



The Bazelon Center Commends Progress as U.S. Dept. of Education's Office of Civil Rights Reaches Agreement to Resolve Restraint and Seclusion Compliance Review of Saco, Maine Public Schools

FOR IMMEDIATE RELEASE

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Today, the Bazelon Center for Mental Health Law is pleased to share the U.S. Department of Education's Office for Civil Rights (OCR) voluntary resolution agreement with Saco Public Schools in Maine, which was made public on November 5, 2021.

The agreement, which was the product of an almost three-year investigation, requires Saco Public Schools to:

- Identify students with disabilities who were restrained or secluded by school staff;
- Work with parents to determine whether use of restraints or seclusion violated the rights of students with disabilities to receive an appropriate public education, as required by the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act, and provide additional supports to the students if needed;
- End the practice of shortening the school days of students with disabilities through informal calls to parents to take their child out of school, or keep the child at home;
- Minimize the involvement of school resource officers (SROs) in disciplining students;
- Provide training to all district staff and administrators on the civil rights and legal protections for students with disabilities.

In announcing the resolution agreement, **Assistant Secretary for Civil Rights Catherine E. Lhamon** stated that "Saco Public Schools' important actions — including through focusing on de-escalation practices and using less restrictive responses to students — during the course of this review have already contributed to a notable decline in the use of restraint and seclusion while maintaining safe and appropriate learning environments for students."

“We appreciate Saco’s commitment to ending practices that harm students, and to supporting teachers, administrators, and other staff to better support students with disabilities,” said **Lewis Bossing, Senior Staff Attorney at the Bazelon Center**. “Schools that implement alternatives to these harmful practices, such as school wide positive behavioral supports, restorative practices, and trauma-informed instruction see improved academic outcomes, a reduced need for discipline, and a safer school climate more conducive to learning.”

The OCR’s resolution agreement with Saco addresses many of the concerns raised by the Bazelon Center’s advocacy for students with disabilities, especially those of color. With the National Center for Youth Law, Disability Rights Oregon, the Council of Parent Attorneys and Advocates (COPAA), and private attorneys, the Bazelon Center is class counsel in [*J.N. et al. v. Oregon Department of Education, et al.*](#), which alleges that placing students on shortened school days violates their rights under the IDEA, Section 504, and the Americans with Disabilities Act (ADA).

This important settlement comes after the Bazelon Center’s and partners’ recommendation to the Biden-Harris administration to ensure that OCR receives adequate resources to fulfill its duty to protect all students from discrimination. This year, the Bazelon Center also joined other civil and disability rights advocates in supporting the [Counseling Not Criminalization in Schools Act \(CNCSA\)](#), which would end federal funding for SROs and other law enforcement officers stationed in schools and the [Keeping All Students Safe Act \(KASSA\)](#), which would ban the use of seclusion rooms and most use of restraint, while providing federal funding for alternatives to these harmful and traumatizing practices.

Learn more about the Saco resolution agreement [here](#). Learn more about Bazelon’s position on replacing school police with more effective approaches to enhancing school safety in our report: [Replacing School Police with Services that Work: Better Ways to Improve School Safety and Reduce Discipline Disparities.](#)

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About the Bazelon Center for Mental Health Law: The Bazelon Center advocates across the country for the civil rights of adults and children with mental disabilities, through litigation, federal and state policy, public education, and technical assistance to states and localities. Formerly the Mental Health Law Project, the Bazelon Center has played a role in numerous disability rights cases in the U.S. Supreme Court, including in *Olmstead v. L.C.*, which established that the unnecessary segregation of people with disabilities is discrimination under the ADA, and *Endrew F. v. Douglas County School District RE-1*, which raised the bar for what public schools must do to educate students with disabilities. Learn more at [Bazelon.org](#).