

The Pamlico County Board of Education recognizes that the most effective discipline is preventive and not punitive in nature. However, there are times when corrective actions become necessary. Such actions should be reasonable and aimed at improvement of behavior.

School personnel may use reasonable force to control behavior or to remove a person from the scene in those situations when necessary:

- (1) To quell a disturbance threatening injury to others;
- (2) To obtain possession of weapons or other dangerous objects on the person or within the control of, a student;
- (3) For self-defense;
- (4) For the protection of persons or property;
- (5) To restrain or correct students and maintain order.
- (6) To maintain order on school property, in the classroom, or at a school-related activity on or off school property.

Physical Restraint

Physical restraint shall be considered a reasonable use of force in the following circumstances:

- As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person;
- As reasonably needed to maintain order or prevent or break up a fight;

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- As reasonably needed for self-defense;
- As reasonably needed to ensure safety of any student, school employee, volunteer, or other person present to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;
- As reasonably needed to escort students safely from one area to another;
- If used as provided for in a student's IEP or Section 504 plan, or behavior intervention plan; and
- As reasonably needed to prevent imminent destruction to school or another person's property.

Except in these circumstances, physical restraint shall not be considered a reasonable use of force and its use is prohibited by the Pamlico County Board of Education.

Mechanical Restraint

Mechanical restraint is permissible only in the following circumstances:

- When properly used as an assistive technology device included in the student's IEP or Section 504 plan, or behavior intervention plan, or otherwise prescribed for the student by medical or a related service provider;
- When using seatbelts or other safety restraints to secure students during transportation;
- As reasonably needed for self-defense; and
- As reasonably needed to insure the safety of any student, school employee, volunteer or other person present.

Except in these circumstances, mechanical restraint shall not be considered a reasonable use of force and is prohibited by the Pamlico County Board of Education.

Seclusion

Seclusion may be used in the following circumstances:

- As reasonably needed to respond to a person in control of a weapon or other dangerous object;

- As reasonably needed to maintain order or prevent or break up a fight;
- As reasonably needed for self-defense;
- As reasonably needed when a student's behavior poses a threat of imminent physical harm to himself or others or imminent substantial destruction or school or another's property;
- When used as specified in the student's IEP, 504 Plan, or behavior intervention plan, and the student is:
 1. Monitored in seclusion by an adult in close proximity who is able to see and hear the student at all times.
 2. Released from seclusion upon cessation of behaviors that led to seclusion.
 3. Confined in a space approved for such use by the Pamlico County Board of Education.
 4. Confined in a space appropriately lighted, ventilated, heated or cooled, and free of objects that unreasonably expose the student or others to harm.

Except in these circumstances, the use of seclusion is not a reasonable use of force and is not permitted by the Pamlico County Board of Education. Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.

Isolation

Isolation is permitted as a behavior management technique provided that:

- The space used for isolation is appropriately lighted, ventilated, and heated or cooled;
- The duration of isolation is reasonable in light of the purpose of isolation;
- The student is reasonably monitored while in isolation; and
- Isolation space is free of objects that unreasonably expose the student or others to harm.

Time Out

Nothing in this policy prohibits or regulates the use of time out.

Aversive Procedures

An “aversive procedure” is a systematic physical or sensory intervention program for modifying behavior which causes or reasonably may be expected to cause:

1. significant physical harm, such as tissue damage, physical illness, or death
2. serious, foreseeable long-term psychological impairment
3. obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice

The use of aversive procedures is prohibited in the Pamlico County Schools.

Reporting Requirements

School personnel must promptly notify the principal or designee of:

1. Any use of aversive procedures.
2. Any prohibited mechanical restraint.
3. Any use of physical restraint resulting in observable physical injury to a student.
4. Any prohibited use of seclusion or seclusion that exceeds ten minutes or the amount of time specified in the student’s behavior intervention plan.

When the principal or designee has personal knowledge or actual notice of any of these events, the principal or designee shall promptly notify the Superintendent and the student’s parent or guardian and provide the name of the school employee that the parent or guardian can contact regarding the incident. This notification should occur at the end of the work day during which the incident occurred when reasonably possible, but never later than the end of the following work day. Within a reasonable period of time, but no later than thirty (30) days after the incident, the student’s parent or guardian shall be provided with a written incident report that includes:

1. Date, time of day, location, duration and description of incident and intervention.
2. Events that led up to the incident.

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3. Nature and extent of any injury to student.
4. Name of school employee to contact regarding incident.

The Superintendent or designee will maintain a record of all incidents required to be reported under this policy and shall provide this information annually to the State Board of Education.

The Pamlico County Board of Education and its employees are prohibited from retaliating against an employee for reporting an alleged violation of this policy unless the reporting employee knew or should have known the report was false.

Corporal punishment shall not be used in the Pamlico County Schools.

Nothing stated herein shall inhibit anyone from taking whatever action may be necessary in case of an attack on his person or in his own self-defense. Nothing stated herein prohibits the use of physical restraint, mechanical restraint, seclusion or any other use of force by law enforcement officers. Nothing stated herein creates a private right of action against the Pamlico County Board of Education, its agents or employees.

The Superintendent may adopt regulations to implement this policy.

Legal Reference: G.S. 115C-47(45), -288, -307, -390, -391, -391.1

Adopted: June 5, 2000

Revised: August 7, 2006