

Improving Seclusion and Restraint Policies

Background Information:

On December 11, 2024, the Legislative Auditor Report released an audit evaluating LDOE's oversight of the use of seclusion and restraint for students with disabilities, as well as an evaluation of Louisiana's laws and regulations related to abuse and neglect of students with disabilities. The report highlighted many concerns advocates have shared with LDOE and BESE over the years and clearly shows how the lack of monitoring and oversight of special education services has left students with disabilities vulnerable to abuse and neglect.

The audit cites multiple recommendations for LDOE, including:

- Development of a process to monitor school systems' use of seclusion and restraint;
- Working with the legislature to obtain resources needed to effectively monitor seclusion and restraint (i.e., funding and additional staff);
- Reviewing school systems' camera policies to ensure compliance with state law.
- Developing a review process to ensure school systems' seclusion and restraint policies align with state law;

What changes need to be made?

There are four changes we are suggesting be made. These changes will significantly improve the support the students with disabilities receive in their schools.

1. We want to remove Seclusion as a means of discipline from the schools. There is no data to support the idea that seclusion is beneficial to students; in fact, studies have shown that loneliness and social isolation are associated with a higher risk of health problems.
2. We want to help the LDOE get the legal authority to review and monitor policies on restraint. The audit revealed that, although the school systems were required by law to submit these policies to the LDOE, the department was not reviewing them because it lacked the legal authority to conduct the necessary monitoring. Fifty policies were reviewed, and 46 (92.0%) were missing important information provided in state law.
3. We want to require each school district to identify and properly train a team of school personnel on Crisis Intervention.
4. We want all schools to use the funding they received the previous years to install a camera in all Special Education Classrooms.

What Can Legislators Do?

Appropriate \$200,000 of SGF to cover the cost of monitoring the schools' restraint policies and give LDOE the authority to monitor restraint policies. Additionally, it requires that all schools install cameras in all SPED classrooms without request.