

For Immediate Release:
August 11, 2014

Contact: Colleen Miller
disAbility Law Center of Virginia
(804) 225-2042

Virginia Schools May be Hurting Children

Children in Virginia's public schools may be subjected to long periods of seclusion and restraint with virtually no oversight or regulation by the State Department of Education, according to a report released today by the disAbility Law Center of Virginia. The dLCV collected policies and procedures from almost all school districts in Virginia and reviewed them for the presence of protections for children with disabilities.

128 of Virginia's 133 school districts provided information for the report. The results were discouraging: 32 school districts reported that they do not have any procedures that restrict a teacher's ability to restrain or seclude a child. 83 school districts provided procedures that fail to meet the suggested "guidelines" developed by the Virginia Department of Education. No public school produced standards that would meet the requirements set for private schools in Virginia. In Virginia's public schools, a child may be restrained for an unlimited amount of time, and the school faces no oversight or regulation. Schools do not even have to notify the parents when a restraint has been used.

"Nothing in Virginia code or regulations prohibits a school from putting a child in dangerous restraints, nothing limits how long a child may be left in seclusion, no rules control whether or not a school can lock a child in a closet all day long. For most children, these practices would be considered abusive, but when the child has a disability, many public schools allow the practice," said Colleen Miller, the Executive Director of the disAbility Law Center of Virginia.

The report, *Unrestrained Danger: Seclusion and Restraint in Virginia's Public Schools*, issued today urges the Commonwealth to create uniform and consistent policies that are evidence-based, focused on positive behavioral supports, data-driven, trauma-informed, and person-centered. In addition, the Commonwealth should limit the use of restraint and seclusion in public schools as a last resort -- only when there is an immediate and significant risk of physical injury and only when less restrictive interventions have failed. Statewide policies must prohibit the most dangerous practices, including mechanical restraints and prone restraints.

The disAbility Law Center of Virginia is a newly created nonprofit organization that serves as the state's designated protection and advocacy system. The dLCV's mission is to combat abuse and neglect, to promote the civil rights of people with disabilities, and to encourage that people with disabilities have choice, independence and inclusion in all aspects of their lives. The dLCV advocates for all people with disabilities to be free from abuse, neglect and discrimination.

The *Unrestrained Danger* report and supporting detailed analysis, *Seclusion and Restraint in Virginia's Public Schools: Investigative Study of Policies and Procedures to Protect Students*, can be found at www.dlcv.org.

###