

**PROTECTION AND
ADVOCACY FOR
PEOPLE WITH
DISABILITIES, INC.**

The Protection & Advocacy System for South Carolina

December 11, 2009

Dear Elected Officials and Citizens of South Carolina:

Every school day parents of children with disabilities turn their children over to our public schools. Among their expectations is that the schools will keep their children safe. Over the past year several reports have been released demonstrating that this basic expectation is not always met. Children with disabilities are sometimes harmed physically and emotionally as a result of being restrained or secluded while at school. Some even die.

In order to find out more about seclusion and restraint in South Carolina's schools the three undersigned organizations surveyed South Carolina school districts about their policies and practices in this area. A report on the results of this survey is enclosed. It is clear that many districts engage in these potentially dangerous practices with no policies in place to guide teachers and other staff in their safe use:

- The majority of the school districts responding to the survey do not have policies on the use of seclusion or restraint.
- Many of the districts that report having no policies also report that they do use seclusion and restraint.
- 5 of 7 districts that report using mechanical restraints also report having no policies governing their use.

People in mental hospitals and facilities for people with developmental disabilities are protected from inappropriate seclusion and restraint by law and regulation. No regulations or laws protect children from the inappropriate use of seclusion and restraint in our schools. We call on the South Carolina Department of Education and the legislature to promulgate regulations or enact legislation governing the use of these risky practices.

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Children have hung themselves while in seclusion. Others have suffocated while being restrained. So far, the worst incidents have occurred in other states. Please don't wait for something like that to happen here!

Sincerely,



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Executive Director
Center for Disability Resources (a UCEDD)



Charles B. Lang
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