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Virginia Schools Will Stop Hurting Children

After several hearings where children and parents told of their experiences with harmful, frightening restraint practices in Virginia schools, the state legislature passed two identical bills restricting public schools from continuing the practice. The bills require the state Department of Education to develop regulations limiting the use of seclusion and restraint to situations where the child's behavior presents a serious risk of physical harm to self or others. Both bills now move to the Governor.

The bills were recommended by the Commission on Youth, who based their recommendation in large part on a study conducted 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 alarming: 32 school districts reported no policies or procedures at all. 83 school districts had procedures that fell far below the suggested "guidelines" developed by the Virginia Department of Education. Very few schools even included the basic courtesy of notifying parents when their child had been subjected to seclusion or restraint.

In collaboration with a number of other children's and disability rights organizations known as the Coalition for the Improvement of School Safety, the disAbility Law Center monitored the legislation's progress throughout the session and was gratified to see widespread support. "We are encouraged that children in Virginia's schools may now be able to get the education they deserve, without fear and without trauma," commented Colleen Miller, the Executive Director of the dLCV. "This is a question of basic human rights. The General Assembly did the right thing on behalf of all of students."

The 2014 dLCV report, *Unrestrained Danger: Seclusion and Restraint in Virginia's Public Schools*, urged the Commonwealth to create uniform and consistent policies, limiting the use of restraint and seclusion in public schools as a last resort. "The new legislation does just that," said Miller, "It restricts use to only those times when there is an immediate and significant risk of physical injury and only when less restrictive interventions have failed."

The disAbility law Center of Virginia is a private 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 Virginians with disabilities, including children, 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.dlc.org.

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