



Fall River Public Schools suspend Black and Latino students, and students with disabilities, at unusually high rates

Civil Rights Project at UCLA and ACLU of Massachusetts file complaint with U.S. Department of Education's Office of Civil Rights, alleging violations of the Civil Rights Act of 1964 and the Rehabilitation Act of 1973.

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BOSTON -- Today the American Civil Liberties Union of Massachusetts and the Center for Civil Rights Remedies at the Civil Rights Project of UCLA filed a complaint with the U.S. Department of Education's Office of Civil Rights (OCR), against the Fall River Public Schools (FRPS). The complaint charges that the district's frequent use of out-of-school suspension disproportionately harms students of color and students with disabilities, violating the U.S. Department of Education's regulations interpreting Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973.

According to data recently released by OCR, during the 2009-2010 school year FRPS suspended 25.9% of Black students, 23.1% of Latino students, and 13.4% of White students enrolled in kindergarten through 12th grade. FRPS also suspended 23.8% of all students with disabilities.

Rates of suspension were even higher when race and disability overlapped. The district suspended over 42% of all Black students with disabilities and 50% or more of Black and Latino middle school students with disabilities.

"We filed this complaint with the singular purpose of helping Fall River improve educational opportunities and outcomes for the students and families in this community. Fall River Schools can do this by getting back to using suspensions as measures of last resort, while using proven, effective strategies to improve both school behavior and achievement," said Dan Losen, Director of the Center for Civil Rights Remedies.

The complaint makes three main points:

- 1) Rates of out of school suspension in Fall River are high, even though research has clearly demonstrated that overreliance on out-of-school suspension is not an educationally sound practice.
- 2) This is a civil rights issue faced by students and families that have historically not had equal educational opportunities.

3) These stark racial differences can be reduced through changes in Fall River's disciplinary policies and practices. For this reason, the complaint seeks a resolution agreement with the Fall River Public Schools that would set forth new, better discipline policies.

"By raising awareness we hope to ensure that the issue is not overlooked as the district continues to address areas of improvement. Rather than giving Fall River a black eye, we believe that attention to the suspension data will broaden the district's vision as they strive toward better outcomes for children," said Losen.

"The Fall River Public Schools have suspended students of color and students with disabilities at alarming rates, and the district can implement changes that will lead to fewer suspensions and higher achievement. We already have an open line of communication with the school district, and we hope this complaint will facilitate much-needed action," said Matthew Segal, Legal Director of the ACLU of Massachusetts.

In fact the Fall River Public Schools have indicated a willingness to collaborate. "I am optimistic that there will be a collaborative effort with the ACLU of Massachusetts, the Center for Civil Rights Remedies, and the Office of Civil Rights, to continue to address student suspension," said Meg Mayo-Brown, Superintendent of the Fall River Public Schools. "The Fall River Public Schools are committed to continuing the work that has already begun to pro-actively address classroom management and student interaction. Recognizing the need for increased services to support students, Fall River Public Schools began a system-wide Wellness Initiative and Wrap Around Zone designed to be pro-active and to assist in the holistic development of our schools and students," said Mayo-Brown.

For a copy of the complaint, go to:

http://aclum.org/sites/all/files/legal/frps_complaint/aclum_crp_fall_river_complaint.pdf

The Center for Civil Rights Remedies is an initiative of the Civil Rights Project (CRP) at UCLA, which has been national in scope since its inception at Harvard Law School by Professors Christopher Edley Jr., and Gary Orfield. CRP brings high levels of research scholarship to bear on issues of racial injustice in education, and has filed amicus briefs in the past regarding funding inequity in Massachusetts. For more information, go to:

<http://civilrightsproject.ucla.edu/>

For more information about the ACLU of Massachusetts, go to:

<http://www.aclum.org>

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