asked about the students in the pool who had not been assigned to an exam school in the 20% pool. Ms. Roberts explained that the zip codes are ranked with the lowest median income to the highest median income and the distribution will be 10% of seats per round. The students from the lowest zip codes will be placed first up to the seats available on that round, in order of highest GPA going down. If a student's first choice is not available, the student will then be assigned to their second or third-choice seat. She explained the special provision for homeless students and those in the Department of Children and Families (DCF) care and that they removed

the non-traditional entry and the deferment of acceptance. She finished by explaining the additional recommendations from the School Committee.

Ms. Sullivan opened up for questions. Mr. Acevedo wanted to know when the old policy would start. Ms. Roberts explained they would have to announce to families by August what the process would be for next year. Mr. Contompasis added that the timeline established for a new admissions process would be to try to complete it by June, so the district could prepare. Additionally, Ms. Skerritt said that the current year policy is using pre-Covid grades and should they decide to use the same model, the grades wouldn't be pre-Covid.

Ms. Hogan, Mr. Cregor, and Ms. Nagasawa presented the *Use of Socioeconomic/Tier Criteria in Other District Admissions*. They presented three different districts and explained their admissions process. They first presented Chicago Selective High School Admissions. Mr. Cregor reminded the members that Richard D. Kahlenberg and Michelle P. Burris at The Century Foundation, who worked to design the Chicago model that was being presented, would present at the March 30th meeting, so they would be able to explore these models in more detail.

They continued presenting the San Francisco Selective High School Admissions pre-Covid process, as they had voted to now use lottery as the admissions criteria. Some of the members asked if the lottery was a one-year shift or permanent, and also about the process they took in order to determine the lottery admission process.

The last district they presented was Detroit Selective High School Admissions. Ms. Sullivan reflected that Detroit gave points to its public school students and said this was a comment they had heard expressed at public comments of a possibility in Boston and BPS. She wanted to bring it to the attention of the Task Force.

Ms. Sullivan continued to present the legal and liability considerations.

Main points:

1. Boston can review admissions proposals for impact on racial diversity.
2. Boston must start by assessing “race-neutral” and “generalized race-conscious” approaches that do not treat individual students differently based on race.
3. If none of those policies achieve diversity, Boston can consider race as an individual factor so long as the policy is narrowly tailored.

She also summarized two times Boston had been sued for its use of race in exam school admissions; *McLaughlin* (1996) and *Wessman* (1998).

Schools have a constitutional, compelling interest in achieving racial diversity and avoiding racial isolation. BUT:

If race is used as a factor in individual student admissions decisions, even in affirmative action cases, courts will apply the highest level of scrutiny under the Equal Protection Clause, “strict scrutiny,” to determine if the admissions policy is “narrowly tailored” to achieve the schools’ interest in diversity. We know if a policy is narrowly tailored if:

1. District considered race-neutral alternatives (and found none worked to achieve diversity)

2. Policy provides for “flexible and individualized review of students,” meaning race is not the sole factor for admission
3. Policy minimizes any undue burden on other students
4. Policy is limited in time and subject to periodic review

One example of a narrowly tailored admissions policy was at the University of Texas Austin. Ms. Sullivan explained how schools can value racial diversity without receiving strict scrutiny.

The main points are:

1. Boston can review admissions proposals for impact on racial diversity.
2. Boston must start by assessing “race-neutral” and “generalized race-conscious” approaches that do not treat individual students differently based on race.
3. If none of those policies achieve diversity, Boston can consider race as an individual factor so long as the policy is narrowly tailored.

Ms. Sullivan said that the co-chairs were seeking to have legal support and mentioned that Attorney Michael Keating from Foley Hoag LLP was observing the meeting.

Mr. Contompais and Ms. Sullivan discussed the importance of Justice Kennedy’s concurrence in *Parents Involved* (2007). Ms. Sullivan said Justice Kennedy’s opinion was a concurrence opinion that is considered the opinion that provides the greatest guidance in this space as it relates to the law on this particular issue. She said it is important when the Task Force is exploring issues that could have an impact on race that members are mindful and conscious of the guardrails.

Ms. Lum asked whether or not the process had already started for the temporary policy and if the members would be able to see the results of the policy and be able to compare it to the modeling that the working group had worked on to come up with the policy recommendations. Ms. Sullivan answered that BPS would not have an allocation of seats until April 15, due to ongoing court proceedings.

GENERAL PUBLIC COMMENT

- Virginia Berman, Roslindale resident, BLS parent, Co-Chair, Families for Equity and Diversity, testified in support of the changes to the exam schools admissions.
- Marie Mercurio, Jamaica Plain resident, BPS parent, testified in favor of keeping the exam.
- Darragh Murphy, Dorchester resident, testified against the zip code criteria for admission.
- Nora McManus Vincent, West Roxbury resident,, BPS parent, testified in support of changes to exam schools admissions.
- Kristin Johnson, Jamaica Plain resident, BPS parent, member, Boston Coalition for Education Equity, testified in support of reforming the exam schools admissions process.
- Fred Pucillo, East Boston resident,, BLS parent, testified in support of exam schools admissions reform.
- Olivia Paquette, Cambridge resident, BPS education and BLS alum, testified in support

of creating a permanent, more equitable admissions process.

- Katharin Kilbourn, Jamaica Plain resident, BLS parent, testified in support of making permanent change to the admissions process.
- Leslee Kiley, Jamaica Plain resident,, Parent of BLS alumna, testified in support of making permanent changes to the admissions process.
- Lauren Peter, Roslindale resident, Sumner parent, testified in support of the changes to exam schools admissions.
- Ann Malone, Jamaica Plain resident, testified in support of permanent changes to the admissions process.

CLOSING COMMENTS

Ms. Sullivan asked the members to give final comments. Ms. Tung thanked the speakers that provided public testimony and requested again for people to offer specific policy recommendations.

Mr. Contompasis reminded the public that next week the Task Force would have speakers from The Century Foundation and he encouraged people to attend the meeting.

ADJOURN

At approximately 7:05 p.m., the Committee voted unanimously, by roll call, to adjourn the meeting.

Attest:



Lena Parvex
Administrative Assistant