

FOR IMMEDIATE RELEASE      Contact: Jeree Thomas, [jeree@justice4all.org](mailto:jeree@justice4all.org), (804) 521-7310  
February 16, 2015

## **Advocates Laud Passage of Bill to Limit Restraint and Seclusion on Students**

*Coalition for the Improvement of School Safety Praises New Measures to  
Protect Virginia's Children*

Richmond – A coalition of 40 groups from across the state representing parents, children, students, advocates for people with disabilities, child abuse prevention advocates and legal advocates applauds the Virginia General Assembly for passing legislation that will limit the harmful use of seclusion and physical restraint in schools to emergency situations. The Coalition for the Improvement of School Safety advocated in support of H.B. 1443 and S.B. 782, which passed with overwhelming support from both houses and is expected to land on the desk of Gov. Terry McAuliffe soon. On Feb. 26, the Virginia Board of Education will consider new regulatory actions based on the new legislation's requirements.

“This important legislation helps protect schoolchildren in Virginia from an undue reliance on physical tools of control. For too long, restraint and seclusion have generally been used by the public school system with impunity and without transparency,” said Ian M. Danielsen, Child Advocacy Center program coordinator and child welfare policy coordinator for Greater Richmond SCAN. “These reforms are part of our emergence out of that history, and the Coalition for the Improvement of School Safety is grateful for Sen. Barbara Favola, Del. Richard P. Bell, Del. Christopher K. Peace, Del. Patrick A. Hope and Sen. Thomas A. Garrett Jr. for their leadership.”

The new legislation requires the Virginia Department of Education to issue regulations incorporating principles issued by the U.S. Department of Education, including:

- Limiting restraint and seclusion to emergencies where there are immediate threats of serious physical harm and eliminating use of these harmful practices for behavior that does not pose an immediate threat.
- Requiring schools to use preventive strategies, positive behavioral interventions and de-escalation techniques to address student behavior.
- Promptly notifying parents when their child has been restrained or placed in seclusion.
- Requiring staff training to help prevent injury or death from restraint or seclusion.

The bills were recommended by the Virginia Commission on Youth following numerous reports of schoolchildren who suffered injuries from physical restraint and seclusion rooms at school, including a Virginia parent who brought the issue to the attention of Virginia legislators. In response to a federal complaint filed by the Legal Aid Justice Center, the U.S. Department of Education last year found that two special education schools in Prince William County, Va., repeatedly used seclusion and restraint, and that the practice was ineffective and inappropriate. At one of those schools, the Department's investigation found that students

collectively spent 713 hours and 44 minutes in a seclusion room over the course of just one month, averaging more than an entire school day – 10.6 hours – per student.

In Oct. 2014, a 9-year-old boy also testified to the Commission on Youth that he had repeatedly been locked in a storage closet by his principal. And in 2011, a 10-year-old boy with autism suffered broken bones after having five school staff force him into a locked seclusion room at a Southeastern Virginia school. Nationally, more than 110,000 students were restrained and put into isolated seclusion confinement in 2011-12 according to U.S. Department of Education data.

“We are proud to have joined with our partners to support this legislation, which will provide meaningful protections to Virginia students and give school staff the tools they need to prevent and address challenging behaviors,” said Angela A. Ciolfi, legal director of the JustChildren Program at Virginia’s Legal Aid Justice Center. “Physical restraint and seclusion should never be a default form of school discipline.”

The Coalition for the Improvement of School Safety includes:

Autism Society, Central Virginia  
Autism Society, Northern Virginia  
Autism Society, Tidewater  
Virginia Coalition for Students with Disabilities  
disAbility Law Center of Virginia  
Down Syndrome Association of Greater Richmond  
Down Syndrome Association of Greater Fredericksburg  
Down Syndrome Association of Northern Virginia  
Greater Richmond SCAN (Stop Child Abuse Now)  
Hanover Arc  
Henrico NAACP  
JustChildren, Legal Aid Justice Center  
Louisa County NAACP  
NAACP Albemarle-Charlottesville Branch.  
National Alliance on Mental Illness of Virginia  
Parents Of Autistic Children of Northern Virginia (POAC-NoVA)  
Prevent Child Abuse Virginia  
The Advocacy Institute  
The Arc of Augusta  
The Arc of Central Virginia  
The Arc of Greater Prince William  
The Arc of Harrisonburg and Rockingham  
The Arc of Loudoun  
The Arc of North Central Virginia  
The Arc of Northern Virginia  
The Arc of the Piedmont  
The Arc South of the James  
The Arc of Southern Virginia  
The Arc of Southside  
The Arc of Virginia  
The Partnership for People with Disabilities at VCU  
Wrightslaw  
VersAbility Resources  
Virginia Association of Centers for Independent Living (VACIL)

Virginia Association of Community Services Boards (VACSB)  
Virginia Board for People with Disabilities  
Virginia Down Syndrome Alliance  
Virginia State Conference of the NAACP  
Virginia TASH  
Voices for Virginia's Children