

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS¹

SAMANTHA J. COMFORT, et al.,
Plaintiffs,

v.

LYNN SCHOOL COMMITTEE, et al.,
Defendants,

and

COMMONWEALTH OF MASSACHUSETTS,
Defendant-Intervenor,

CIVIL ACTION
NO. 99-CV-11811NG

TODD BOLLEN, et al.,
Plaintiffs,

v.

LYNN SCHOOL COMMITTEE, et al.,
Defendants,

CIVIL ACTION
NO. 01-CV-10365NG

Declaration of John F. Dovidio

I, John F. Dovidio, declare and state:

1. I am a social psychologist and intergroup relations expert. I am the Interim Provost and Dean of Faculty and a Charles A. Dana Professor in the Department of Psychology, Colgate University. I have been a faculty member of Colgate University since 1977. I have served as President of the Society for the Psychological Study of Social Issues (Division 9 of the American Psychological Association) and as Chair of the Executive Committee (President) of the Society for Experimental Social Psychology. I have also been Editor of *Personality and Social Psychology Bulletin* and Associate Editor of *Group Processes and Intergroup Relations*. I am

currently the Editor of the Interpersonal Relations and Group Processes section of the *Journal of Personality and Social Psychology*. I have researched and studied social psychology and intergroup relations among elementary school children, high school students, and college students. Most of my research, study, and professional experience has centered on understanding the nature of intergroup attitudes and stereotypes and investigating ways of improving intergroup relations. A substantial aspect of my focus on this topic has related to processes associated with the Contact Hypothesis. This hypothesis represents a primary approach to understand and enhance intergroup relations that have been used by social psychologists and other experts to study racial segregation, isolation, and integration and its effects on students. Over the course of my career I have reviewed most of the literature in the areas identified above.

2. Based on my review of that literature and on my own research, professional experience, and study on these topics, I make the statements, opinions, and conclusions in this declaration with a reasonable degree of professional certainty. All of my opinions and conclusions are based on my review of the social science, developmental and social psychology and education research and publications that are scientifically tested, reliable, peer reviewed and relied upon and accepted by experts in these fields in forming opinions and reaching conclusions, including my own peer-reviewed research and publications, my own professional experiences with primary and secondary schools and colleges, my knowledge of the Lynn school system, through my review of Lynn's Plan, the extensive data and information about Lynn school choice and integration plan, policies, and practices, and its school district and its students, the affidavits filed in opposition to the plaintiffs' motion for a preliminary injunction in the Comfort case, answers to discovery in the Comfort and Bollen cases, a review of the results of the survey of Lynn's eleventh grade students by the Civil Rights Project, Harvard University in the spring of 2000, discussions with Professors Melanie Killen and Professor Gary Orfield about their research and studies in this field and the findings they have made about Lynn, and my observations of and discussions with a broad cross-section of students, teachers, and guidance counselors and school and district administrators, during my visits to two elementary, four middle and two high schools in Lynn in January and February 2002. In determining whether Lynn's school choice and integration plan, policies, and practices currently and in the past have met the compelling educational needs of its students, are necessary to ensure these compelling educational benefits, and has achieved the compelling educational benefits that flow from the effective integration of White and minority (Blacks, Latino and Asian) students, I employed and followed the scientifically tested and validated methodology used by experts in my field of expertise in forming opinions and drawing conclusions.

3. For purposes of this declaration, and when discussing the circumstances where an integration plan will be effective in school districts with significant proportions of both White and minority (Blacks, Latino and Asian-American) students, such as in Lynn, it is necessary that an integration plan, to the maximum extent possible, result in a substantial percentage of White and minority students attending each of the schools in the school district, as has occurred under Lynn's plan. It is my opinion that the benefits of integration and interracial contact will not

occur and certain serious adverse consequences will likely arise in a school district where there are a significant proportion of White and minority students who attend racially isolated or segregated schools. (Aboud & Levy, 2000; Hawley, et al., 1983; Schofield, 1991; Schofield, 1995; Schofield & Eurich-Fulcer, 2001; Schofield & Sagar, 1983).

4. I am using the terms “racial isolation” in schools to refer to circumstances of a school district with significant proportions of both White and minority (Blacks, Latino and Asian-American) students and in which minorities comprise less than 20% of a school’s student population; and “segregation” in schools to refer to a circumstance in which Whites or minorities comprise less than 20% of the student population at a school. The definitions of racial isolation and segregation that I apply in this declaration are accepted and recognized by school districts, educators, and social scientists and are regularly used for evaluating the success of integration efforts by school districts (Aboud & Levy, 2000; Hawley, et al., 1983; Schofield, 1991; Schofield, 1995; Schofield & Eurich-Fulcer, 2001; Schofield & Sagar, 1983).

5. For the past fifty years the "Contact Hypothesis" (Allport, 1954; Amir, 1969; Miller & Brewer, 1984; Cook, 1985; Hewstone & Brown, 1986; Watson, 1947; Williams, 1947; see also Hewstone, 1996; Pettigrew, 1998) has represented a primary strategy for reducing intergroup bias and conflict. It proposes that intergroup contact under *certain prerequisite conditions* promotes the development of more harmonious intergroup relations. Among these specific conditions are equal status between the groups (optimally within and outside of the contact setting), cooperative intergroup interaction, opportunities for personal acquaintance between outgroup members, and norms within and outside of the contact setting that support egalitarian intergroup interaction (Cook, 1985; Pettigrew, 1998). Research within laboratory and field settings generally supports the efficacy of the list of prerequisite conditions for achieving improved intergroup relations (Blanchard, Weigel & Cook, 1975; Cook, 1969; 1985; Deutsch & Collins, 1951; Green, Adams & Turner, 1988; Schofield & Eurich-Fulcer, 2000; Stephan, 1987; Stephan, 1999; Weigel, Wiser, & Cook, 1975). For example, in classroom settings, support for key elements of the Contact Hypothesis has been obtained through activities such as cooperative learning (Slavin, 1985), jigsaw classroom interventions in which students are interdependent on one another in problem-solving exercises (Aronson & Patnoe, 1997), and more comprehensive approaches in schools that involve establishing a cooperative community, resolving conflicts, and internalizing civic values (e.g., Peacekeepers; Johnson & Johnson, 2000). Additional work has further identified the importance of developing intergroup friendships within intergroup contact situations as a particularly valuable factor in reducing prejudice, stereotyping, and discrimination, largely because it embodies the critical processes identified in the Contact Hypothesis (Pettigrew, 1998; Wright et al., 1997).

The Contact Hypothesis has received substantial empirical support. Pettigrew and Tropp (2000) reported the results of a systematic, quantitative (meta-analytic) review of tests of the Contact Hypothesis, based on 203 studies involving over 90,000 participants. Across these studies, intergroup contact reflecting the parameters identified in the Contact Hypothesis was significantly related to decreased intergroup biases. These effects occur for both majority and

minority participants. Examination of effects within just school settings (64 samples; Pettigrew & Tropp, 2000) also provides significant support for the Contact Hypothesis. Schofield's (1995) analysis of data within school settings in particular yields the same conclusion. These findings have direct implications for desegregation plans, such as the plan that is currently in place in Lynn, Massachusetts.

6. Research on the effectiveness of intergroup contact for reducing intergroup prejudice, stereotyping, and discrimination has involved experimental designs, both in laboratory and naturalistic settings, longitudinal surveys, and cross-sectional survey methods. In experiments, specific aspects of the situation are varied systematically in some groups, but not in others, and differences in bias are compared. With appropriate statistical controls, experiments allow for direct causal inferences. Evaluations of interventions such as Peacekeepers (Johnson & Johnson, 2000), cooperative learning (Slavin & Cooper, in press), and Complex Learning (Cohen, in press) offer direct experimental evidence of the benefits of appropriately structured intergroup contact for reducing intergroup bias. Longitudinal and field studies, which do not involve direct manipulations, produce correlational evidence in support of the Contact Hypothesis. However, statistical procedures, such as mediation analysis (Baron & Kenny, 1986) and structural equations modeling, offer tests of proposed causal models. The findings of these studies also offer significant support for the Contact Hypothesis, in high school (e.g., Gaertner et al., 1994, 1996) as well as college (e.g., Dovidio, Gaertner, Niemann, & Snider, 2001) settings. In the present (Lynn) case, I reviewed the results of the survey of Lynn's eleventh grade students by the Civil Rights Project, Harvard University in the spring of 2000, and I conducted interviews at elementary, middle, and high schools (with students, teachers, administrators, and other school personnel), in which I asked questions that had been validated in previous research to reflect assessments of conditions of intergroup contact and measures of bias.

7. There are compelling short- and long- term educational benefits to a school system and its students, such as in Lynn, that implements effective integration programs and strategies. An effective integration program produces more positive and harmonious intergroup relations. Positive intergroup relations promote the development of important social and educational skills. Socially, intergroup friendships generates more favorable intergroup attitudes, and increase the likelihood that students form more and deeper cross-racial and cross-ethnic group friendships in the future. In addition, positive intergroup multicultural experiences increase the ability of young people to appreciate cultural differences, which produces a more tolerant and accepting intergroup orientation (Pettigrew, 1997). Academically, a positive intergroup environment stemming from an effective integration strategy significantly reduces the likelihood of cross-group conflict (Schofield, 1986) that disrupts the learning environment and often produce disciplinary actions and increase absenteeism in schools. Because successfully integrated settings facilitate the development of more personalized, individuated impressions of members of other groups (Brewer & Miller, 1984); they also reduce the negative effects of stigmatization on academic performance. To the extent that successful integration reduces the stigmatization of minority group members, it addresses some of the social psychological factors that often adversely affect their school performance. Steele (1997), for example, reported that Blacks

performed more poorly on achievement tests in contexts that increased the salience of their racial group membership and activated traditional cultural stereotypes about intellectual inferiority and incompetence.

8. When school-age children are racially isolated or segregated from one another, there are significant short-and long-term negative effects on their social and academic lives. Socially, the physical separation of racial groups fosters social categorization of students into ingroups and outgroups, into “we’s” and “they’s.” Upon social categorization into ingroups and outgroups, school-age children as well as adults, favor ingroup members in terms of evaluations, attributions, material resources, helping, and social support (see Gaertner & Dovidio, 2000). For instance, students are more spontaneously helpful to members of the ingroup than the outgroup, and they are more likely to exchange self-disclosing information with an ingroup member (Dovidio, Gaertner et al., 1997). In addition, upon social categorization of individuals into ingroups and outgroups, school-aged children spontaneously evaluate ingroup members more favorably than outgroup members (Otten & Moskowitz, 2000). In terms of cognitive processing, people retain more positive as well as more detailed information for ingroup members than for outgroup members (Howard & Rothbart, 1980; Park & Rothbart, 1982). People also have better memory for information that describes ingroup members as similar and outgroup members as dissimilar to the self (Wilder, 1981). In addition, students are more generous and forgiving in their explanations for the behaviors of ingroup relative to outgroup members. Positive behaviors and successful outcomes are more likely to be attributed to internal, stable characteristics (the personality) of ingroup than outgroup members, whereas negative outcomes are more likely to be ascribed to the personalities of outgroup members than of ingroup members (Hewstone, 1990; Pettigrew, 1979). Thus, segregation and racial isolation exacerbates the effects of racial differences by emphasizing the ingroup-outgroup distinction based on race or ethnicity.

Segregation or racial isolation, in which a racial or ethnic group is represented as a substantial minority of the population increases the likelihood that they will be seen in overly simplified and rigidly stereotypic ways (Mullen, 1991) and perceived as overly homogeneous (e.g., perceived as being all alike). In this context, minority group members will also be more aware of their racial or ethnic group membership and be more sensitive to their potential stigmatization. As a consequence, they will be very vigilant for and sensitive to evidence of discrimination, often over attributing behaviors of the majority group to bias (Dovidio, Gaertner, Kawakami, & Hodson, in press). Feeling that one’s group is a token minority in a setting produces memory deficits and cognitive interference that impairs academic performance (Lord & Saenz, 1985) and often activates negative stereotypes of one’s own group that can lead to poorer academic performance, particularly on achievement tests (Steele & Aronson, 1995). Socially, feelings of distinctiveness produces lower levels of satisfaction (Niemann & Dovidio, 1998), which often increases absenteeism and produces lower performance motivation.

9. I examined the operation of the Lynn school choice and integration plan through direct visits to elementary, middle, and high schools on two separate occasions (January 23-24 and February 26-27, 2002), reviewed the extensive data and information about Lynn school choice

and integration plan, policies, and practices, relevant documents about student behavior (e.g., absenteeism, suspension rates, achievement), and studied the results of the survey of Lynn's eleventh grade students by the Civil Rights Project, Harvard University in the spring of 2000. As a basis for these observations and interviews, I drew upon the social science, developmental, social psychology and education research and publications, including my own peer reviewed research and publications, and my own professional experiences with primary and secondary schools and colleges. During my visits, I engaged in systematic observations and structured interviews. I observed the spontaneous social interactions of children in non-structured settings (see Schofield, 1979, Schofield & Sagar, 1977). These settings included recess, lunchtime, hallways, early morning line-up (elementary school), informal interactions after school dismissal, study halls (high school), gym activities, and after-school activities. I also examined evidence of intergroup relations from graffiti or in more formal forms, such as student newspapers and posters and other signs in the buildings. I conducted informal interviews with school personnel (see Schofield, 1996), which included spontaneous conversations with gym coaches, teachers, counselors, and principals. Third, I recorded observable messages and values about intergroup relationships as noted in school newsletters, posters, programs, hallway signs, assemblies, and counseling programs (see Schofield, 1996). I conducted more formal, semi-structured interviews with school personnel in each school I visited, such as principals, teachers, and guidance counselors (see Schofield, 1996), as well as with students. I reviewed the other important sources of data and information about the Lynn schools and its students, to confirm and validate observations and interview results, and to identify substantial inconsistencies or contradictions. This includes comprehensive data from the survey of almost all of Lynn's eleventh grade students by the Civil Rights Project, Harvard University in the spring of 2000, and school suspension data (declining suspension rates the past three years, and suspension rates for Whites, Blacks, Latino and Asian students that is consistent with their percentage in the student population for the past three years). I also interviewed the former Assistant Superintendent of the Lynn Public Schools (1981-1985) and a Captain in the Lynn Police Department, employed since the early 1980s.

10. On the basis of my interviews with students, faculty, and administrators at elementary, middle, and high schools in Lynn, Massachusetts; my interviews of the former Assistant Superintendent and with a Captain of the Lynn Police Department; my observations of the interactions and environment of the schools; my review of the extensive data and information about Lynn school choice and integration plan, policies, and practices, including data related to student performance, disciplinary actions, and retention rates; and my examination of the results of the survey of Lynn's eleventh grade students by the Civil Rights Project, Harvard University in the spring of 2000, it is my opinion that the Lynn school system, through the State Racial Imbalance Law, has established and maintained the conditions for a successful, integrated school environment.

As noted earlier, as specified by the Contact Hypothesis, intergroup contact promotes the development of more harmonious intergroup relations when specified conditions are met. These conditions are equal status between the groups (optimally within and outside of the contact

setting), cooperative intergroup interaction involving common fate, opportunities for personal acquaintance between outgroup members, and norms within and outside of the contact setting, including authority sanctions, that support egalitarian intergroup interaction (Cook, 1985; Pettigrew, 1998). On the basis of my interviews, observations, and examination of relevant data, I determined that these conditions are met within the Lynn school system.

I find that across the Lynn school system, students from different racial and ethnic groups were treated as equal in status by administrators, faculty, and fellow students. The principle of *equal status* among groups was reflected in the mission statements of the two comprehensive high schools, Lynn Classical and Lynn English, which emphasize the value of diversity. All of the school principals that I interviewed stressed that their policies were designed to communicate the schools' commitment to the equal status of all racial and ethnic groups within the institutions, and this principle was reinforced by posters on the walls of schools and by the organization of events such as Harmony Day (Lynn English). This principle was reflected in more subtle ways, as well. For example, at Lynn English, high school administrators designed the newly renovated cafeteria to promote equal status by making the majority of the tables round and by having no chairs at the head or foot of the large rectangular lunch tables. The teachers that I observed in the classroom assigned responsibilities in an equitable way across students from different groups and behaved in equivalently responsive ways. Teachers articulated their value for equality among groups in my interviews with them. Students with whom I met and interviewed also reported that they felt that students of different races were treated equally and fairly by administrators and students, and they did not believe that students from one particular group were being privileged over students from other groups. They consistently believed, for example, that disciplinary action was applied in a fair and even-handed manner. My observations of student interactions during recess, gym, lunch, and before- and after-school activities also conformed with the condition of equal status contact. In physical activities, students engaged in turn-taking, independent of students' racial or ethnic backgrounds. Students from diverse backgrounds were well represented in student government position, peer counseling roles, and in extra-curricular activities.

Data from the survey of Lynn's eleventh grade students by the Civil Rights Project, Harvard University offer strong converging evidence that students in Lynn perceive equal status among racial and ethnic groups in the school. Across the different groups identified in the survey (Whites, Blacks, Latino and Asian) in Lynn schools, students, consistently and equivalently across racial and ethnic groups feel that they are encouraged by teachers, counselors and other adults in the school to attend college (Question #14) and report that at least one of their teachers takes a special interest in them (Question #19). In addition, the majority of students from all of the different racial and ethnic groups studied indicated that, as a result of the classroom or extracurricular activities offered at their school, their interest in taking on leadership roles in their community (Question #60) and in volunteering in their community (Question #52) had increased. Consistent with the results of my interviews with students, respondents across the different racial and ethnic groups in the survey of eleventh grade students generally believed that their teachers administer punishment fairly (Question #18). These data, in turn, are also

compatible with the trends in school suspension data, which reveal suspension rates for the past three years that fairly reflects the percentage of White, Blacks, Latino and Asian students in the school population. Thus, it is my opinion that there is converging, consistent, strong evidence that the condition of equal status contact is satisfied within the Lynn school system.

I also found consistent evidence of *cooperative interaction*, involving common fate within the Lynn school system. Lynn administrators, faculty, and students demonstrated great pride in their schools and in their community. Students identified strongly with their school, and when I asked students about what elementary, middle, or high school they thought was the best, they all indicated their own school. Students clearly recognized the racial and ethnic diversity in their school and were aware and proud of their own racial and ethnic heritage, but they also expressed a strong commitment to other students in their school and emphasized their common bond. I observed that teachers frequently used cooperative learning strategies and encouraged team learning activities. In a way that fosters collective identity and cooperative interdependence, some schools divided faculty and students into “clusters” in which students shared several classes and teachers together. Students were assigned to learning teams and clusters in ways that made them racially and ethnically heterogeneous. Thus, team and cluster memberships “cross-cut” racial and ethnic group members, a strategy that has been shown to improve intergroup relations (Bettencourt & Dorr, 1998; Miller, Brewer, & Edwards 1985).

The survey data of the eleventh grade students in Lynn again present a picture that is consistent with my findings from the interviews with administrators, faculty, and students. The majority of Asian, Black, Latino, and White student respondents reported that teachers encourage them to work with students of other racial and ethnic backgrounds (Question #20) and substantial portions of these students indicated that they worked on school projects or studies with people from other groups at least once or twice a month (Question #31).

Administrators, teachers, and students whom I interviewed articulated a strong emphasis on policies and practices that promoted *personalization* and provided opportunities for personal acquaintance between students. Administrators expressed an interest in getting to know students personally. One elementary school principal stated that he knew over 300 (out of 340) of the students in his school by their first name. Students clearly perceived this orientation. On the survey of eleventh grade students in Lynn, over 80% of the students overall responded that a teacher takes a special interest in them at least some of the time. Students whom I interviewed also felt that disciplinary actions were assigned based on the individual’s actions and did not involve bias. This position was supported by responses on the survey of eleventh grade students. Over three-quarters of Asian, Black, Latino, and White students felt that teachers regularly administer punishment fairly.

My observations and interviews, as well as responses to the survey of eleventh grade students, also reveal consistently high levels of personalized contact. I observed students interacting frequently in a variety of unstructured settings (e.g., at recess or gym, in the lunch room, before and after school, in the hallways between classes). Students at the high schools typically

reported having friends who were members of other racial and ethnic groups, having often visited these friends' homes, and feeling free to date members of other groups. In classes, I observed students from different racial and ethnic groups sitting together and working together. These interactions appeared pleasant and spontaneous.

Faculty and administrators reported trying to encourage students to interact on a personal basis. For instance, at one high school student lunch schedules are arranged so that students will have different lunch periods over the week and thus will not be able to sit with the same students all of the time. In an ESL class at a middle school, as part of a history lesson, students were asked to discuss events in their lives or in their country that occurred at times of important events in U.S. history. On the survey of eleventh grade students, respondents report that discussions in their class have substantially helped them gain an understanding of others' viewpoints (Question #22) and made them much more comfortable in learning about people from other racial and ethnic groups (Question #27). Over 90% of the students feel prepared to work in a job setting with people of a different racial or ethnic background. Administrators, faculty, and students whom I interviewed all agreed that this orientation helped to prevent conflicts between students from becoming racial conflicts. Students perceived these conflicts on a personal, individualized level, not as an intergroup phenomenon.

Consistent with the key factors in successful intergroup contact, my interviews and observations revealed strong evidence of supportive norms that were reflected particularly clearly in the positions of authority figures. All of the teachers, counselors, and administrators I interviewed were committed to racial equality and to supporting students of all races and ethnicities. Posters, banners, and school activities (including cultural events) clearly communicated these principles to people within the school. As noted earlier, students perceive that they were treated fairly in disciplinary actions (Question #18), and they feel that their performance in school will reflect their own effort (Question #17). Students have also appeared to internalize these norms. The majority of the students responding to the eleventh grade survey state that their school experiences have increased their commitment to civil rights and to reducing inequality (Question #53).

Besides evidence that the Lynn schools currently reflect the conditions for intergroup contact that can effectively reduce bias and intergroup conflict, and thus can provide a better environment for facilitating academic achievement, I also found evidence that the current nature of intergroup relations are very favorable. Administrators, teachers, counselors, and students consistently described relations between racial and ethnic groups to be very favorable. Racial and ethnic-group tensions were not a problem in their schools. Suspension rates in the Lynn school district have significantly declined over the past three years, and administrators reported that suspensions were unrelated to racial conflict. I interviewed the Assistant Superintendent of Lynn schools who currently (and for a number of years) works with the administration and students at Lynn English High School facilitating a school-business partnerships. He reported that when he was Assistant Superintendent in the 1980s, White, Latino and Blacks students generally self-segregated in the schools and in the community, and that racial tensions and

conflicts between the various racial and ethnic groups in the schools, along with school disruptions, was a substantial problem. He stated that beginning in the early 1990s, he observed racial conflict diminish significantly and race and ethnic group relations improve substantially. He observes no current interracial tensions or conflicts in Lynn schools and reports a great number of interracial friendships in the schools, that has spilled over into the community. A number of teachers from Lynn English who worked in various schools in Lynn in the 1980s, consistently reported significant intergroup tensions and interracial problems in the schools during that period of time and they stated that those conditions no longer exist. Similarly, the Lynn Police Captain, employed in the department since the early 1980s, reported a lot of self-segregation among racial groups in the schools in the 1980s. He stated that in the past ten years the amount of crime in the schools have been unusually low overall, with no race-or ethnicity-related crimes. He confirmed the low level of violence and conflict and the absence of bias-motivated interracial conflict, as reflected by the summary chart of police incident reports since 1990.

Responses on the survey of eleventh grade students reveal not only that intergroup relations within the Lynn schools are not only very positive, but also that they form the basis of sustained positive relations in the future. The vast majority of students say that they feel comfortable working with students from different racial and ethnic backgrounds (Question #26) and discussing controversial issues related to race (Question #25). Over 85% of the students believe that their school experiences have helped them, or will help them, get along more effectively with people from other groups (Question #46). In addition, the respondents had developed strong interests in getting to know people of other racial and ethnic groups. The majority of Asian, Black, Latino, and White students are interested in attending a racially/ethnically diverse college (Question #42), living in a racially/ethnically diverse neighborhood when they are adults (Question # 43). Taken together, the information I have gathered from interviews and observations, along with the data from the survey of eleventh grade students, provides strong evidence that the environment of the Lynn schools meets the standards for effective intergroup contact.

11. On the basis of the data from my interviews, my observations, and my review of relevant documents and research, I conclude that Lynn's students derive compelling short- and long-term social and educational benefits from Lynn's school integration plan. Lynn has established an exemplary pattern of intergroup relations. As described above, Lynn's plan is implemented in a way that is consistent with the conditions outlined in the Contact Hypothesis for effective intergroup contact. It is my opinion that socially, the current plan, by providing opportunities for frequent intergroup contact, facilitates positive intergroup relations within the schools and reduces intergroup tension and conflict that interferes with effective teaching and learning. Socially, students have opportunities to develop cultural awareness and sensitivity and acquire important skills in cross-cultural communication. These experiences not only have increased Lynn students' confidence in their ability to work with people from different racial and ethnic backgrounds but also contribute to their interest in living and working in multi-cultural environments and preparing them to be more effective leaders in those environments. Lynn's

plan helps to develop students' inclusive orientation toward members of other racial and ethnic groups and allows them to make race and ethnic group membership a secondary factor in establishing personal and work-related relationships with others. Educationally, it is particularly important that Lynn's plan be race-conscious when students request out-of-district school assignments. Lynn's current integration plan contributes directly to the presence of students from different groups in schools in numbers sufficient to reduce the likelihood that members of these groups will experience the psychological stress, cognitive deficits, and stigmatization and increased vulnerability to stereotyping that adversely affects the academic performance of members of "token" groups experience (Lord & Saenz, 1985; Steele & Aronson, 1995). The types of personalized intergroup experiences that the current integration plan fosters also facilitate the ability of students to understand the perspectives of members of other groups, and thus to develop the types of skills that enable them to be sensitive to the equal and just treatment of members of other groups (Killen & Stangor, 2001).

12. On the basis of my examination of the affidavits of Janet Birchenough and former Superintendent James Mazareas, and a review of a student enrollment simulation by Lynn schools in January 2002, if Lynn were no longer able to implement its voluntary integration plan, the school district would return to student assignments based on neighborhood schools. The enrollment simulation calculates the effects of reassigning all children enrolled in the Lynn School District as of January 2002 to their neighborhood schools. Two of the eighteen elementary schools would have less than a 10% minority population. In addition, another three elementary schools would have less than a 20% minority population. Four elementary schools would have less than a 20% White population, with two of those elementary schools at only 14-15% White. (Even if the Transitional Bilingual Education programs remained at their current school locations, one of the eighteen elementary schools would have less than a 10% minority population and another three elementary schools would have less than a 20% minority population.) The data shows that under Lynn's school choice plan, currently none of the eighteen elementary schools have less than a 20% minority population and two elementary schools have less than a 20% minority population. In addition, there would be significant implications to the racial composition of two of the four middle schools in Lynn. Lynn district data confirm that if Lynn were no longer able to implement its voluntary integration plan, and the school district returned to student assignments based on neighborhood schools, Pickering Middle School would be at high risk to become racially isolated school-wide. Currently, minorities would account for only 22% of the student population at Pickering Middle School, rather than 33%, while the eighth grade classes at Pickering Middle School would be 16% minority. The student enrollment simulation shows that minorities would have constituted only 18% of the school population at Pickering Middle School in the 2000-2001 school year, reflecting its likely status as a racially isolated school without the school choice program. In addition, the Fecteau-Leary Middle School would become even more minority, with a student body that is 83% minority, rather than 81%.

13. It is my conclusion that if Lynn's school choice and integration plan is terminated, Lynn students will no longer receive and experience the compelling short and long-term educational

and intergroup benefits of intergroup contact that is sufficient in quantity and quality to promote positive intergroup relations (Pettigrew, 1997). As illustrated above, if the program is terminated, large numbers of elementary and middle school students will return to their district schools, producing a number of schools with relatively small, or token numbers of Whites or minorities (Blacks, Latino and Asian-American) and thereby causing racial isolationism and segregation. Spatial segregation and isolation promote representations of people as members of different groups, which stimulates an array of intergroup biases (see Gaertner & Dovidio, 2000). In addition, the presence of groups in only small numbers substantially increases the likelihood that members of these groups will be perceived by those in the majority in stereotypical, homogeneous ways distinct from those of the majority group (Mullen, 1991). Under these circumstances, members of the groups in the numerical minority, particularly if they have been traditionally disadvantaged, will experience feelings of stigmatization and distinctiveness that will have adverse psychological, intergroup, and educational effects (Lord & Saenz, 1985; Niemann & Dovidio, 1998).

Moreover, the adverse effects of terminating Lynn's school choice and integration plan is likely to have cumulative, cascading effects over time. There is considerable evidence that group stereotypes are initially formed at the ages of elementary school (Aboud & Amato, 2001). Thus, racial and ethnic group segregation and isolation of students in elementary school is likely to foster the development of such stereotypic thinking. Adolescent "cliques" emerge strongly between the 6th and the 9th grade (roughly during the middle school years) and are based largely on perceived similarity and social prestige. Cliques based on racial or ethnic group membership play a large role in the development of students' identities and become a key factor in their inclusive or exclusive orientations toward others (Horn, Killen, & Stangor, 1999). Thus, even if students enter middle schools that are more racially and ethnically heterogeneous than their elementary schools, stereotyping and the development of racial or ethnic cliques will significantly reduce the likelihood that intergroup contact along the lines outlined by the Contact Hypothesis will occur. In addition, because of the processes associated with social categorization discussed earlier (e.g., ingroup favoritism, Brewer, 1979; attributional biases, Hewstone, 1990), it is my opinion that if a number of elementary schools students attend racially segregated or isolated schools, increased intergroup proximity in the middle and high schools will generate and exacerbate intergroup conflict as groups' tangible interests (e.g., perceived territory; Sherif et al., 1961), status, and positive identities (Tajfel & Turner, 1969) are threatened. These types of tensions will likely erupt into overt interracial conflict, between individuals and groups, that will threaten the current feelings of well being and the actual safety of all students in Lynn middle and high schools. These escalating tensions are extremely difficult to reverse with simple intergroup contact once they are established (Sherif et al., 1961).

Outcomes such as these were observed in the 1980s before students in the elementary, middle and high schools had experienced the benefits of the Lynn's school integration plan. A number of teachers from Lynn English who worked in various schools in Lynn in the 1980s, consistently reported significant intergroup tensions and interracial problems in the schools during that period of time. In addition, the former Assistant Superintendent of Lynn schools

described the “Hispanic Hallway” at Lynn English High School in the 1980s. Students who were not Latino and entered this space were threatened and often physically accosted. However, over time and with the increased intergroup experiences at the elementary and middle school as a function of the implementation of Lynn’s integration plan, he observed in the early 1990s that racial and ethnic tensions subsided. He stated that he perceives no current interracial tensions or conflicts in Lynn schools and commented on the great number of interracial friendships that he now sees in the school. Thus, it is my opinion that terminating Lynn’s school choice and integration plan will likely reverse the dramatic improvements in intergroup relations that have produced schools without tangible racial tensions and in which students value and benefit from interracial and intercultural experiences. In addition, it is my opinion that terminating Lynn’s school choice and integration plan will reverse the striking improvements that the former assistant Superintendent and the Police Captain have observed in terms of improved safety within the schools and return Lynn to the earlier era of racial and ethnic conflict.

14. As noted in the research presented above, it is not necessary for segregation to be absolute (i.e., producing complete segregation and isolation of racial and ethnic groups) for it to have detrimental effects on social relations, psychological well-being, and academic performance. Relatively small representations of groups also produces adverse effects, both in terms of stereotyping and biases of the majority group and in terms of feelings of stigmatization by members of the minority group (see Niemann & Dovidio, 1998). Thus, for an integration plan to be effective at promoting positive intergroup contact, achieving the conditions for successful contact (e.g., personalization) outlined by the Contact Hypothesis, and at eliminating the negative psychological, cognitive, and educational effects of stigmatization, feelings of racial distinctiveness, and stereotype activation (e.g., Steele, 1997), it needs to promote, to the maximum extent possible, representations of a substantial percentage of White and minority students attending each of the schools in the school district. Lynn’s current school choice and integration plan has been effective at achieving these representations.

15. It is my opinion that the use by the Lynn school system of a 15% range (of the racial composition of its overall student population) to determine if its elementary schools are “racially balanced” and a 10% range for its middle and high schools, has been necessary for the Lynn school system to avoid the racial isolation and segregation of its schools, and to ensure that the compelling educational goals of its integration plan can be met, and based on my experience and review and understanding of the social science literature (e.g., Lord & Saenz, 1985), my own research (e.g., Niemann & Dovidio, 1998), and desegregation cases that such ranges are an accepted and recognized method by school districts, educators and social scientists engaged in voluntary integration efforts for ensuring the effective integration of its schools (Hawley et al., 1983; Schofield, 1995; Schofield & Sager, 1983).

16. It is my opinion that Lynn’s school choice plan appropriately treats Blacks, Latino, and Asian students as one group for purposes of its student assignment plan, and White students as a second group. The presence of members of racial and ethnic minority groups other than one’s own reduces the impact of stigmatization and feelings of racial isolation and distinctiveness

(Niemann & Dovidio, 1998). The social science literature has recognized that although Black, Latino, and Asian students have diverse cultural backgrounds, different histories as a people, and different countries of origin, as racial and ethnic minorities in our country (and that there is considerable diversity within each of these groups), they share common experiences with racial isolation, segregation, racial and ethnic exclusion and discrimination (Graves, 2001; Reskin, 1998). As a result, the social science research on racial isolation, segregation, racial and ethnic exclusion and discrimination, including my own work that has been supported by the National Institutes of Mental Health (Dovidio, Gaertner, & Kafati, 2000), treats Blacks, Latinos, and Asians as one group and Whites as a separate group.

17. It is my opinion that a school choice plan that takes into account and permits student school transfers and assignments based on the socioeconomic status of its students will not achieve the compelling educational goals of Lynn's integration plan and will result in many of the schools in Lynn becoming racially isolated or segregated. One of Lynn's student enrollment simulations identifies the number of students in each school, by race, who receive free or reduced lunch. This data, along with census data, reflects that a large percentage of the White students from more middle class economic backgrounds live in and attend the five elementary schools and the one middle school located in the north and eastern sections of Lynn (Sisson, Sewell-Anderson, Shoemaker, Aborn, and Lynnwoods elementary schools; Pickering Middle School), while a large percentage of the White students who attend the elementary and middle schools that are more racially balanced or predominantly minority, located in the central, southern and western sections of the city, are from a lower socioeconomic background. Based on this data, and my understanding of the history of school transfer and assignment requests by parents of White students, it is my opinion that if White students, under a socioeconomic-based plan, are permitted to transfer and be assigned to the elementary and middle schools located in the north and eastern sections of Lynn, the number of White students attending these predominantly White schools will likely increase significantly, and the number of White students attending the more racially balanced and the predominantly minority schools will likely decline significantly, resulting in many of Lynn schools becoming racial isolated or segregated.

18. It is my opinion that any school choice plan for Lynn that does not take into account the race of the students seeking transfer or assignment to non-district schools, whether based on the socioeconomic status of students, or is a lottery-based system, will not serve the compelling educational goals of Lynn's integration plan, and will likely result in many of Lynn schools becoming racially isolated or segregated. As a result, Lynn students will no longer receive and experience the compelling short and long-term educational benefits from integration described above, and that many students will suffer educationally from attending a racially isolated or segregated school. Research has shown that students attending desegregated schools experience long-term positive effects on intergroup relationships (Stephan & Stephan, 1996), which include the desire to live and work in integrated communities as adults (Braddock & McPartland, 1989; Braddock, McPartland, & Trent, 1984). Data from the survey of Lynn's eleventh grade students, which indicates students' interest in attending a racially/ethnically diverse college (Question #42) and living in a racially/ethnically diverse neighborhood when they are adults (Question #

43), along with the similar comments made by students in my interviews with them, are consistent with this research.

19. It is my opinion that Lynn 's school choice integration plan is flexible and is no broader than is necessary to achieve the plan 's compelling educational goals, and to avoid the substantial adverse educational consequences to Lynn school students if it is terminated. I rely for this opinion upon my review of Lynn 's plan and its policies and practices in integrating the schools, the answers to interrogatories by the parties in the Comfort and Bollen cases, as well as the affidavits in the Comfort case by former Superintendent James Mazareas, and Janet Birchenough, the Director of the Parent Information Center, where they state that Lynn 's Parent Information Center carefully evaluates and reviews the school choice plan, its compelling need, and its impact on students and the school system in October and March of each school year, that students have the absolute right to attend their neighborhood school, that the vast majority of students are granted an out-of-district placement, when requested, that any assignment or transfer of a student to an out-of-district school is totally voluntary on the part of the parent and student, that there are hardship and sibling preference exceptions to the Plan, that relatively, a very small number of students have been denied, after appeal, requested assignments or transfers, and that since 1992, high school students, if they choose, can attend any of the three Lynn high schools, subject to available space.

20. It is my opinion that Lynn 's school choice plan appropriately has no specific termination date, so that Lynn can ensure that its plan may remain in effect so long as it is necessary for the school system to avoid the racial isolation or segregation of its schools, and the substantial adverse educational consequences that would result, and to ensure that the compelling educational goals of its integration plan can continue to be met. Based on my review of current student enrollment simulations that detail the extent of the racial isolation and segregation of its schools that would occur if Lynn returned its students to their district schools, it is my opinion that Lynn and its students have compelling educational interests in continuing the school choice, integration plan for the foreseeable future.

21. In the preceding four years, I have testified in one appeal of a capital murder case in the United States district court in Georgia.

22. For this case, the Commonwealth of Massachusetts has compensated me for my efforts of analysis and testimony . . .

23. Attached in the defendants Exhibit Notebook is my curriculum vitae which contains a list of all my publications over the past ten years.

I swear under the pains and penalties of perjury that the foregoing is true and correct.
Executed this 27th day of February, 2002.

John F. Dovidio

1. A portion of this document has been redacted at the request of the declarant.