*Welcome to LLA Reports, a podcast produced by the Louisiana Legislative Auditor’s office. This podcast is intended to be an oral representation of the written report it highlights and is primarily for the use of the Louisiana Legislature.*

This is Gina Brown. I’m a manager for LLA’s Performance Audit Services. This episode of LLA Reports focuses on our new report titled “Seclusion, Restraint, and Abuse/Mistreatment of Children with Disabilities in Public Schools.”

This report provides the results of our evaluation of the Louisiana Department of Education’s – or LDOE’s – oversight of the use of seclusion and restraint for students with disabilities, as well as our evaluation of Louisiana’s laws and regulations related to allegations of staff abuse of students with disabilities.

This is the third in a series of reports examining LDOE’s oversight of students with disabilities who receive special education services.

We found that while LDOE is not required by state or federal law to monitor how school systems use seclusion and restraint, such monitoring would help ensure students with disabilities are provided with the protections specified in state law.

LDOE officials said they do not have the legal authority to conduct this monitoring and would need additional resources to do so. However, we found that while state law does not explicitly require LDOE to monitor how and under what circumstances school systems use seclusion and restraint, it does give LDOE this authority.

We found as well that LDOE could improve the way it reviews seclusion and restraint data submitted by school systems so it can identify systems that may be underreporting. For example, in academic year 2023-2024, 115 of 159 school systems reported zero incidents of seclusion and restraint.

We also found that while school systems are required by state law to submit their seclusion and restraint policies to LDOE, the department does not review these policies to ensure they contain provisions that are required to be followed in state law. Out of the 50 policies we reviewed, 46 were missing important provisions provided in state law.

While recent legislation clarified Louisiana’s mandatory reporter law, a review of school systems’ policies and interviews with staff considered to be mandatory reporters found that allegations of abuse committed by school personnel still may not be reported as required by state law.

We found, too, that 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.

In addition, Louisiana does not have a central registry of school employees who have not been certified by the Board of Elementary and Secondary Education and who have abused or mistreated students.

The Legislature provided LDOE with $8.8 million dollars in state general funds to help school systems to install and maintain cameras in self-contained special education classrooms. As of August 2024, according to LDOE, 66 of the 166 school systems had installed cameras using $2.8 million dollars of the $8.8 million dollars provided.

As a result of our report, we developed eight matters for legislative consideration and 11 recommendations.

We suggested the Legislature consider amending state law to give LDOE the explicit authority to monitor school systems’ use of seclusion and restraint.

We also suggested the Legislature consider requiring LDOE to develop a process to verify the accuracy of the number of seclusion and restraint incidents reported and consider clarifying state law to require LDOE to review school systems’ seclusion and restraint policies.

In addition, we suggested the Legislature consider requiring LDOE to collect and review school systems’ mandatory reporting policies and consider granting BESE clear authority to develop a code of ethics that allows for sanctions for behavior that does not rise to criminal conviction.

We suggested as well that the Legislature consider requiringschool systems to notify LDOE when they dismiss employees for student abuse or unethical conduct regardless of conviction status.

Additionally, we suggested that the Legislature consider clarifyingstate law to require LDOE to review school systems’ camera policies and consider requiring school systems to notify parents on their website of their right to request cameras in self-contained classrooms.

Six of our recommendations focused on policies related to the use of seclusion and restraint; three recommendations dealt with teachers, mandatory reporters, and school employees not certified by BESE; and the last two recommendations were related to the school systems’ camera systems.

As part of its response, which is included in the report as Appendix A, LDOE agreed with four of the recommendations, partially agreed with three of the recommendations, disagreed with two of the recommendations, and neither agreed nor disagreed with two of the recommendations.

*We hope you found this podcast informative, and that you’ll follow future episodes of LLA Reports.*

*This podcast was created as part of the audit report just discussed and is intended primarily for the use of the Louisiana Legislature. Both the full report and the podcast can be found on the LLA’s website at* [*www.lla.la.gov*](http://www.lla.la.gov)*.*

*Thank you for listening.*