

Latham & Watkins LLP:  
Report of Review of Diversity, Equity,  
and Inclusion at BC High

June 28, 2021

## Executive Summary

On June 12, 2020, an Instagram social media account, Black at BC High (@blackatbchigh), was anonymously created with the stated purpose of dedicating a “platform to share stories and experiences of Black student at BC High, past and present.” Posts on the Instagram account, mostly attributed to anonymous sources, shared experiences with various kinds of misconduct, including, but not limited to, allegations of racial harassment by peers and members of Boston College High School’s faculty and administration and the alleged inadequacy of the administration’s response to the same.

As part of its commitment to make meaningful change to become a more inclusive community, the Board of Trustees at Boston College High School (“BC High”) engaged Latham and Watkins (“Latham”) to conduct a comprehensive independent review of the issues raised through the Instagram account and, more broadly, review the climate at BC High around issues of diversity, equity, and inclusion (“DEI”).

As part of our independent review, Latham interviewed dozens of members of the BC High community, including current and former students, parents of current and former students, faculty, staff, and administrators, and received many written submissions. In addition, Latham reviewed a broad range of documents and data relating to the issues raised in our interviews, including among other things: (i) BC High policies and procedures; (ii) JUG-level disciplinary data from Academic Years 2015 - 2019; (iii) student disciplinary contracts; (iv) disciplinary investigation files for Accountability Boards; (v) work product on past DEI initiatives; and (vi) documentation of past curriculum review.

Broadly speaking, Latham’s review uncovered four recurring themes relating to diversity, equity, and inclusion at BC High, centered around the following areas: (i) discipline, (ii) hiring faculty of color and recruiting students of color, (iii) the role of diversity, equity, and inclusion at BC High, and (iv) professional development and classroom training. While the full review process and findings for each of these areas are set forth in detail throughout this report, below is a summary of the findings in each of these areas:

### **I. Discipline**

A recurring theme in the Black at BC High Instagram postings, as well as our interviews, was a palpable sense of inequity in the administration of discipline at the school in a manner that eroded the feeling of belonging at the school for traditionally underrepresented students, and Black students in particular. These concerns centered on two areas: (i) a concern that students of color were more likely to be disciplined or to receive harsher discipline for the same conduct than their White peers, and (ii) a concern that students who engaged in inappropriate harassing conduct were not subject to appropriate discipline.

As to the first concern, in addition to conducting interviews, Latham reviewed five years’ worth of disciplinary data, including the administration of JUGS by race and ethnic background. That review did not demonstrate materially different discipline for students of color to

corroborate the first concern. That said, the anecdotal concerns we heard, coupled with Latham's broader review of the disciplinary process, did uncover that the process of meting out discipline is one that is ad hoc and discretionary across different faculty and administrators and lacks formal training or guidance for administration of discipline.

As to the second concern, Latham reviewed: (i) BC High policies and procedures broadly relating to discipline and specifically relating to harassing conduct; (ii) conducted interviews; and (iii) did an extensive review of all disciplinary investigations relating to harassing conduct over a five-year period. Latham's review uncovered instances of serious harassing conduct—including instances of racially harassing conduct that were investigated and put through the school's normally disciplinary process, such as Accountability Boards—that did not result in students being separated from the school. These decisions appeared to have been driven in part by a de facto policy of not separating students from the school, even for serious misconduct, but rather of using infractions as a teaching moment to help students become better people. The flip side of such a policy is that allowing students who engage in harassing conduct to remain at the school can, and did, erode the sense of community and belonging for traditionally underrepresented students at BC High.

Among Latham's recommendations to the Board resulting from our review of the disciplinary process are the following:

- Consider whether changes to the school's policies mandating more serious discipline, including separation from the school, for harassing conduct are appropriate.
- Regardless of any formal policy changes, provide guidance to the administration as to expectations concerning the appropriate level of discipline for conduct that erodes the sense of inclusion and belonging for traditionally underrepresented students, and ensure that this guidance is understood by the broader community.
- Consider implementing training for faculty and administrators relating to the disciplinary process, such as training regarding: (i) unconscious bias and how it can manifest itself in the discipline process, and (ii) how to appropriately consider the roles of, and impact on, the victims of such conduct in determining the appropriate punishment.
- Reconsider the role of restorative justice in the context of discipline where the victim of the misconduct is from a historically marginalized group, as that process can further marginalize the victim and potentially deter victims from reporting such harassing conduct.

## **II. Hiring Faculty of Color and Recruiting Students of Color**

A second recurring theme Latham uncovered was that hiring more faculty of color and recruiting more students of color would foster a more inclusive environment and that these goals should be top priorities for advancing diversity, equity, and inclusion efforts. In reviewing this issue, Latham analyzed: (i) current faculty and student enrollment data; (ii) conducted interviews with the current and former faculty and administrators who have responsibilities for hiring; and (iii) analyzed past DEI work product relating to hiring and recruiting efforts.

Latham's review found that the faculty and administration expressed a clear understanding of the desire from the student population to hire more faculty of color and enroll more students of color, a belief that doing so would improve the environment surrounding DEI at BC High, and a genuine desire to make improvements in this area. That said, with respect to hiring a more diverse faculty, Latham's review found that while historically some efforts had been made to target more diverse faculty in the hiring process, those efforts lacked sufficient top-down focus and had been sporadic and uncoordinated. While Latham saw some encouraging recent efforts by the current administration to make improvements in this area, historically there had been a lack of innovation or clear accountability for success. With respect to enrolling more students of color, Latham's review found that while the school has seen some recent improvement in enrollment of students of color, overall many of the same institutional shortcomings exist in the student recruitment process as in the faculty hiring process, particularly for Black students.

Among Latham's recommendations to the Board resulting from our review of the hiring and recruiting processes are the following:

- Consider creating clearer institutional priorities and structure designed to incentivize innovation and create accountability for success in achieving hiring and recruiting goals relating to diversity, equity, and inclusion.
- Consider leveraging the school's unique relationship with Boston College to create a deeper pipeline of faculty candidates of color and those with training and expertise in teaching students of color.
- Consider targeted training programs related to recruiting and retention of faculty and students from more diverse backgrounds.

## **III. The Role of Diversity, Equity, and Inclusion at BC High**

A third recurring theme Latham encountered was a perception that, historically, diversity, equity, and inclusion efforts were not prioritized by leadership outside of the Office of Equity and Inclusion. Latham uncovered a sense that in the prior administration, the role of the Office of Equity and Inclusion as more of a check-the-box exercise and that diversity, equity, and inclusion was not a true strategic priority or value within the institution. While that focus has clearly improved under the current administration, our review demonstrated substantial room for

improvement in the area of procedural and institutional focus around the role of diversity, equity, and inclusion at BC High.

In reviewing these concerns, Latham analyzed, through document reviews and interviews: (i) BC High's efforts to integrate issues of diversity, equity, and inclusion into curriculum; and (ii) the historical role of the Office of Equity and Inclusion. With respect to the first topic, Latham's review showed that, while a curriculum review was conducted during the 2017-18 academic year, there was a lack of institutional follow up on the curriculum review, and a lack of both accountability and direction for how to make meaningful change resulting from the review. With respect to the second topic, Latham's review found some positive recent changes in both institutional focus and process regarding the role of diversity, equity, and inclusion at BC High, but there remains room to improve in both structure and resources to make progress on this key strategic priority at BC High.

Among Latham's recommendations to the Board resulting from our review of the role of diversity, equity, and inclusion at BC High are the following:

- Consider drafting written responsibilities and expectations around diversity, equity, and inclusion for those members of the school who currently have oversight of these efforts at each level of the institution.
- Consider whether additional resources and structure should be put in place to ensure that there is adequate institutional focus dedicated to improving diversity, equity, and inclusion in all aspects of the institution.
- Consider whether there are particular goals (such as in faculty hiring and student population) for the school to strive for in a particular time frame, and consider what process changes are needed to create meaningful change in all areas of diversity, equity, and inclusion. Further, these goals should be clearly communicated to those with responsibility for implementing strategies for success, and then evaluated as part of annual performance reviews for all members of the institution responsible for advancing these efforts, along with proper incentives for achieving success.

#### **IV. Professional Development and Classroom Training**

The fourth recurring theme Latham encountered was that some faculty members failed to set an example of appropriate behavior in the classroom and were even instigators of insensitive or harassing comments themselves, and that this demonstrated, among other things, a lack of sufficient professional development and training for faculty relating to issues of diversity, equity, and inclusion. In reviewing this issue, Latham, through interviews and document reviews, analyzed BC High's past efforts to provide professional development and cultural competency training for faculty.

Latham's review found that while historically there were some training and professional development opportunities focused on diversity, equity, and inclusion for faculty, they were not made widely available or made mandatory for all faculty and members of the administration and

had been sporadically offered. As a result, Latham found a perception of a lack of competency to deal with such issues, and negative impacts for diversity, equity, and inclusion at the school, including: (i) students of color are relied upon to take on the role of educating others, which can further isolate them and unfairly burden them, (ii) faculty members mishandle conversations about issues of race and diversity, or (iii) faculty members avoid discussion of timely topics relating to race and diversity and therefore limit opportunities for meaningful discussion in the classroom.

That said, BC High's recent partnership with Courageous Conversations to institute a training program for all faculty and staff is the type of top-down, wide-reaching program that numerous interviewees felt has been missing from professional development and training opportunities in the past. The program is designed to provide its participants with the tools to engage with and discuss issues of race openly and honestly in the classroom.

Among Latham's recommendations to the Board resulting from our review of professional development and classroom training regarding diversity, equity, and inclusion are the following:

- Carefully evaluate the success of the Courageous Conversations program, and consider making such a program annual, requiring new hires to participate in the program, and consider whether a similar program could be beneficial on the student level.
- Latham's review uncovered that students of color have been subjected to harassment and micro-aggressions from peers and that misconduct happens in spaces where adults are not present, and therefore consider whether explicit training for students about unconscious bias and the tools to combat it are appropriate.
- As is the case with the broader analysis of the role of diversity, equity, and inclusion at BC High, consider the appropriate systems and resources that should be in place to ensure ongoing measurement and accountability in the area of professional training and development to ensure that, as the immediacy surrounding diversity and inclusion fades and other priorities take center stage, efforts do not fall by the wayside.

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## Full Report of Review of Diversity, Equity, and Inclusion at BC High

### Review Process

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Latham’s objective was to engage in an independent and confidential fact-finding regarding diversity, equity, and inclusion at BC High broadly, including, but not limited to, the experiences shared on the Instagram account as well as with the administration’s history of handling such incidents. To achieve this objective, Latham conducted interviews with a broad range of BC High community members, and reviewed a broad range of documents and data relevant to the scope of our inquiry, described in greater detail below.

With regard to interviews, Latham dedicated a telephone line and email address to this review so that community members could voluntarily participate in the process. Through outreach by the Board of Trustees, Latham invited members of the BC High community to share their experiences and suggestions for change. *See* July 7, 2020 Letter from the Board of Trustees; August 3, 2020 Letter from Board of Trustees.<sup>1</sup> Latham also identified and interviewed a broad swath of BC High administrators, faculty, and staff members with (i) responsibility for leading the school; (ii) responsibility for student discipline; (iii) responsibility for diversity, equity, and inclusion (“DEI”) initiatives; and (iv) those faculty who are traditionally underrepresented.

In total, Latham interviewed 63 members of the BC High community over Zoom and telephone, which included current and former students, parents of current and former students, and faculty, staff, and administrators. Latham also received email comments from 19 additional members of the BC High community. The chart below shows the breakdown of participation by constituent category, but it does not account for any follow-up discussions that Latham scheduled with these individuals.

<b>Constituent Category</b>	<b>Number of Individuals Who Participated</b>
Current and Former Students	36
Parents	21
Faculty, Staff, Administrators	25

With regard to the document review that was undertaken in connection with the administrator, faculty, and staff interview process, Latham analyzed documents that covered, among other things: (i) BC High policies and procedures; (ii) JUG-level disciplinary data from

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<sup>1</sup> <https://www.bchigh.edu/about/our-team/letter-from-the-board-chair/>. Latham also messaged the administrator of the Instagram account through the application to ask them if they would post a reminder about participating in the process. The Instagram account posted an update on the page, on or about August 27, 2020, encouraging more people to contact Latham.

Academic Years 2015 - 2019; (iii) student contracts; (iv) disciplinary investigation files for Accountability Boards; (v) work product on past DEI initiatives; and (vi) documentation of past curriculum review.

## Review Findings

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### I. Discipline

One of the recurring themes both of the Black at BC High Instagram postings and Latham’s interviews with current and former students was a perception that discipline at the school was not equitable and that this inequity inhibited a feeling of community at the school for traditionally underrepresented students, and Black students in particular. The issue of inequitable discipline arose in two main contexts: (i) concerns that instigators of harassing conduct were not subject to appropriately serious discipline—particularly those students who were perceived as well-connected at the school; and (ii) concerns that students of color received harsher discipline for similar infractions than their White peers.

#### *i. Concerns over Appropriate Level of Discipline for Instigators of Harassing Conduct*

The primary example of this concern involved the racial harassment of freshmen students of color by White peers. The investigation into this incident is discussed in the “Investigation Files of Accountability Board” section of this memorandum. However, current and former students identified other instances of racially insensitive and/or harassing conduct that they felt was not met with sufficiently serious discipline, particularly if the White peer was perceived as being well-connected. Some representative examples are set forth below:

- Anonymous post from a Class of 2015 graduate: The alumnus wrote that a student got caught wearing black face for MLK day but was never disciplined.<sup>2</sup>
- Anonymous post from a Class of 2018 graduate: The alumnus wrote that another student made a “racist drawing” on the whiteboard in class that was meant to depict a third student in a racist way. The post mentions that the student who made the drawing “was never reprimanded because his father worked for the school.”
- Anonymous post from a Class of 2020 graduate: The alumnus wrote that there was a full-tuition-paying student who said racial slurs constantly and “should have been kicked out at least 3 separate times” for cheating, vaping, and saying the N-word, but instead received “nothing more than a slap on the wrist.” The post mentions how if a

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<sup>2</sup> We note that the anonymous nature of the postings made follow up investigations of these particular instances difficult and at times impossible, but given the volume and specificity of the postings have provided several examples in this report to help describe the expressed experiences of members of the BC High community.



student of color were caught doing what this other student was doing, he would be expelled immediately.

- Interview with a graduate: The alumnus shared that administrators knew that wealthy, White students engaged in racial taunting, but disciplined them in the same way that a dress code violation would be disciplined. The alumnus also recalled an incident where a White student had thrown money at a Hispanic student and said, “go tell your family to cut my lawn.” The Hispanic student punched the White student. The alumnus stated that the Hispanic student received “disproportional punishment” for this incident, while the White student served a Saturday JUG—even though he had a history of posting racist comments on social media and had been called into the office for other things but only got a “slap on the wrist.”

*ii. Concerns That Students of Color Received Harsher Punishment*

Current and former students also shared stories of students of color receiving harsher punishment for infractions than a White peer who engaged in similar conduct in the postings on the Black at BC High Instagram page and in interviews. Below are some representative examples of this concern that Latham uncovered:

- Anonymous post from a Class of 2016 graduate: The alumnus wrote about an instance in which a group of Black students participated in a fantasy basketball league where each person paid \$20 to enter. The school administration found out and labeled the students as gamblers and they all served a Saturday JUG. This alumnus wrote that White students who participated in similar fantasy leagues involving even more money never got in trouble with the administration.
- Anonymous post from a Class of 2020 graduate: The alumnus wrote about a student who was caught selling Juuls in school, but was not expelled for the conduct as compared to two students of color who left the school “because the school threatened to kick them [out] because they had a Juul on them.”
- Anonymous post from a Class of 2020 graduate: The alumnus wrote about an instance where he cursed in English class and was told by the teacher to write an essay about the word “profanity.” The alumnus wrote that the English teacher told him “you shouldn’t curse, people already have an image of you and you wouldn’t want to give them the wrong idea.” The alumnus then mentioned that a couple days before a White student had cursed in the same class and was only told to “be better.”
- Interview with a graduate: The alumnus shared that teachers and administrators often asked a group of Black students to lower their voices while in common spaces but did not similarly ask groups of White students to do the same. The alumnus also stated that teachers and administrators often gave students of color JUGs for dress code violations while nothing would happen to a White student who walked the halls with an untucked shirt.

Based on the entirety of Latham’s review, these concerns around inequitable discipline were the most visceral examples cited by those members of the BC High community who felt that the environment at the school was not inclusive of or sufficiently supportive of traditionally underrepresented students, and students of color in particular. Accordingly, Latham conducted an in-depth analysis of: (i) BC High’s policies and procedures around discipline; (ii) JUG-level disciplinary data from Academic Years 2015 - 2019; (iii) student disciplinary contracts involving incidents of racial harassment; and (iv) investigation files of Accountability Boards relating to racial harassment. Below is a summary of Latham’s analysis and factual findings, and key decision points for the Board moving forward with respect to discipline.

**a. BC High Policies and Procedures**

Latham’s review of BC High Policies and Procedures specifically included a review of: (i) High School Student Handbook for 2019 - 2020 Academic Year; (ii) Arrupe Division Student Handbook for 2020 - 2021 Academic Year; and (iii) Anti-Discrimination Policy and Protocol for investigation reports of bias and harassment.

In particular, Latham analyzed the policies contained in the Student Handbooks as they relate to issues of discipline, with a focus on how those policies treat incidences of harassment based on race or other vulnerable characteristics. Both the High School and Arrupe Division Student Handbooks have extensive sections on Student Discipline, including a section entitled “Bullying Prevention and Intervention Plan.”

Under “Bullying Prevention and Intervention Plan,” the High School Handbook states, in relevant, part, as follows:<sup>3</sup>

BC High will not tolerate any form of bullying or cyber-bullying, nor will we tolerate retaliation against any person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying.

Bullying and cyber-bullying are prohibited on school grounds and at school-sponsored events, activities, functions and programs. Bullying and cyber-bullying also are prohibited at school bus stops and train stops, on school buses, trains and other vehicles owned, leased or used by the school and through use of technology or an electronic device owned, leased or used by the school.

In addition, bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school. If the bullying creates a hostile

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<sup>3</sup> The Arrupe Division Student Handbook for 2020 - 2021 Academic Year contains the same or similar language.

environment at school for a targeted student or other member of the BC High community; infringes on the rights of a targeted student or other member of the BC High community at school; or materially and substantially disrupts the educational process or the orderly operation of BC High or any other educational institutions, then the aggressor will face disciplinary sanctions.

*See* Boston College High School Student Handbook, Community Norms, Practices and Expectations, 2019 - 2020, at 42.

The High School Handbook also contains the following language regarding students who may be particularly vulnerable to bullying, including based on certain protected characteristics, such as race:

BC High understands that certain students and members of the BC High community may be more vulnerable to become targets of bullying, harassment or teasing based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. BC High, in accordance with our mission, works in all aspects of our program to create an environment that is open and understanding and does not engage in any form of bullying, harassment or teasing.

*Id.* at 43-44.

It is worth noting that the policy does not specify that any particular discipline will be handed out for violations of the “Bullying Prevention and Intervention Plan”—including any particular discipline for bullying that occurs based on a protected characteristic—but rather allows for discipline to be assessed as determined on a case by case basis:

If it is determined that the school policy has been violated and that a complaint is creditable, the VPSA may convene an Accountability Board. Disciplinary action, up to and including long-term suspension or expulsion/separation, may be taken.

*Id.* at 46.

**b. JUG-Level Disciplinary Data for Academic Years 2015 - 2019**

Given the concerns that were raised, both in the Black at BC High posts and Latham’s interviews, that discipline was inequitably distributed, Latham attempted to analyze data surrounding JUG-level discipline based on racial characteristics. Latham reviewed JUG-level discipline data for Academic Years 2015 - 2019 and student enrollment data for the same years.

To summarize the data, over the course of the five Academic Years there were 3,799 JUGS given to students with following racial demographics:

2,948 White	29 Other
311 Black or African American	16 Multiracial-Hispanic
172 Multiracial-Non-Hispanic	1 Native Hawaiian or Other Pacific Islander <sup>4</sup>
163 Hispanic or Latino	1 America Indian or Alaska Native
158 Asian	

During the same five Academic Years, there were 3,198 students enrolled at BC High with the following racial demographics:

1,424 White	6 Multiracial-Non-Hispanic
120 Black or African American	3 Multiracial-Hispanic
84 Asian	2 Native Hawaiian or Other Pacific Islander
73 Hispanic or Latino	1 Other
65 Multiracial <sup>5</sup>	

As set forth above, while students identifying as Black or African American made up approximately 6–7% of the student population during this time, they received over 8% of the JUGs. While it does appear that Black students are slightly more likely to receive JUG-level discipline than their counterparts (based purely on the percentage of Black students in the student population), it was difficult to draw any definitive conclusions solely from the data to corroborate these concerns.

However, during interviews with members of the faculty and administration, Latham discussed the concerns that students of color raised with feeling singled out and more likely to receive discipline for violations than their White counterparts. Many faculty and administrators acknowledged hearing similar concerns from students, although none acknowledged witnessing or experiencing such disparities in discipline. There was acknowledgement that the process of imposing discipline, particularly for more minor infractions, is an ad hoc one and that there is little training or guidance given to faculty members for how to handle discipline, meaning that each faculty member is given wide discretion in how to handle imposing warnings and JUGs. Indeed, the BC High Employee Handbook (revised as of June 5, 2020) does not contain any guidance for how to administer student discipline. As a result, it is certainly possible that unconscious bias can make its way into the process and result in certain students receiving less leeway and harsher punishment than others. Furthermore, the perception of inconsistent and inequitable discipline serves to undermine the purpose and effect of the disciplinary process for all students.

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<sup>4</sup> Note that this racial demographic is not reflected in the student enrollment data.

<sup>5</sup> Note that this racial demographic is not reflected in the JUG-level data.

**c. Student Disciplinary “Contracts” for Academic Years 2016 - 2019**

In addition to reviewing relevant school policies and data relating to student discipline, Latham conducted an analysis of student disciplinary contracts that involved allegations of harassment based on a protected or vulnerable characteristic. Latham reviewed student contracts from Academic Years 2016 - 2019.

To summarize, there have been 24 student contracts for matters involving bias or harassment by a student.

- Of those 24 student contracts, 22 students identified as White, 1 student identified as Hispanic or Latino, and 1 student identified as Multiracial/Non-Hispanic.
- Of those 24 student contracts, 3 contracts were the result of an Accountability Board proceedings and 2 contracts were the result of a Restorative Justice Conference.
- The discipline under these contracts varied based on the offending conduct.
  - Generally, students were forced to serve out of school suspensions, Saturday or holiday break JUGS, or a combination thereof depending on the behavior. Some students were suspended from sports activities or missed other school activities.
  - In addition, most students were required to write a reflection paper about their conduct. Some students were required to write apology letters, but it was not clear whether these letters would be sent to the other students involved, or if the student was made to apologize to the victim of their actions.
  - Every student was required to go to some form of counseling—whether it was meeting with Ms. Eevee (and the Diversity Cabinet), Mr. Shaw, adjustment counselors, outside counselors, or a combination thereof.

**d. Investigation of Accountability Boards for Academic Years 2016 - 2019**

Latham also reviewed Accountability Board data and conducted an in-depth analysis of the five Accountability Boards relating to racist, misogynistic, and/or harassing conduct. Latham reviewed data from Academic Years 2016 - 2019.

In total, there have been 24 Accountability Boards during this time for the types of conduct listed below:

9 involving marijuana use/selling vaping materials on campus	2 involving physical altercations
5 involving use of racist, misogynistic, objectification and harassing/threatening/bullying-type language	1 involving a weapon (knife)
3 involving inappropriate photos	1 involving academic integrity
3 involving theft	

Of those 24 Accountability Boards, 16 resulted in a student contract, 4 resulted in separation, 3 resulted in withdraws, and 1 vote of separation, which was overturned on appeal.

Latham analyzed the underlying investigation files of the five Accountability Boards arising from allegations of racist, misogynistic, and/or harassing conduct to understand the conduct, how the incident was investigated, and the precise punishment considered and handed down by the Accountability Board. Notably, none of the Accountability Boards relating to racist, misogynistic, or harassing conduct resulted in separation—though one incident resulted in the student’s withdrawal from the school. A summary of our findings is contained below:<sup>6</sup>

***i. Accountability Boards Relating to Racial Harassment***

In total, during the time period Latham analyzed there were three instances of racially harassing conduct by students that resulted in the convening of an Accountability Board. One involved the use of social media private group chats that contained multiple instances of racist, misogynistic, violent, harassing, threatening, and bullying conduct, including pictures of a burning cross at a Ku Klux Klan rally and use of the N-word, by White students directed toward students of color; the second involved a video clip that showed a student using the N-word while sitting at a table with other students; and the third involved a student who used a racial slur, near a classmate of color, before the beginning of class. While the first instance involved conduct by several students, many of whom received discipline short of an Accountability Board, only one student ultimately appeared before an Accountability Board. In two of these instances, the Accountability Board ultimately concluded that the students should be permitted to stay at the school, but placed the students on a disciplinary contract; for the third, the student withdrew from the school before the Accountability Board met.

***ii. Accountability Boards Relating to Gender/Sexual Harassment***

In total, during the time period Latham analyzed there were two instances of gender/sexually harassing conduct by students that resulted in the convening of an Accountability Board. One involved a student who used inappropriate gestures behind a female teacher’s back described as constituting “harassment”; a second involved a student who projected sexually inappropriate images on a classroom projection screen. In both instances,

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<sup>6</sup> We note that the Board has been provided with a detailed analysis of each of these disciplinary proceedings, and the results of our investigation into them; however, in the interest of protecting the privacy of all students and faculty members involved, this report contains a more general summary of our findings.

the Accountability Board determined that the student should be allowed to remain at the school under a disciplinary contract.

*iii. Conclusions Resulting from Analysis of Accountability Boards*

During the course of Latham's interviews, Latham spoke at length with many members of the administration and faculty who played a role in the investigation of the conduct related to these incidents and their aftermath. A few recurring themes stand out from those interviews. The first is that several people expressed doubt as to whether the administration made the right decision in not removing students from the school who engaged in such conduct, including those directly involved in Accountability Boards. Secondly, the decision not to separate students who engage in such conduct was impacted by the school's de facto policy, championed by the former Principal, against separating students from the school, but rather of using infractions as a teaching moment to help students become better people. Both the Vice Principal of Student Affairs and the former Principal discussed this philosophy at length with Latham. Finally, from discussions with the Vice Principal of Student Affairs, we understand that he was affected by the fact that certain instances of inappropriate conduct happened among students who described themselves otherwise as friends, with an understanding that the victims wanted the inappropriate conduct to stop but wanted to remain friends with the offending individuals

It is also worth mentioning that one of the members of one of the Accountability Boards expressed concern that they did not have all the information about the student's conduct at the time of the Accountability Board. The faculty member could not recall specifics about what the faculty member knew at the time, and what the faculty member later learned, but suggested the faculty member later learned information that would have led the faculty member to vote in favor of separation. This faculty member also indicated that another member of the Accountability Board also expressed doubts about whether the Accountability Board came to the right decision.

**e. Summary and Conclusions**

Latham spoke with many current and former students of color who described a sense of loneliness and isolation at BC High. Upon arrival here many students of color immediately felt out of place and many described their early experience at BC High as a "culture shock." Despite the fact that the school is in the heart of racially diverse Dorchester, these students encountered an environment that was far less diverse than the schools and communities from where they came. Obviously, incidents of overt racial harassment serve to deepen that sense of loneliness and isolation, not just for the specific student who is targeted but for all students of color. While students recognize that the school cannot prevent teenage boys from engaging in harassing conduct, they also recognize that the school can control how it responds to that conduct and can work hard to make sure all students are treated the same no matter what they look like, where they come from, or whether they are full-pay students or on financial aid. The sense that the school did not always respond appropriately on these counts was a source of deep discomfort for many students about the diversity, equity, and inclusion environment at BC High.

In this regard, an issue that the Board will need to debate and decide is whether the school's policy regarding harassment should mandate certain penalties for engaging in certain inappropriate conduct, particularly based on protected status such as race. Many of the community members Latham spoke with, including some students, parents, and administration members, advocated in favor of a zero tolerance policy that would mandate separation from the school for racial harassment. Latham acknowledges that this is not an easy policy decision to make, particularly given the Jesuit mission of the school to improve the lives of its students, including those that make serious mistakes. That said, it certainly appears as though the de facto policy against separating students from the school resulted in allowing students who engaged in very serious racial harassment to remain in the school. The obvious downside to this approach is that it helped to create an environment where students of color did not feel protected by the school or that the school was a safe and welcoming place for them, and it creates less of a deterrence to such conduct in the future.

Further, even if the Board were to determine that a zero tolerance policy is not appropriate, Latham believes it would be beneficial to provide guidance to the administration as to the type of conduct that the Board would expect merits separation from the school. More clarity on this point from the administration to faculty members and the student body would go a long way to supporting students of color at BC High.

In addition to the policy issue, the Board should consider whether training that is targeted to the issue of discipline is appropriate for faculty and administrators. Examples of training topics include (i) unconscious bias and how it can manifest itself in the discipline process, and (ii) how to appropriately consider the roles of the victims of such conduct in determining the appropriate punishment. On this second point, Latham understands that BC High has relied on a restorative justice approach for a wide range of discipline, which may be appropriate in certain contexts, but which also presents potential downsides in how the school considers the role of the victim in punishment. For instance, in one of the cases discussed above, it appears that the administration was affected in its determination of the appropriate punishment by input from one of the victims—specifically, one victim's claim that the instigator and others were friends—and gleaned from that a sense that the victim did not want them to be separated from the school. However, reliance on the stated wishes of a vulnerable victim places undue emphasis on the victims of such inappropriate conduct. It also puts the victim in the potentially awkward position of doling out punishment to a peer that he may have to encounter again. The same can occur when restorative justice requires the victim to participate, either through a public apology or otherwise, in the punishment of the perpetrators.

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## II. Hiring Faculty of Color and Recruiting Students of Color

Former and current students, faculty and staff, and administrators also consistently stated that hiring more faculty of color and recruiting more students of color would go a long way to creating a more inclusive environment and that these goals should be top priorities for advancing diversity, equity, and inclusion efforts.

To better understand hiring and recruiting efforts and strategy, Latham: (i) analyzed current faculty and student enrollment data, (ii) conducted interviews with the current and former Academic Vice Principals and other members of the faculty and administration who have responsibilities for hiring, and (iii) analyzed past DEI work product relating to hiring and recruiting efforts. Below is a summary of Latham’s analysis and factual findings, and recommendations for the Board moving forward with respect to hiring and recruiting.

### a. Faculty Employment Data

As of Academic Year 2020 - 2021, there were 192 members of the faculty, staff, and administration employed by BC High. Of those, 104 are classroom teachers with the racial demographics set forth below. Non-White teachers represent 10.6% of the current teacher population, but there are no current faculty members who identify as Black.

- 93 White
- 8 Hispanic or Latino
  - Modern Languages
  - Fine Arts
  - Religion
- 3 Asian
  - Modern Languages
  - Classics
- 0 Black or African American

### b. Faculty Hiring Process

Latham conducted interviews with the current and former Academic Vice Principals to learn more about the hiring process and efforts for recruiting faculty of color. Latham learned that the hiring process is generally overseen on the front end by the Academic Vice Principal, who has responsibility for identifying open positions and publicizing those open positions through website postings. Individual department chairs have the responsibility for identifying candidates from an applicant pool and conducting interviews. One administrator described the department chairs as the “first line” in the hiring process. The department chairs have flexibility in determining the best way to conduct an interview and the structure of those interviews may vary between departments. For example, Latham learned the English Department once involved

all tenured faculty in the department in the interview process and the Math Department once only involved the department chair in the interview process. Once candidates have been interviewed, the department chair recommends candidate(s) for hire to the Principal.

**c. Efforts to Recruit Faculty of Color**

Latham's analysis of past work product on DEI efforts uncovered the following efforts to identify and recruit faculty of color:

- Relationship with Year Up (training program)
- Attending additional diversity employment fairs
- Sporadic outreach to alumni of color
- Guidance Department outreach to colleges for interns

One administrator explained that BC High had attended diversity hiring fairs, such as those organized by U. Mass Boston or the NAIS People of Color Conference, but acknowledged that such recruiting fairs were often not fruitful. Another administrator described efforts to recruit faculty of color as "less systematic, more sporadic." Another senior administrator also described the faculty hiring process as "inconsistent" and "reactive"—a sentiment which was echoed in several other interviews Latham conducted with members of the administration. These administrators explained that there was no coordinated effort to seek out candidates of color and that efforts to do so relied more on the personal networks of faculty of color for outreach.

One administrator also observed that when certain recruiting strategies were not successful in the past there had not been an effort to analyze why those recruiting strategies might have failed. Rather, leadership would either stop engaging in the recruiting strategies or continue with the same strategies with the expectation of a different result. Latham's analysis of past work product on DEI efforts also indicates that in some instances BC High did not dedicate the same number of resources to recruiting faculty of color as other schools. As an example, notes from a Diversity Subcommittee report in 2019 state that three administrators from BC High (and no students) attended the NAIS People of Color Conference, while 28 people from Milton Academy attended the same conference.

Faculty members also stated that it seemed as though BC High believed it could attract qualified candidates based on reputation alone, which they explained not only stymied proactive hiring efforts but also did not lend itself to robust efforts to retain teachers. For example, a faculty member mentioned that BC High lost a teacher because another school "bent over backwards" to try to recruit the teacher and offered the teacher a position that would allow the teacher to design curriculum. Similarly, a senior administrator also described past hiring efforts as "complacent" and observed that the approach to hiring in the past had been to focus first on the academic and technical qualifications of a candidate and second on whether the candidate's values align with the school's values. The senior administrator indicated that this practice had the potential downside of hiring candidates who might not be champions for the school's values in the classroom.

**d. Student Enrollment Data**

There are a total of 1,153 high school students enrolled at BC High (Class Years 2021 - 2024) with the racial demographics shown in the chart below. The data shows that non-White students represent 25% of the current student population, with 7% of those students identifying as Black or African American. A concern Latham heard in interviews with former students is that metrics around students of color had the potential to be misleading because it lumped together many different ethnicity groups that, in reality, only created marginal differences in the lived experience of a Black student (*i.e.*, Black student might still find himself as the only student of color in the classroom).

	<b>Class of 2021</b>	<b>Class of 2022</b>	<b>Class of 2023</b>	<b>Class of 2024</b>	<b>Total</b>
<b>White</b>	288	260	201	120	<b>869</b>
<b>Black or African American</b>	22	18	25	15	<b>80</b>
<b>Asian</b>	21	24	24	6	<b>75</b>
<b>Hispanic or Latino</b>	14	19	15	6	<b>54</b>
<b>Multiracial-Non-Hispanic</b>	11	12	16	15	<b>54</b>
<b>Multiracial-Hispanic</b>	3	3	5	1	<b>12</b>
<b>Multiracial</b>	4	0	1	1	<b>6</b>
<b>American Indian or Alaska Native</b>	0	1	0	0	<b>1</b>
<b>Other</b>	2	0	0	0	<b>2</b>

**e. Efforts to Recruit Students of Color**

Latham analyzed documents on prior efforts to recruit students of color and spoke with members of the administration, faculty, and former students about these efforts. Latham identified the following efforts to recruit students of color in 2018 and 2019:

- Building relationships with various community-based agencies/organizations that work with students of color (*e.g.*, RBTV, AISNE, Steppingstone, Nativity Prep, Junior Service Program, community sport organizations);
  - Notes indicate there were no recruiting events at Lantana in Randolph, the Curley Center, or the Kroc Center in 2019.
- Meeting with select students of color to discuss ways to improve recruitment and to enlist those students to help/be present at BC High recruitment events (such as open houses, community receptions, information nights, etc.);
- Restructuring Admissions Team in 2018 for each to have a regional focus – one individual is focused on Boston City outreach;

- Meeting between Director of Equity and Inclusion and Admissions Team in 2018 to offer support, share suggestions, and hear plans addressing diversity;
  - Notes indicate there was not a similar meeting in 2019.

As with the efforts to recruit and retain faculty of color, the actions taken to recruit more students of color were sporadic and non-systemic. Latham heard from several current and former students who believed more could be done and expressed disappointment that there did not seem to be more efforts made to recruit from schools in the city of Boston or even in the same neighborhood as BC High.

**f. Recent Improvements**

Having identified that past efforts to recruit faculty and students of color were sporadic, Principal Lewis discussed that he was prioritizing efforts to proactively recruit candidates of color and think creatively about crafting positions for competitive hires to bring them to the school rather than waiting for the right position to be available for them.

With regard to recruiting more students of color, Principal Lewis has been speaking with current students of color to understand historical challenges to recruiting. He explained that there is a perception in the community that students of color will not be supported at BC High and therefore perspective students are not excited by the option of BC High. Similarly, Principal Lewis stated that students' negative experience with DEI efforts discourages them from wanting to return to teach at the school, which was a common theme that Latham heard in interviews with former students. In particular, former students of color stated that the lack of diversity and lack of support led them to cut ties with the community after graduation.

**g. Summary and Conclusions**

It is clear from Latham's interviews with members of the administration that they (i) understand the desire from the student population to hire more faculty of color and enroll more students of color, (ii) believe that doing so would improve the environment surrounding DEI at BC High, and (iii) have a genuine desire to make improvements in this area. That said, at least until some of the efforts made in the last year by Principal Lewis on the hiring front, the efforts to increase faculty and student diversity at the school have suffered from a variety of shortcomings, including a lack of top-down focus, lack of coordinated effort across the institution, and a lack of clear accountability and measurement both of process and results. Latham acknowledges that a desire to increase faculty and student diversity is a goal that virtually all similar institutions have, and with which virtually all have struggled. However, that further emphasizes why, if diversity, equity, and inclusion is a key strategic goal for the institution, it is critical to put in place a structure that will incentivize creative thinking and effort to make real change, and accountability for both changed processes and results, which has been lacking in the past. For instance, many interviewees lamented the lack of a pipeline for qualified minority faculty candidates, but at the same time the efforts to specifically identify and target such candidates were at best sporadic. Latham saw little innovation or accountability for success. In order to improve in this area, BC High must think critically and creatively about ways to seek out qualified candidates of color rather than depending on the faculty of color

already at the school to find qualified candidates, or depending on using the same processes for hiring that the school has historically used and expecting to see any progress or change.

Latham spoke with faculty and staff of color who recommended that BC High leverage the relationship it already has with Boston College to develop pipelines for recruiting candidates of color. The Donovan Urban Teaching Scholars Program, in particular, was identified as a program that would be beneficial to build a relationship with, given the program's focus on preparing teachers to teach in urban schools. Latham believes this is an example of the type of innovative effort to change the process of identifying and targeting more faculty of color that could result in meaningful change, and encourages the faculty and administration to consider this and similar efforts to make a real difference in the hiring process.

In addition, the Board also should consider whether training that is targeted to the issue of hiring and recruitment could be beneficial for members of the administration and those with a direct role in the interview process, such as department chairs. Examples of training topics include (1) unconscious bias and how it can manifest itself in the hiring process, and (2) interviewing strategies that could better identify candidates that match the values of BC High.

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### III. Role of Diversity, Equity, and Inclusion in the Institution

It was clear from Latham's interviews with former students that the Office of Equity and Inclusion was a place of refuge for students of color in an environment where they did not feel welcomed. That said a recurring theme from Latham's interviews of former students, faculty, and administrators was a perception that, particularly prior to the present administration, DEI efforts were not prioritized by leadership outside of the Office of Equity and Inclusion and that DEI efforts were seen as solely the responsibility of the Director of Equity and Inclusion. In particular, Latham heard from a variety of interviewees some troubling comments from the prior administration that suggested that it viewed the role of the Office of Equity and Inclusion as more of a check-the-box exercise and that the Office was not a true strategic priority or value within the institution. While, as set forth below, that focus has clearly improved under both President Regan and Principal Lewis's leadership, Latham believes there is still substantial room for improvement of the process and institutional focus around the role of DEI at BC High.

In reviewing these concerns, Latham analyzed: (i) BC High's efforts to integrate issues of DEI into curriculum; and (ii) the historical role of the Office of Equity and Inclusion. Below is a summary of Latham's analysis and factual findings, and discussion of recent positive changes in the role of DEI in the institution.

#### **a. Curriculum Review and DEI Programming**

The overall historic picture of DEI efforts at BC High as described by former students is that DEI efforts were reactive, rather than proactive. Notably the alumni that Latham interviewed who graduated prior to 2014 did not seem to recall any school-wide efforts to address issues of diversity and inclusion, while those who graduated after recalled a few initiatives, such as speakers and MLK week events, but emphasized the need for more and consistent programming. The materials on past DEI work provided to Latham tracked efforts only since 2016.

In Academic Year 2017 - 2018, a school-wide curriculum review centered on diversity was conducted that was spurred by the List of Demands that members of the Black/Latino Student Union provided to the school in April 2017 which called for comprehensive change in the community to address issues facing students of color. One of those demands was for the school to make changes to the curriculum to increase focus on Black and African American history, including in required readings. In the academic year following the List of Demands, BC High undertook a curriculum review to evaluate how topics of race and gender were discussed in the curriculum using five broad standards: (i) historical literacy on race, (ii) systemic racism, (iii) race stereotypes and bias, (iv) stereotype and bias, (v) representative voice of non-dominant experience. Faculty were asked to "map" their courses and analyze how the curriculum supported inclusivity. Specific examples of improvement that came from these efforts included increased representation in summer reading options and that the social studies curriculum was changed to give more focus on "global" history (*i.e.*, 1.5 years on global history/1.5 years on US history vs. 1 year on global history/2 years on US history). Despite the review, Latham's interviews showed that there was a lack of institutional follow up on the review, and a lack of both accountability and direction for how to make meaningful change resulting from the review.

In addition, Latham reviewed updated plans to improve the curriculum for Academic Year 2020 - 2021 and observed the following efforts to incorporate more diverse perspectives in the curriculum:

- English classes will incorporate required reading by diverse authors, including: *The Underground Railroad* by Colson Whitehead, *The Prince of Los Cocuyos* by Richard Blanco, and *Homegoing* by Yaa Gyasi.
- Social Studies curriculum will incorporate new units on the Haitian and Latin American revolutions and the civilization of Ancient Maya.
- Religion and Ethics curriculum will focus on antiracism as a virtue and Freshmen classes will analyze how different cultures and experiences can enhance the Jesuit Catholic mission of BC High.

Latham's conversations with the Director of Equity and Inclusion indicate a shift in student needs in light of recent efforts to add more diverse topics into the curriculum. First, she stated that students have observed that they are not tested on readings by authors of color in the same way as classical texts. For example, rather than a test, students are asked to write a report or have a discussion about the text in class. The implication is that the readings are not taken seriously because the student would not be tested on the subject matter. Secondly, she stated that students are craving conversations in the classroom about real world issues, which emphasizes a need for classroom teachers to be competent in leading such discussions in the classroom—an issue that is discussed further in Section IV.

#### **b. Historical Role of Office of Equity and Inclusion**

Latham also spoke with faculty and members of the administration to better understand the historical role of the Office of Equity and Inclusion and how its historic role has shaped perceptions about the value BC High has placed on diversity and inclusion. In those conversations, Latham learned the following:

- The reporting lines of the Office of Equity and Inclusion have changed over time, initially reporting to the Vice Principal for Ignatian Mission and Identity and then to the Academic Vice Principal;
- The Office of Equity and Inclusion has historically been located away from the student body and is not visible to the student body (though that has changed recently, as discussed below);
- The Director of Equity and Inclusion is the sole administration member with specific responsibility for diversity at the school and has no direct reports; and
- The Director of Equity and Inclusion does not have a formal role on the Admissions Team.

These things, taken together, have created the perception that the Office of Equity and Inclusion does not have the same decision-making power as those in a Vice Principal role. Latham heard from former students that this perception made some students second guess whether to report issues because they perceived there was no power to affect change through the office. Aside from the reporting lines, the size of the Office of Equity and Inclusion also created a perception that there was no broader institutional support for DEI efforts and that such work was happening separate and apart from other school initiatives. In particular, Latham heard from a faculty member that past DEI evaluations overseen by the Office of Equity and Inclusion have not been given broad circulation which creates the sentiment among those who have worked on past efforts that the same work is being done without concrete changes or commitment from the institution.

**c. Recent Improvements**

This historical approach aside, Latham has observed recent positive improvements in the way that the Office of Equity and Inclusion is structured, which will go a long way to crafting a more positive perception about the role and decision-making power of the Office of Equity and Inclusion and will hopefully lead to more meaningful change in this area.

- The Director of Equity and Inclusion now reports directly to Principal Lewis and President Regan;
- The Office of Equity and Inclusion has been relocated to a central location in the building to highlight the importance of the office in shaping a culture of inclusivity; and
- The administration is considering an initiative to have a dedicated faculty member or group of faculty members who would have specific responsibility for DEI efforts in various areas of focus (*i.e.*, curriculum, training and professional development, hiring).

**d. Summary and Conclusions**

Latham understands clearly from our meetings with the Board since being engaged to perform this work that improving the culture surrounding diversity, equity, and inclusion at BC High is an important strategic priority for the Board. For any key strategic priority, particularly one such as this that requires sustained, long-term, innovative efforts, success can never be possible without the right processes in place to ensure that there is both clear accountability and appropriate measurement of both process changes and results. While there have been positive recent changes made and considered by the administration, Latham believes there is substantial room for improvement in this area that is critical to creating the environment where meaningful progress toward this strategic goal can be achieved.



In this regard, below is a framework for some of the key issues that Latham believes the Board, working with the administration, will need to consider and decide in order to make meaningful improvements in the area of accountability and process surrounding DEI at BC High.

Historically, the Director of Equity and Inclusion is the sole member of the faculty and administration whose official job responsibilities include DEI. While diversity has been discussed as a strategic priority in recent years, and as a result many members of the faculty and administration have taken steps in an effort to improve in that area, those efforts have been sporadic and suffered from a lack of institutional coordination and follow up, which, unsurprisingly, has hampered the ability to make meaningful change.

Latham believes it is critical for the Board and administration to evaluate the organizational structure around the DEI function at BC High to ensure that there exists the right structure and resources to make progress on this key strategic priority. While there are many different options available to make changes in this regard, Latham has identified the following issues and potential paths forward for the Board and administration to consider:

- **Current Roles and Responsibilities**: While all members of the faculty and administration must have a responsibility to advance all of the school's strategic priorities, in order to have accountability and coordination, it is critical that certain roles have official responsibilities for DEI. In this regard, the Board and administration should consider drafting written responsibilities and expectations around DEI for those members of the school who currently have oversight of these efforts, including for the President, the Principal, the Director of Equity and Inclusion, and the other senior leaders of different areas of the school where improvements in DEI are needed, including curriculum, admissions, student life, etc.
- **Changes to DEI Structure and Resources**: In turn, the exercise of drafting written responsibilities and expectations around the DEI function for various current leaders in the school may help the Board and administration determine how the DEI function should be resourced within the institution. For instance, certain interviewees expressed the view that the Office of Equity and Inclusion should have more staffing so that more resources can be brought to bear to perform the work of the Office. While this is one option the Board and administration should evaluate seriously, there are additional and/or alternative approaches that should be explored as well. For instance, Principal Lewis discussed the possibility of dedicating a faculty member or members with specific responsibility for advancing DEI in areas like curriculum and faculty training and professional development, whereby the faculty member(s) would have a reduced teaching load and thus have the time and resources to dedicate to making meaningful change in this area. Latham finds this potential approach promising, and believes it should be considered beyond just faculty, including considering whether a specific administrator in different departments within the school (i.e., admissions, athletics, guidance) should be given official responsibility and focus for the department's DEI efforts, and the time and resources to dedicate to making meaningful improvements. Again, there are numerous different approaches that can be taken, but Latham believes it is critical for the Board and

administration to evaluate different approaches and chart a path forward that sets up clear structure and resources dedicated to improving DEI in all aspects of the institution.

- **Measurement and Accountability**: Once the Board and administration evaluate and finalize the current roles and responsibilities around DEI, and evaluate and determine the institutional changes necessary around structure and resources dedicated to the DEI function, it is critical that there be put into place clear mechanisms for measurement and accountability around successful progress. Latham has found that the axiom that an institution “cannot manage what it cannot measure” is particularly true when it comes to diversity, equity, and inclusion efforts. In this regard, the Board and administration should consider whether there are particular goals around metrics (such as in hiring and student population) for the school to strive for in a particular time frame. Equally importantly, the Board should consider what process changes are needed to create meaningful change in all areas of DEI. These goals should be clearly communicated to those with responsibility for implementing strategies for success, and then must be evaluated as part of annual performance reviews for all members of the institution responsible for advancing DEI efforts, along with proper incentives for achieving success.

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#### IV. Professional Development and Classroom Training

Another recurring theme both of the Black at BC High Instagram postings and Latham's interviews with current and former students and their parents was a concern that some faculty members failed to set an example of appropriate behavior in the classroom and were even instigators of insensitive or harassing comments themselves. Below are some representative examples of this concern that Latham uncovered:

- Anonymous post from a Class of 2019 graduate: The alumnus wrote that in a Spanish class he was accused of cheating because he was a student of color and wearing a long-sleeved shirt. The student wrote, “[w]hen this happened, I was not sure if it was racist, I just knew it was embarrassing and weird. Looking back, however, I can clearly see that there was some sort of racial bias here.” The alumnus also wrote that Black students are treated as a “troublemaker, thug, and problem.”
- Anonymous post from a student from Class of 2022: The student wrote that in a conversation in Biology class about the difference between a religion and a cult the teacher stated that “if Islam didn’t have so many followers then it would be a cult to him.” The student wrote that the teacher’s comment implied that the teacher thought “what we believed in is wrong or strange.”
- Anonymous post from a Class of 2018 graduate: The alumnus wrote that in Ethics class “my teacher told us about how his family historically owned a slave plantation, and how he and a Patriots DE could share the same blood because they have the same last name.” The alumnus then wrote that the same teacher asked the student to be a part of a “non-white” panel. The alumnus wrote that “[w]ording it as a ‘non-white panel’ alienates POC, it makes us believe we aren’t a part of the rest of the class.”
- Interview with parent of a graduate: The parent shared a story about a time in Math class when her son was made the subject of a joke in front of the class on account of his Islamic faith. The parent stated that the Math teacher, upon learning that her daughter was getting married, asked her son whether his sister would be made to wear a burka or would be locked in a room or have her driver’s license taken away after marriage. The parent stated that her son felt humiliated at the time and did not share this experience with her until the Black at BC High Instagram page was created.

Given these concerns, Latham conducted an analysis of BC High’s past efforts to provide professional development and cultural competency training for faculty. Below is a summary of Latham’s analysis and factual findings, and discussion of recent positive changes with respect to addressing concerns about leadership in the classroom.

**a. Past Programming**

Since 2016, BC High has provided sporadic external professional development opportunities for faculty and administration members that focused on diversity and equity. Below is a list of the opportunities to engage in such training and professional development programs identified during the course of Latham’s review:

- Melville on Race and Racism (2016)
- Master Teacher Institute workshop (2016)
- Harvard Graduate School of Education Race and Equity Seminar (2016)
- Center for Restorative Justice Training (2016 - 2017)
- Culturally Responsive Teaching Seminar (2017)
- AISNE Conferences (2016 - 2020)
- NAIS People of Color Conferences (2017 - 2019)
- National Anti-Racist Teach-In Conferences (2019 - 2020)

Additionally, aside from the Melville, Center for Restorative Justice Training, and National Anti-Racist Teach-In Conferences, the other professional development opportunities listed above were offered to or attended by fewer than 5 faculty and administrators. Of note, the one external professional development program specifically designed for cultural competency training—Culturally Responsive Teaching Seminar—was attended only in 2017 by one faculty member.

As for internal professional development opportunities, BC High has instituted the following:

- English Department Diversity Workshop (2017);
- Professional Learning Groups in 2017, in which students spoke about their experiences in the classroom learning about race/gender and teachers shared their best practices for talking about race and gender in the classroom with one another; and
- Professional Learning Groups in 2018 that featured two programs: (i) Comfort and Confidence in Classroom Conversations led by Ruth Eevee in which six faculty members participated and (ii) Faculty of Color led by Huy Huynh.

**b. Recent Improvements**

This academic year the school engaged with Courageous Conversation, which is a protocol created by Pacific Educational Group for effectively engaging, sustaining, and deepening interracial dialogue. The purpose of the program is designed to provide its participants with the tools to engage with and discuss issues of race openly and honestly. While the program is ongoing, all faculty and administrators participated in an intensive, two-day exercise in February of this year to begin providing the tools to more effectively discuss race in the classroom. Latham heard reports from members of the administration and faculty that the program has been an important step in the right direction—and the Director of Equity and Inclusion indicated it was one of the best DEI trainings the school has done. One faculty member was encouraged because he stated that the commitment to the Courageous Conversation program shows a tangible effort to make change, one that was notably absent when he was a student. Another faculty member stated he was “cautiously optimistic” about the program and acknowledged that it would be difficult to evaluate the effect of the program until faculty members actively put the lesson to use.

**c. Summary and Conclusions**

Based on Latham’s review of documents and interviews, the overall historical picture of professional development opportunities and cultural competency training is that while training and professional development opportunities focused on DEI have been offered, they have not been made widely available or made mandatory for all faculty and members of the administration and have been sporadically offered. The interviewees with whom Latham spoke repeatedly cited negative effects from the perception of a lack of competency to deal with such issues, including: (i) those who are already inclined to be social justice-minded tend to participate more in these opportunities and those who might benefit most from such opportunities are not participating in them and (ii) the faculty as a whole are not adequately equipped with the teaching tools necessary to navigate conversations on social justice. Latham heard from former students and current faculty that the lack of cultural competency training has led to three situations, all of which are not conducive to creating a welcoming or inclusive environment for students of color: (i) students of color are relied upon to take on the role of educating others, which can further isolate them and unfairly burden them, (ii) faculty members mishandle conversations about issues of race and diversity, or (iii) faculty members avoid discussion of timely topics all together which prevents opportunities for meaningful discussion in the classroom.

That said, BC High’s recent partnership with Courageous Conversations is the type of top-down, wide-reaching program that numerous interviewees felt has been missing from professional development and training opportunities in the past. That program is ongoing, and it will be important for the administration to assess its efficacy and effectiveness in improving the conversations around race in the classroom, but Latham believes this is the type of proactive, and comprehensive, approach to making meaningful improvements for the future.

Moving forward, the Board and administration should consider whether a similar program could be beneficial on the student level. Given that the majority of the Black at BC High Instagram postings show that students of color are subjected to harassment and micro-aggressions from peers and that misconduct happens in spaces where adults are not present, it might be worthwhile to have explicit training for students about unconscious bias and the tools to combat it, so that the school can address this issue comprehensively.<sup>7</sup>

Finally, as discussed in greater detail above in Section III, Latham's assessment of the history of training and professional development around DEI at the school is that the sporadic and uncoordinated efforts made are reflective of the fact that while DEI is generally understood to be a value, there has been a lack of institutional accountability for driving change necessary to sustain real progress. While there has clearly been an improvement in the leadership's focus and efforts to advance DEI, particularly in the last year, without the systems and resources in place to ensure ongoing measurement and accountability, there remains the risk that, as the immediacy surrounding diversity and inclusion fades and other priorities take center stage, efforts again fall by the wayside and the opportunity for lasting change is lost.

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<sup>7</sup> Latham understands that in 2016, BC High invited Dr. Roland Davis to address the student body about unconscious bias, white privilege, and institutional racism. It does not appear, however, that a similar type of conversation was had in following years.

## Conclusion of Review of Diversity, Equity, and Inclusion at BC High

As Latham concludes and summarizes the work the Board entrusted us to do, we feel it is important to note one fundamental impression we formed from our work that is immensely positive: BC High is a special place. The current and former students Latham had the privilege of speaking with, and in particular the current and former students from traditionally underrepresented groups at BC High, were extraordinary young men: uniformly thoughtful, courageous, and caring. It became clear to us that, in many ways, the BC High experience is living up to its mission of forming leaders of competence, conscience, and compassion. While the purpose of this review was to explore the environment around diversity, equity, and inclusion at BC High—an area that the Board, administration, and broader BC High community have all acknowledged needs substantial improvement—Latham thinks that acknowledging the successes of the school is important in thinking about the framework for change moving forward. In this regard, it is critical to maintain and protect what the school is doing so well, while doing the hard work to implement the kinds of changes necessary to make the BC High environment more welcoming for the benefit of all members of the community, and in particular those traditionally underrepresented at the school.

Latham also acknowledges that its expertise is in conducting the on-the-ground fact finding and analysis that is summarized above, and not in governing or managing an educational institution. Accordingly, our main goal in preparing this memorandum was to set out in detail our factual findings regarding the environment at BC High as it relates to diversity, equity, and inclusion; highlight areas of weakness that we identified through our review process; underscore the successes we saw that can be replicated in the future; and, importantly, to identify common themes and areas where key decisions need to be made in the future by the Board and the administration to set the proper course for improvement. To the extent that this memorandum makes recommendations, they are just that, and they are borne out of a combination of the facts Latham uncovered and the tremendous amount of wisdom and experience shared with us by the many members of the BC High community we spoke with, including current and former students, parents, faculty, and administrators. Latham recognizes that the Board and administration will, armed with the factual analysis provided herein, need to debate and make critical decisions to chart the path forward at BC High in the area of diversity, equity, and inclusion. What Latham has sought to do is to provide both the historical factual analysis necessary to inform that debate, and a framework for thinking about the changes necessary to create an environment for meaningful change. Latham looks forward to continuing to engage with the Board as that process continues, and to providing any further assistance it needs as it embarks on this important work.