

## LDOE Seclusion, Restraint & Abuse Performance Audit

December 17, 2024

On December 11, 2024, the Louisiana Legislative Auditor released its third audit evaluating the Louisiana Department of Education's (LDOE) oversight of students with disabilities who receive special education services. This audit focused on seclusion, restraint, and abuse/mistreatment of students with disabilities in public schools.

The Legislative Auditor was thorough in its review and evaluation. They:

- Interviewed and/or surveyed LDOE staff, Special Education Directors and Teachers, parents of students receiving special education services and education advocates;
- Conducted site visits of local school systems;
- Researched applicable state and federal laws and regulations and policies related to Special Education;
- Reviewed other Southern Regional Education Board states' processes, laws and regulations;
- Researched and reviewed U. S Department of Education's Office of Civil Rights data as it relates to restraint, seclusion, compliance reviews and guidance provided to state and local education agencies;
- Reviewed seclusion and restraint incident data from LDOE's Special Education Reporting (eSER) database; and
- Reviewed mandatory reporting policies available on local school systems' websites.

Below is a brief summary of the findings:

### Seclusion and Restraint

- While LDOE is not required by state or federal law to monitor how school systems use seclusion and restraint, monitoring would help to ensure students with disabilities are provided protections in state law.
- LDOE could improve its process of reviewing seclusion and restraint data submitted by school systems to identify systems that may be underreporting.
- While school systems are required by state law to submit their seclusion and restraint policies to LDOE, LDOE does not review these policies to ensure compliance with state law. Fifty policies were reviewed and 46 (92.0%) were missing important information provided in state law.

### Abuse/Mistreatment of Students with Disabilities

- While recent legislation clarified Louisiana's mandatory reporter law, findings suggest allegations of abuse by school personnel may not be reported as required by state law.
- Unlike other states, Louisiana does not have a process to ensure teachers who abuse, improperly use seclusion or restraint, or otherwise mistreat students have their certification sanctioned if they have not been criminally convicted.

- The legislature provided LDOE \$8.8 million in state general funds for school systems to install and maintain cameras in self-contained special education classrooms. Less than 40% of school systems have installed cameras (~\$2.8 million used).

To review the full audit, the Legislative Auditor's recommendations and LDOE's response, [click here](#).

## Contact Us

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