

NOTICE OF USE OF UNREASONABLE RESTRAINT, SECLUSION, OR AVERSIVE PROCEDURES

STUDENT'S NAME: _____ DATE: _____

A school employee has reported that this student was subject to the unreasonable use of restraint, seclusion, or aversive procedures, as those terms are defined in G.S. 115C-391.1(j)(2). As required by North Carolina law, the school hereby provides the following information regarding this incident.

DATE OF INCIDENT: _____ TIME OF DAY OF INCIDENT: _____

LOCATION OF INCIDENT: _____

NATURE OF INCIDENT:

1. **AVERSIVE PROCEDURE.** An aversive procedure is a systematic physical or sensory intervention program for modifying the behavior of a student with a disability which causes or reasonably may be expected to cause significant physical harm, such as tissue damage, physical illness, or death; serious, foreseeable long-term psychological impairment; or obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice. The use of aversive procedures in public schools is prohibited by North Carolina law.
2. **UNREASONABLE MECHANICAL RESTRAINT.** Mechanical restraint means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. North Carolina law only permits the use of mechanical restraint in the circumstances listed in G.S. 115C-391.1(d)(1). Any use of mechanical restraint in circumstances not listed in the statute, including the tying, taping, or strapping down of a student, is deemed unreasonable and is prohibited.
3. **PHYSICAL RESTRAINT RESULTING IN OBSERVABLE PHYSICAL INJURY.** Physical restraint means the use of physical force to restrict the free movement of all or a portion of a student's body. North Carolina law only permits the use of physical restraint in the circumstances listed in G.S. 115C-391.1(c)(1). Any use of physical restraint in circumstances not listed in the statute, including the use of physical restraint solely as a disciplinary consequence, is deemed unreasonable and is prohibited.
4. **UNREASONABLE SECLUSION.** Seclusion is the confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware or other means, or is not capable of leaving due to physical or intellectual incapacity. North Carolina law only permits the use of seclusion in the circumstances listed in G.S. 115C-391.1(e)(1). Any use of seclusion in circumstances not listed in the statute, including the use of seclusion solely as a disciplinary consequence, is deemed unreasonable and is prohibited.
5. **SECLUSION EXCEEDING 10 MINUTES, OR THE AMOUNT OF TIME SPECIFIED ON STUDENT'S BEHAVIOR INTERVENTION PLAN.**

DURATION OF INCIDENT AND INTERVENTIONS: _____

DESCRIPTION OF INCIDENT AND INTERVENTIONS: _____

EVENT(S) LEADING UP TO INCIDENT: _____

NATURE AND EXTENT OF ANY INJURY TO THE STUDENT: _____

You may contact _____ for information regarding this incident in the following ways:

Address: _____

Telephone: _____

E-Mail: _____

North Carolina law prohibits the use of unreasonable restraint, seclusion, and aversive procedures. Violation of G.S. 115-C391.1 does not create a private cause of action against the Wake County Board of Education, its agents or employees, and does not create a criminal offense.

This notice was delivered via _____ to the parent or legal guardian of the student on the date indicated on this form. The parent or legal guardian also received prompt oral notification of the incident described herein on the _____ day of _____, 20__.

_____ Principal, _____ School