



**City of Boston**  
Mayor Michelle Wu

TO THE CITY COUNCIL

Dear City Councilors:

In Response to a 17F request filed by your Honorable Body on May 2, 2022.

Re: Relative to the Mission Hill K-8 School.

Sincerely,

A handwritten signature in blue ink, appearing to be "Michelle Wu".

Michelle Wu  
Mayor of Boston

May 13, 2022

Boston City Hall  
1 City Hall Square  
Room 550  
Boston, MA 02201

Dear City Councilors:

Please find below the responses to a 17F filed on May 2, 2022 relative to the Mission Hill K-8 School.

**OFFERED BY COUNCILOR MICHAEL F. FLAHERTY**



## **CITY OF BOSTON IN CITY COUNCIL**

IN THE YEAR TWO THOUSAND AND TWENTY TWO

### **Order of Councilor At-Large Michael Flaherty**

**ORDERED:** That under the provisions of section 17F of Chapter 452 of the Acts of 1948, as amended, and any other applicable provision of law, the Mayor, be, and hereby, is requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information relative to the Boston Public Schools Department:

- 1) Provide a breakdown of total sexual assault and harrasment incidents at Mission Hill K-8 School reported to Boston Public School employees with redacted student and personnel informaion as needed.

**Response:** The Boston Public Schools does not make determinations as to whether a report involves sexual assault or sexual harassment as those terms are defined by criminal and civil statutes. Accordingly, the Boston Public Schools does not have responsive records to this request. Notwithstanding, the Boston Public Schools does investigate and



track the number of allegations of sexual misconduct as defined by Equity (EQT) Circular 3. Below is a table of reports of possible EQT-3 violations at the Mission Hill School reported to the Office of Equity either directly or through school personnel from January 1, 2017 to September 1, 2021.<sup>1</sup> Identifying student and personnel information has been removed in compliance with FERPA, the IDEA, and employee confidentiality laws. The Hinckley Allen Report references some of the same alleged incidents, and also includes allegations of sexual misconduct that were not reported to the Office of Equity.

| <b>Incident Date</b> | <b>Incident Type</b>                     | <b>General Allegation</b>            |
|----------------------|--|--------------------------------------|
| 11/26/2018           | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate touching               |
| 1/14/2019            | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Attempted inappropriate touching     |
| 1/16/2019            | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate touching               |
| 2/1/2019             | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate touching               |
| 11/22/2019           | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate sexual comments/images |
| 1/13/2020            | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate sexual comment         |
| 2/3/2020             | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate sexual comment         |
| 2/6/2020             | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate touching               |
| 2/12/2020            | EQT-3: SEXUAL MISCONDUCT TOWARD STUDENTS | Inappropriate touching               |

- 2) Provide a breakdown of incidents that were not handled in compliance with MGL C.119, 51A.

<sup>1</sup> Data for this school year is currently being entered into the Office of Equity case management system, and is not yet complete.



Response: The Boston Public Schools does not make legal determinations as to whether an employee complied with General Laws, Chapter 119, Sec. 51A. However, the Boston Public Schools does investigate any allegations that an employee may have engaged in conduct that is in violation of Superintendent Circular SUP-20 “Child Abuse and Neglect.” Notwithstanding, the Boston Public Schools does not track personnel information in the manner in which it has been requested, and therefore does not have data of the number of employees who have been found to have engaged in conduct in violation of Superintendent Circular SUP-20.

- 3) Provide an explanation of why Boston Public Schools retained legal counsel to perform an investigation instead of consulting with out Boston Police Department Crimes Against Children Unit and/or the Suffolk County District Attorney’s Domestic and Sexual Assault Unit in a timely manner.

Response: The Boston Public Schools reports allegations of sexual misconduct to the Boston Police and/or the Department of Children and Families as appropriate. The Boston Public Schools did not retain legal counsel to investigate allegations of sexual assault or any other allegations of criminal misconduct. Rather, the Boston Public Schools retained legal counsel to investigate allegations that on multiple occasions, Mission Hill staff members did not follow Boston Public Schools policies with respect to complaints of bullying as well as special education and English language services regulations. The Hinckley Allen investigation was a follow-up comprehensive investigation of allegations that were substantiated in the spring of 2021 by Attorney Joseph Coffey of unaddressed bullying and special education rules noncompliance.

The initial investigation in the spring of 2021 was conducted by Attorney Joseph Coffey, who was retained to investigate a complaint that staff at Mission Hill failed to follow Boston Public School policies with respect to complaints of bullying and failed to properly implement special education services. Attorney Coffey substantiated those allegations and stated in his report that he had substantiated similar allegations at Mission Hill in 2015. Accordingly, the Superintendent retained Hinckley Allen to conduct a comprehensive ten-year look back to determine if there were other issues of bullying and/or special education noncompliance. At no time did Hinckley Allen investigators conduct investigations into allegations of sexual assault or any other allegations of criminal misconduct. After allegations of criminal misconduct were made to the Hinckley Allen investigators, those allegations were then reported to the Office of the Legal Advisor, the Office of Equity, and the appropriate law enforcement agencies.



- 4) Provide a total breakdown of legal fees spent on all activities related to these incidents, including but not limited to all lawsuit settlement legal fees and settlement amount(s), investigation costs, and personnel costs.

Response:

- (a) The Hinckley Allen investigation is currently ongoing. To date, the Hinckley Allen invoices for work on the Mission Hill investigation total \$253,286.84.
- (b) The 2021 Mission Hill Report by Attorney Joseph Coffey was invoiced for \$19,975.00.
- (c) *Doe1 et al v. Boston Public Schools et al*, Docket No. 17-cv-11653 was resolved through a settlement for \$650,000.00.

Thank you for your time and attention.

In Partnership,



Dr. Brenda Cassellius  
Superintendent