

EFFECTIVE JULY 1, 2006

All LEAs are expected to:

- Train all school personnel regarding the permissible use of physical restraint, mechanical restraint, and seclusion in order to manage disruptive and dangerous student behaviors.
- Require that schools report any use of aversive procedures and any prohibited uses of physical restraint, mechanical restraint, and seclusion.
- Require that schools notify all parents or guardians of all local board policies developed to implement the mandates in House Bill 1032.

It is required that all public schools update their Safe Schools Plans to incorporate professional development to train appropriate school personnel in the management of disruptive or dangerous student behavior.

We appreciate your continued efforts to keep North Carolina's schools safe, orderly, and caring environments for all students.



PUBLIC SCHOOLS OF NORTH CAROLINA
State Board of Education | Department of Public Instruction

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House Bill 1032

Reasonable Force



Clarifications on the Permissible Uses of Seclusion and Restraint

An Addendum to Chapter 115C of the North Carolina General Statutes

Ratified July 14, 2005

Effective July 1, 2006



PUBLIC SCHOOLS OF NORTH CAROLINA
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REMEMBER TO:

Incorporate House Bill 1032 into each school's Safe School Plan

Report all incidents involving aversive procedures or impermissible uses of restraint or seclusion.

NC General Statute 115C-391.1 addresses the permissible use of seclusion and restraint in public schools and the provision, the training of school personnel in the management of disruptive and dangerous student behavior, and the requirements for reporting aversive procedures and impermissible uses of restraints and seclusion to parents and guardians.

NC General Statute 115C-47(45) requires that incident reports be provided annually to the State Board of Education.



STEPS TO TAKE WHEN AN APPLICABLE INCIDENT OCCURS

1. The parent or guardian must be promptly notified of the incident.
2. The incident must be recorded on a "Use of Seclusion or Restraint" Incident Report. These reports may be found online at: <http://www.ncpublicschools.org/schoolsafety/resources/reporting/>
3. The Incident Report must be sent to the student's parent or guardian no later than 30 days after the incident.
4. Incident reports will be compiled by the LEA and provided to DPI at year's end along with the LEA's Discipline Data Verification Forms.

DEFINITION OF TERMS*

Physical Restraint – The use of physical force to restrict freedom of movement.

Mechanical Restraint – The use of any device or material to restrict freedom of movement.

Seclusion – The confinement of a student alone in an enclosed space from which the student is prevented from leaving.

Aversive Procedure – An intervention that may cause significant physical harm or serious foreseeable long-term psychological impairment.

**For complete definitions and impermissible uses of restraint and seclusion, please refer to NC General Statute 115C-391.1.*

For more information, please contact Ken Gattis, DPI Federal Program Monitoring and Support Division, at 919-807-3940 or kgattis@dpi.state.nc.us