

Progressive Education Program

PEP at Valley Springs Middle,
TC Roberson High, and Estes
Elementary Schools.



***Parent Handbook
2012 - 2013***

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PROGRESSIVE EDUCATION PROGRAM PARENT/STUDENT MANUAL

The PEP MISSION STATEMENT

Through a collaboration of Parents, Students, Teachers and community, the Progressive Education Program seeks to provide a safe, caring, and engaging learning environment that prepares all students to become responsible citizens in a diverse, global society.

The Buncombe County School System does not discriminate on the basis of race, color, religion, sex, age, national origin or disability in the admission or access to, or treatment or employment in, its programs and activities, in compliance with applicable federal and state laws. If a student or employee feels he or she has been discriminated against because of race, sex, or disability, please contact the following: Student Services, David Thompson, at 255-5922; Jana Griggs, Special Services, at 255-5971.

INTRODUCTION TO THE MANUAL

We welcome you to the Progressive Education Program.

The purpose of the Progressive Education Program Parent/Student Manual is to provide information and to help our students and their families become more familiar with our school, our goals, our regulations and our program. Hopefully, this manual will answer questions that you may have concerning the daily operations of the school. The manual is for information purposes only. The Buncombe County School Board sets School policies.

SCHOOL'S PHILOSOPHY

The Progressive Education Program philosophy is a statement of beliefs, which should guide the program and staff. The following are belief statements that were developed by staff and parents for the PEP Continuous Improvement Plan 2008-2011.

We, as the Progressive Education Program, believe it is our responsibility to ensure our school is a safe and supportive environment, one which fosters a sense of security for all students. In such an environment, we believe that staff, students, families and administration can focus on identifying the potential of each of our students, and through collaboration of our stakeholders, design effective Individualized Education Plans. We believe every student is a person of great value, deserving to have every opportunity to be challenged so they might grow to be as independent as possible.

PROGRAM HISTORY

The Progressive Education Program was formed in the early 1990's. Our single school was once two schools, the Orthopedic School (former School Board Member Bob Embler was one of its principals) and the Lucy Herring School (Bill Walker was the principal). After a long and challenging public debate, it was decided to build the PEP on three campuses in South Asheville: Estes Elementary, Valley Springs Middle, and TC Roberson High School. The PEP program officially opened in 1994.

PEP's student population has changed over the years, as well as our staff, but there are still some of those dedicated first PEP teachers and assistants working at PEP today.

Today the Progressive Education Program, inspired by its name, works diligently to continuously improve the services it offers students and families so that it might truly be a *progressive* education program. We currently serve about 140 students and our program employs some 140 school or transportation staff members. We have five classes located at Estes Elementary School, five classes at Valley Springs Middle School, and eleven classes at T.C. Roberson High School.

NAMES TO KNOW

Superintendent	Dr. Tony Baldwin
Associate Superintendent	Ms. Susanne Swanger
Director of Special Services	Ms. Jana Plemmons
Program Administrator	Mr. Larry Weigel
Transportation/Busses (TCR Assistant Principal)	Mr. Steve McCurry
Secretary (Estes)	Ms. Angela Miller
Secretary (Valley Springs)	Ms. Peggy Milroy
Secretary (TC Roberson)	Ms. Linda Ray
School Social Worker	Ms. Jan Zboyovski
Psychologist	Ms. Jennifer McCann
PTSO Co-President	Ms. Laura Miller
Advisory Council Chair	TBD
School Improvement Team Chairs	Ms. Donna Garvin & Ms. Elena Oian

CLASS SCHEDULE

Students may be dropped off at TCR, VSMS, and Estes starting at 7:45 am, busses start arriving shortly before 8:00 am, and classes begin as soon as students have arrived, typically about 8:30. In the afternoon, buses begin loading at 2:30 and are usually done by 3:00. Teachers are responsible for establishing schedules indicating activities and types of instruction that normally occur in each of the classes for which they are responsible. The schedule should be posted in every classroom and can be provided for you upon request.

EXTRA CURRICULAR ACTIVITIES

Following is a partial list of the extra curricular activities at the Progressive Education Program. These activities are designed to add enriching experiences for our students.

ART SHOW: Usually there are two art shows at the Biltmore Square Mall each year in which our students participate. One is for elementary grades and one for high school grades. These shows give us an opportunity to display the artistic talents of our students.

FIELD TRIPS: Field trips can accomplish many purposes such as:

- a. tools for working on IEP goals,
- b. ways of generalizing concepts being taught in the classroom, or
- c. developing community awareness of our students and program.

CAREER DAY: Career Day is a program that allows our High School Students an opportunity to experience many different kinds of careers. Experts are brought in to share their careers with students and give them hands-on experiences.

SPECIAL OLYMPICS: The Special Olympics is affiliated with the international, state, and local organization, giving individuals the chance to compete in athletic events and improve physical fitness. Progressive Education Program students are encouraged to participate in Special Olympics Games.

VERY SPECIAL ARTS FESTIVAL: The Very Special Arts Festival is a national and state organization designed to give individuals exposure to different types of fine arts. Students enjoy performances, learn from artists, put on their own productions, and participate in arts/crafts activities.

SCOUTING PROGRAM:

GIRL SCOUTS: Troop 208, senior division at T.C. Roberson, is led by a combination of parents, volunteers, and staff. Meetings are held during the school day on Thursdays and involve a variety of activities. The girls also have the opportunity to participate in “girls’ night out” activities.

BOY SCOUTS: Troop 85 is led by both community volunteers and staff members. The troop meets during the school day on Thursdays, and may offer weekend activities such as hikes and camping trips.

ADVISORY COUNCIL

School Advisory Councils are established by the Buncombe County Board of Education as a way to obtain citizen involvement in the Buncombe County Schools. A purpose of the School Advisory Council is to provide informed advice to the school authorities on issues such as human relations, school facilities, school activities, community/board of education relations, and/or other matters related to the individual schools. The Progressive Education Program's Advisory Council includes at least three lay people approved by the Board of Education and the Program Administrator.

PARENT-TEACHER-STUDENT ORGANIZATION

The PTO's mission is to promote quality education and services to PEP students and the program. PTO strives to serve the needs of the school by assisting in activities, service, financial support, and communication to benefit the entire PEP community: parents, teachers, support staff, and students.

SCHOOL IMPROVEMENT TEAM

As a direct result of the Buncombe County Board of Education adopting the Effective Schools Program, each school develops a four year School Improvement Plan. School Improvement team members include parents, teachers, and teacher assistants from each of the three schools. The School Improvement Plan addresses these five characteristics of effective schools:

1. A clear instructional focus understood by the faculty, students and community.
2. Strong instructional leadership by the Program Administrator.
3. High expectations for student performance.
4. A school climate that promotes learning in a safe and supportive environment.
5. School accountability in the use of achievement test data to plan future instruction.

T.C. ROBERSON, VALLEY SPRINGS, ESTES STUDENT INVOLVEMENT

The members of the TCR Peer Tutoring class work as student assistants in the PEP classrooms. They provide an extra hand and an extra friend for many of our PEP students. The Peer Buddies at Estes and the Peer Tutors at Valley Springs also give our students many wonderful opportunities to interact and form friendships with their age appropriate peers. Other inclusive activities may be addressed in the I.E.P.

POLICIES GOVERNING PROGRAMS FOR EXCEPTIONAL CHILDREN

All students at PEP have Individualized Education Plans, developed at annual IEP meetings. You or your child's teachers can request additional IEP meetings, parent conferences, Functional Behavioral Assessments (FBA), etc. as needed. Please feel free to contact your child's teacher, the PEP Social Worker, or the school administrator at any time with any questions or concerns you may have.

ATTENDANCE POLICY

STATEMENT: We believe that it is important for the Progressive Education Program students to attend school regularly and consistently for these reasons:

- A. Students can learn more readily when involved in daily learning activities.
- B. Absences can leave gaps in learning.
- C. When students are absent they miss certain activities that cannot be repeated.

For the above reasons and in the best interest of our students, we will expect students and parents to follow these attendance policies.

Absences that will be legally excused are:

- 1. Illness
- 2. Death in immediate family
- 3. Medical or dental appointment
- 4. Emergency situations in the home

For an absence to be legally excused, a student must bring a note from the parent to the school on the day they return. After the fifth consecutive day of absence, whether the student has returned to school or not, a note from a doctor must be sent to school. Please notify the office in advance regarding the need for the student to be absent due to medical or dental appointments except in emergency cases.

All other absences are unexcused and illegal and may be handled in the following manner:

Every child who has reached his/her seventh birthday but not his/her sixteenth birthday is required by the Compulsory Attendance Law of the N.C. Constitution and by the Buncombe County Board of Education to attend school. Therefore, after three consecutive unexcused absences or 6 total unexcused absences, an attendance counselor may be contacted.

Students between five years and seven years or between sixteen and twenty-two years have the right and privilege to attend school although they are not required by law to attend. However, because of our school's general philosophy regarding regular school attendance, the following procedures will be followed for these students:

- After three consecutive unexcused absences or six total unexcused absences, a family conference may be called to determine the cause of the problem and possible solutions.
- If your child's physician determines that his or her medical condition will result in excessive absences, you must request that the physician complete a "medically fragile form" at the start of each school year. Students classified as medically fragile will be excused from all absences related to their medical condition.

TARDINESS

Students who have not arrived in their homeroom by 8:45 a.m. will be considered tardy. When tardy, students/parents should:

- Go directly to the Progressive Education Program office at Estes, Valley Springs, or T.C. Roberson.
- Sign-in with time of arrival and reason for being late.

NOTE: If a student becomes chronically tardy, the student's parents/guardians shall be required to confer with the Program Administrator on preventative steps.

SCHOOL HOURS

School day starts for students at T. C. Roberson, Valley Springs, and Estes at 8:00 am each school day. School dismisses each day by 2:40 pm at TC Roberson, Valley Springs and Estes. If it is necessary for you to pick up your child before these 2:40, please come to the office and sign your child out. If someone other than the child's parents will be picking him/her up from school, please send a note with your child stating who that person will be. The person listed in the note must sign your child out in the office.

A parent or guardian must call the school before 1:30 if a student's transportation needs must change that day. Failure to call before 1:30 may result in your child riding the wrong bus, or missing a pick-up from you or a CBS worker. WE CANNOT MAKE TRANSPORTATION CHANGES IF WE DO NOT SPEAK WITH A PARENT OR GUARDIAN.

GRADUATION REGULATIONS

In special cases, many of our students could be eligible to graduate early when the following conditions are met:

1. Student must have reached his/her eighteenth birthday.
2. Student must have met Buncombe County and State graduation requirements.
3. Request for early graduation must be made by student/parent in writing.
4. Request will be considered by the IEP team (including parents) to determine:
 - a. if student would benefit from further schooling.
 - b. objectives the student must meet before graduation.
5. The IEP team will periodically meet to review the student's progress and will make a graduation decision as a team.

SCHOOL CAFETERIA

The Progressive Education Program's meals are prepared and served by the staff of T. C. Roberson, Valley Springs and Estes cafeterias. If your child has special dietary needs (i.e., no dairy products, no sugar, etc.), please contact your child’s teacher to make arrangements for this special diet. Special dietary forms are included in the parent packet of forms that are given to parents during “Meet the Teacher Day” and can also be acquired from the PEP secretarial staff. (Special diet orders are only needed when foods must be, for example, pureed, or when a child must be tube-fed. *(Diet orders must be signed by a physician every year)*)

The cost for meals is as follows:

Student breakfast	\$1.00*
Student lunch at Estes.	\$2.10
Student lunch at VSMS & TC Roberson.	\$2.35
Student Mega Meal at VSMS & TCR.	\$2.75

* Universal Free Breakfasts for all students will be phased in at some point.

Meals may be paid for in advance (make checks payable to TC Roberson – write student’s name and student number on the memo line of the check) or they can be purchased daily. Although we do not want any student to go hungry, the cafeteria cannot operate on credit. Please keep current with your child’s meal expenses.

Parents apply for free or reduced meals each year by completing an application that is located in the parent packet or can be obtained from the school office. These forms must be handed in to your child’s teacher prior to August 26th this school year or parent will be responsible for any cafeteria charges made by your child.

The following are the reduced meal prices:

Breakfast	\$.30
Lunch	\$.40

Students may also purchase extra items. Please let us know if there is anything that can be done to help the cafeteria better serve your child.

MEDICATIONS

When medication must be given at school by personnel, the following criteria must be met:

- Medication must be prescribed by a licensed health care provider.
- A Medication Authorization Form must be completed for each medication prescribed.
- A new authorization form must be completed each year and any time dosage or directions change.
- All authorization forms must be reviewed by the school nurse.
- No medication will be given unless the Medication Authorization Form has been completed. This includes as needed medications.
- All items on the Medication Authorization Form must be completed and signed by the licensed health care provider and the parent. This form can be faxed from the health care provider to our office (681-0205).

Medications must be brought to school in the original container by the student's parent/guardian and given to the classroom teacher, school secretary, or program administrator. **A student should never bring medication(s) to school or on the bus, due to liability issues.**

- A. Medication must be in the original container labeled by the pharmacy or health care provider. Medication in a plastic bag or unmarked container will not be administered.
- B. The medication label must match the information on the Medication Authorization Form.
- C. Each student's medication(s) will be kept in a locked area and records will be maintained by the staff as to when medication is given and by whom.
- D. Discontinued medications are to be picked up by the parent/guardian.

PROGRESS REPORTS

Progressive Reports for the Progressive Education Program are actually the student's I.E.P. goal pages and are assessed every nine weeks. Teachers send folders home with the reports for parent review and signature within one week after each grading period. Progress Reports should be signed and returned to your child's teacher.

SCHOOL BUS RULES

1. Keep your hands and feet to yourself
2. Follow staff members' instructions.
3. Stay in seat until the driver tells you that you can get up.
4. When being picked up by the bus, stay back from the road until the bus stops.
5. When getting off the bus, go straight into the house or the school.
6. No food or drink on bus.

PARENTS: The bus will arrive at the house at the scheduled time and wait up to 5 minutes. If the student has not come out of the house within 5 minutes to get on the bus, the bus will pull away and proceed on the route. The bus will not return to a home that they have already been to and waited at, unless there is an emergency, because they must be considerate of the schedule for the remainder of the route. Your bus driver will give you his/her cell number. Please maintain communication if your child will not be riding the bus for any reason.

When a student is sent home, due to illness during the school day, the bus driver will be informed by the teacher and the bus will not pick up the student the next day—to allow them time to get well. Parents are requested to call the bus driver, after a student illness, to let the driver know when the student is ready to return to school.

If the school district is closed where your student's bus is parked, the bus will not run due to hazardous conditions in that district. The student's absence will be excused. If the school district is open where your student's bus parks, the bus will run and will pick up students who live in OPEN school districts only. If Asheville City Schools are closed and PEP is open, the PEP bus will not pick up inside the city limits. If your student's bus does not run and you choose to bring them to school, you will also need to pick them up from school in the afternoon at 2:30.

STUDENT HEALTH REGULATIONS

During each school year, the Progressive Education Program has, as do all other schools, many students who have colds or other minor illnesses that can be quite contagious. Unlike other schools, the Progressive Education Program has a large number of students who are highly susceptible to such illnesses and who have fragile medical conditions that could create dangerous, even life threatening, situations if they contract even minor illnesses. For these students, the best possible treatment is that they not be exposed at all. We ask that you be considerate when your child is sick and that you cooperate with the following general guidelines.

Any student of PEP is required to be kept out of school for at least 24 hours after a fever, vomiting, diarrhea, or severe cough or cold symptoms. If your child exhibits these or other symptoms of contagious or communicable illnesses while at school (see guidelines below), we will call you and request that you come and pick your child up.

GUIDELINES FOR EXCLUDING A STUDENT FROM SCHOOL

1. Temperature 100.0° or higher (keep at home until fever-free for 24 hours).
2. Rash with fever or behavior change (until seen by a doctor).
3. Illness that prevents the child from participating comfortably in program activities.
4. Difficulty breathing or other signs of serious illness.
5. Diarrhea that cannot be contained or has blood/mucus in it (keep at home until diarrhea-free for 24 hours).
6. Vomiting two or more times in previous 24 hours.
7. Pink eye with discharge (until seen and cleared by a doctor).
8. Strep throat (until 24 hours after antibiotics have been started).
9. Head lice (until treated and cleared by school nurse).
10. Scabies (until after treatment is complete).
11. Chicken pox (until the sixth day of onset of the rash or sooner if all sores are dried and crusted).
12. Flu-like symptoms that include fever (over 100.0°), feverishness, cough, sore throat, runny nose, muscle pain, fatigue, or vomiting and diarrhea.
13. Impetigo (until 24 hours after antibiotics have been started).

ALL parents and students are expected to conform to communicable disease precaution guidelines from the Buncombe County Health Department. If you have any questions, please contact your School Nurse, Debra Thornberry at Estes, Pamela Knaus at Valley Springs, or Cindy Runion at TC Roberson.

BUNCOMBE COUNTY SCHOOLS – PARENTS/STUDENTS ANNUAL PUBLIC NOTICES

A. Student Records: Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (“FERPA”), a federal law, gives parents and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- The right to inspect and review your child’s education records within forty-five (45) days of the day the school receives a request for access. You should submit to the school principal a written request that identifies the record(s) you wish to inspect. The principal will make arrangements for access and notify you of the time and place where the records may be inspected.
- The right to request the amendment of your child’s education records that you believe are inaccurate or misleading. You should write the school principal, clearly identify the part of the record you want changed and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested, the school will notify you of the decision and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when you are notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in your child’s education records. FERPA requires that the school obtain your written consent prior to the disclosure of any such information with certain exceptions. By law, we are required to give you specific notice of the following three exceptions:

1. Disclosure to school officials who have a legitimate educational interest in the education record. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility. A school official is: (i) a person employed by Buncombe County Schools as an administrator, supervisor, teacher, counselor or support staff member (including health or medical staff and law enforcement unit personnel); (ii) a person serving on the Buncombe County School Board; (iii) a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or (iv) a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his tasks.
2. Disclosure of education records, including disciplinary records of longterm suspension or expulsion, upon request, to officials of other school districts in which a student seeks or intends to enroll.
3. Disclosure of “directory information” about a student, unless you have advised the school to the contrary. Buncombe County Schools has designated the following information as directory information:

Student’s Name	Degrees, honors, awards received
Address	Date and place of birth
Telephone Listing	Electronic mail address
Photograph	Participation in officially recognized activities and sports
Major Field of Study	Weight and height of members of athletic teams
Grade Level	Most recent educational agency or institution attended
Dates of Attendance	Enrollment status

- The primary purpose of directory information is to allow the school to include this type of information from your child’s education records in certain school publications. Examples include:
 - i. A playbill, showing your student’s role in a drama production;
 - ii. The annual yearbook;
 - iii. Honor roll or other recognition lists;
 - iv. Graduation programs; or
 - v. Sports activity sheets, showing weight and height of team members.
- Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

- In addition, under federal law, we are required to provide military recruiters and institutions of higher education, upon their request, with the names, addresses and telephone numbers of high school students, unless the student or parent has advised the school that they do not want such information disclosed without their prior written consent.
- If you do not want the school to disclose some or all of the directory information described above from your child's education records to all or certain recipients without your prior written consent, Buncombe County Schools must be notified in writing within fourteen (14) days of the beginning of the school year or within fourteen (14) days of your enrolling in Buncombe County Schools. For your convenience, a form that can be used for this purpose is provided at the end of this Notice.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures of Buncombe County Schools to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, DC 20202-5901

B. Non-Discrimination: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; The Rehabilitation Act of 1973 (Section 504); and The Americans with Disabilities Act of 1990 (ADA)

It is Buncombe County Schools' policy not to discriminate on the basis of race, color, ethnic origin, sex, disability or age in its educational programs, activities or employment policies.

For inquiries or complaints or to request a copy of Buncombe County Schools' grievance procedures, please contact:

Title IX Coordinator
 504/ADA Coordinator
 175 Bingham Road
 Asheville, NC 28806
 (828) 255-5918

C. Students with Disabilities: Individuals with Disabilities Act (IDEA)

Pursuant to the IDEA, a federal law, Buncombe County Schools must provide special education services to all children residing in the school district who are between the ages of 3 and 21 who have been diagnosed with or are suspected to have mental, physical or emotional disabilities and who are unable to benefit from a regular school program without special assistance. If your child or a child you know may qualify for such special assistance, please contact:

Exceptional Children's Director
 175 Bingham Road
 Asheville, NC 28806
 (828) 255-5971

D. Homeless Students: McKinney-Vento Homeless Assistance Act

For information concerning the educational rights of homeless students, please consult Board Policy 459 and/or contact:

Director of Student Services
 175 Bingham Road
 Asheville, NC 28806
 (828) 255-5918

E. Protection of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (“PPRA”) requires that Buncombe County Schools notify you and obtain consent or allow you to opt-out your child from participating in certain school activities. These activities include a student survey, analysis or evaluation that concerns a variety of subjects including political affiliates/beliefs, religious practices, income, etc. This requirement also applies to the collection, disclosure or use of student information for marketing purposes and certain physical exams or screenings. Buncombe County Schools will, within a reasonable period of time prior to the administration of the surveys and activities specified in the PPRA, provide notice of said surveys and activities and give you or your son/daughter, if he/she is 18 years old or older, the opportunity to optout of the surveys and/or activities.

F. Student Health: N.C.G.S. § 115C-375.4

With the passage of N.C.G.S. 115C-375.4, Buncombe County Schools must provide families with information on Influenza and Meningococcal diseases and the vaccines that are available to prevent each. Influenza (“flu”) is caused by a virus that spreads from infected persons to the nose or throat of others. Influenza can cause fever, sore throat, chills, coughs, headache and muscle aches.

Anyone can get influenza. Most people are ill with flu for only a few days, but some get much sicker and may need to be hospitalized. Influenza causes an average of 36,000 deaths each year in the U.S., mostly among the elderly.

Influenza vaccine is available in two types. Inactivated (killed) flu vaccine, given as a shot, has been used in the U.S. for many years. A live, weakened vaccine, FluMist, was licensed in 2003. It is sprayed into the nostrils. It is available for persons 5-49 years of age. Influenza viruses change often. Therefore, influenza vaccine is updated every year. Protection develops in about 2 weeks after getting the shot and may last up to a year. The best time to get the vaccine is in October or November. Contact your local health department or physician for more details on cost and time vaccine will be available.

Meningococcal disease is a serious illness, caused by bacteria. It is the leading cause of bacterial meningitis in children 2-18 years old in the United States. Meningitis is an infection of the brain and spinal cord coverings. Meningococcal disease can also cause blood infections. About 2,600 people get meningococcal disease each year in the U.S. Ten to fifteen percent of these people die, in spite of treatment with antibiotics. Of those who live, another 10% have chronic complications. It is most common in infants less than one year of age, international travelers, and people with certain medical conditions. College freshmen, particularly those who live in dormitories, have a slightly increased risk of getting meningococcal disease.

Learn more about these vaccines by consulting with your family doctor or nurse or contacting the Buncombe County Department of Public Health at (828) 250-5000 or contacting the Centers for Disease Control and Prevention (CDC) at 1-800-232-2522 (English) or 1-800-232-0233 (Spanish) or visiting <http://cdc.gov/vaccines/>.

G. Use of Pesticides: N.C.G.S. § 115C-47(47)

With the passage of N.C.G.S. § 115C-47(47), Buncombe County Schools must provide notification regarding pesticide use on school property. For more information, please consult Board Policy 542 and/or contact:

Mike Kowaluk
Safety Officer
175 Bingham Road
Asheville, NC 28806
(828) 232-4244

Michael.kowaluk@bcsemail.org

H. Student Restraint/Seclusion/Isolation

Buncombe County Schools has adopted Board Policy 466, as required by N.C.G.S. § 115C- 391.1. Board Policy 466, as well as N.C.G.S. § 115C-39.1.1, are fully set out below.

Board Policy 466: **Student Seclusion/Restraint/Isolation**

I. Physical/Mechanical Restraint

Physical restraint is defined as the use of physical force to restrict the free movement of all or a portion of a student's body. Physical restraint shall be allowed by Buncombe County School personnel as a reasonable use of force under the following circumstances in accordance with North Carolina Statute 115C-391.1:

- a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
- b. As reasonably needed to maintain order or prevent or break up a fight.
- c. As reasonably needed for self defense.
- d. As reasonably needed to ensure the 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.
- e. As reasonably needed to escort a student safely from one area to another. Students should only be physically escorted when it is deemed safe or if the current setting conditions pose hazards for the student or staff. Escorts should only be conducted in accordance with training procedures adopted by the system.
- f. If used as provided for in a student's IEP or Section 504 plan or Behavior Intervention Plan as a brief intervention strategy to assist the student in regaining self-control.
- g. As reasonably needed to prevent imminent destruction to school or another person's property.

Physical restraint shall not be considered a reasonable use of force if used solely as a disciplinary consequence. Mechanical restraint is defined as the use of any device or material attached or adjacent to student's body that restrict freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint shall be allowed only in the following circumstances in accordance with North Carolina Statute 115C-391.1:

- a. When properly used as an assistive technology device included in the student's IEP or as otherwise prescribed for the student by a medical or related services provider.
- b. When using seat belts or other safety restraints to secure student during transportation.
- c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
- d. As reasonably needed for self-defense.
- e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person. If used for the purpose of preventing self-injurious behavior, the use of mechanical restraints should be included in the IEP as part of a Behavior Intervention Plan.

Nothing in the policy prevents the use of physical or mechanical restraint by School Resource Officers or other sworn law enforcement officials in the lawful exercise of their law enforcement duties.

Physical restraint in Buncombe County Schools shall follow the prescribed methods taught by either CPI (Crisis Prevention Institute) or NCI (Nonviolent Crisis Intervention). All personnel who are in positions in which physical restraint may be necessary should be trained to use CPI or NCI. All schools should identify a minimum of one team of five to seven employees trained to intervene in crisis prevention and physical restraint. In no case should employees use an intervention that involves either a prone or chair restraint.

II. Seclusion

Seclusion is defined as the confinement of a student alone in an enclosed space from which the student is:

- a. Physically prevented from leaving by locking hardware or other means; or
- b. Not capable of leaving due to physical or intellectual capacity.

Seclusion is prohibited in Buncombe County Schools except in the following settings and circumstances:

- a. As reasonably needed to protect the safety of students and staff of the Progressive Education Program and in accordance with a Behavior Intervention Plan included in a student's Individualized Education Plan.

- b. When used in accordance with the student's IEP and Behavior Intervention Plan the following conditions should be met:
- The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
 - The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP.
 - The space in which the student is confined has been approved for such use by the school principal.
 - The space is appropriately lighted.
 - The space is appropriately ventilated and heated or cooled.
 - The space is free of objects that unreasonably expose the student or others to harm.

III. Isolation

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Buncombe County Schools personnel may use isolation provided that:

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

IV. Aversive Procedures

Aversive procedures are defined as the systematic physical or sensory intervention for modifying behavior of students with disabilities that causes or reasonably may be expected to cause significant physical harm, serious psychological impairment to student, or obvious repulsion to observers of the intervention due to procedures which do not follow acceptable, standard practice. Buncombe County Schools prohibits the use of aversive procedures as defined herein, including corporal punishment, by its employees, volunteers, or personnel permitted in schools in accordance with interagency agreements.

V. Notice, Reporting, and Notification

Buncombe County Schools personnel shall follow the following notification procedures when physical restraint or seclusion is implemented. All employees and parents/guardians shall be provided a copy of N.C.G.S. §115C-391.1 and a copy of this policy at the beginning of each school year.

VII. Compliance by Community Agency Personnel

All personnel working within Buncombe County Schools in accordance with interagency agreements shall adhere to the above policies. In all circumstances in which a community agency employee is assigned to work with a student or students in a Buncombe County school, an intervention plan which describes the crisis prevention and intervention procedures to be utilized must be developed by a team that includes parents, school and agency personnel.

VIII. Legal Notices

Nothing in this policy modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390 or modifies the rules and procedures governing discipline under G.S. 115C-391(a). Nothing in this policy is intended to prohibit or regulate the use of "time-out" as a behavior management technique where a student is separated from other students for a limited period of time in a monitored setting.

Nothing in this policy shall be construed to create a private cause of action against any local board of education, its agents or employees, or to create a criminal offense.

N.C.G.S. § 115C-391.1

- (a) It is the policy of the State of North Carolina to:
- (1) Promote safety and prevent harm to all students, staff, and visitors in the public schools.
 - (2) Treat all public school students with dignity and respect in the delivery of discipline, use of physical restraints or seclusion, and use of reasonable force as permitted by law.
 - (3) Provide school staff with clear guidelines about what constitutes use of reasonable force permissible in North Carolina public schools.
 - (4) Improve student achievement, attendance, promotion, and graduation rates by employing positive behavioral interventions to address student behavior in a positive and safe manner.
 - (5) Promote retention of valuable teachers and other school personnel by providing appropriate training in prescribed procedures, which address student behavior in a positive and safe manner.
- (b) The following definitions apply in this section:
- (1) "Assistive technology device" means any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capacities of a child with a disability.
 - (2) "Aversive procedure" means 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 one or more of the following:
 - a. Significant physical harm, such as tissue damage, physical illness, or death.
 - b. Serious, foreseeable long-term psychological impairment.
 - c. Obvious repulsion on the part of observers who cannot reconcile extreme procedures with acceptable, standard practice, for example: electric shock applied to the body; extremely loud auditory stimuli; forcible introduction of foul substances to the mouth, eyes, ears, nose, or skin; placement in a tub of cold water or shower; slapping, pinching, hitting, or pulling hair; blindfolding or other forms of visual blocking; unreasonable withholding of meals; eating one's own vomit; or denial of reasonable access to toileting facilities.
 - (3) "Behavioral intervention" means the implementation of strategies to address behavior that is dangerous, disruptive, or otherwise impedes the learning of a student or others.
 - (4) "IEP" means a student's Individualized Education Plan.
 - (5) "Isolation" means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving.
 - (6) "Law enforcement officer" means a sworn law enforcement officer with the power to arrest.
 - (7) "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.
 - (8) "Physical restraint" means the use of physical force to restrict the free movement of all or a portion of a student's body.
 - (9) "School personnel" means:
 - a. Employees of a local board of education.
 - b. Any person working on school grounds or at a school function under a contract or written agreement with the public school system to provide educational or related services to students.
 - c. Any person working on school grounds or at a school function for another agency providing educational or related services to students.
 - (10) "Seclusion" means the confinement of a student alone in an enclosed space from which the student is:
 - a. Physically prevented from leaving by locking hardware or other means.
 - b. Not capable of leaving due to physical or intellectual incapacity.
 - (11) "Time-out" means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting.
- (c) Physical Restraint:
- (1) Physical restraint of students by school personnel shall be considered reasonable use of force when used in the following circumstances:
 - a. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
 - b. As reasonably needed to maintain order or prevent or break up a fight.
 - c. As reasonably needed for self-defense.

- d. As reasonably needed to ensure the 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.
 - e. As reasonably needed to escort a student safely from one area to another.
 - f. If used as provided for in a student's IEP or Section 504 plan or behavior intervention plan.
 - g. As reasonably needed to prevent imminent destruction to school or another person's property.
 - (2) Except as set forth in subdivision (1) of this subsection, physical restraint of students shall not be considered a reasonable use of force, and its use is prohibited.
 - (3) Physical restraint shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
 - (4) Nothing in this subsection shall be construed to prevent the use of force by law enforcement officers in the lawful exercise of their law enforcement duties.
- (d) Mechanical Restraint:
- (1) Mechanical restraint of students by school personnel is permissible only in the following circumstances:
 - a. When properly used as an assistive technology device included in the student's IEP or Section 504 plan or behavior intervention plan or as otherwise prescribed for the student by a medical or related service provider.
 - b. When using seat belts or other safety restraints to secure students during transportation.
 - c. As reasonably needed to obtain possession of a weapon or other dangerous objects on a person or within the control of a person.
 - d. As reasonably needed for self-defense.
 - e. As reasonably needed to ensure the safety of any student, school employee, volunteer, or other person present.
 - (2) Except as set forth in subdivision (1) of this subsection, mechanical restraint, including the tying, taping, or strapping down of a student, shall not be considered a reasonable use of force, and its use is prohibited.
 - (3) Nothing in this subsection shall be construed to prevent the use of mechanical restraint devices such as handcuffs by law enforcement officers in the lawful exercise of their law enforcement duties.
- (e) Seclusion:
- (1) Seclusion of students by school personnel may be used in the following circumstances:
 - a. As reasonably needed to respond to a person in control of a weapon or other dangerous object.
 - b. As reasonably needed to maintain order or prevent or break up a fight.
 - c. As reasonably needed for self-defense.
 - d. As reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property.
 - e. When used as specified in the student's IEP, Section 504 plan, or behavior intervention plan; and
 - 1. The student is monitored while in seclusion by an adult in close proximity who is able to see and hear the student at all times.
 - 2. The student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP or Section 504 plan.
 - 3. The space in which the student is confined has been approved for such use by the local education agency.
 - 4. The space is appropriately lighted.
 - 5. The space is appropriately ventilated and heated or cooled.
 - 6. The space is free of objects that unreasonably expose the student or others to harm.
 - (2) Except as set forth in subdivision (1) of this subsection, the use of seclusion is not considered reasonable force, and its use is not permitted.
 - (3) Seclusion shall not be considered a reasonable use of force when used solely as a disciplinary consequence.
 - (4) Nothing in this subsection shall be construed to prevent the use of seclusion by law enforcement officers in the lawful exercise of their law enforcement duties.
- (f) Isolation. – Isolation is permitted as a behavior management technique provided that:
- (1) The space used for isolation is appropriately lighted, ventilated, and heated or cooled.
 - (2) The duration of the isolation is reasonable in light of the purpose of the isolation.
 - (3) The student is reasonably monitored while in isolation.
 - (4) The isolation space is free of objects that unreasonably expose the student or others to harm.

- (g) Time-out. – Nothing in this section is intended to prohibit or regulate the use of time-out as defined in this section.
- (h) Aversive Procedures. – The use of aversive procedures as defined in this section is prohibited in public schools.
- (i) Nothing in this section modifies the rights of school personnel to use reasonable force as permitted under G.S. 115C-390 or modifies the rules and procedures governing discipline under G.S. 115C-391(a).
- (j) Notice, Reporting, and Documentation.
 - (1) Notice of procedures. – Each local board of education shall provide copies of this section and all local board policies developed to implement this section to school personnel and parents or guardians at the beginning of each school year.
 - (2) Notice of specified incidents:
 - a. School personnel shall promptly notify the principal or principal's designee of:
 - 1. Any use of aversive procedures.
 - 2. Any prohibited use of 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 10 minutes or the amount of time specified on a student's behavior intervention plan.
 - b. When a principal or principal's designee has personal knowledge or actual notice of any of the events described in this subdivision, the principal or principal's designee shall promptly notify the student's parent or guardian and will provide the name of a school employee the parent or guardian can contact regarding the incident.
 - (3) As used in subdivision (2) of this subsection, "promptly notify" means by the end of the workday during which the incident occurred when reasonably possible, but in no event later than the end of following workday.
 - (4) The parent or guardian of the student shall be provided with a written incident report for any incident reported under this section within a reasonable period of time, but in no event later than 30 days after the incident. The written incident report shall include:
 - a. The date, time of day, location, duration, and description of the incident and interventions.
 - b. The events or events that led up to the incident.
 - c. The nature and extent of any injury to the student.
 - d. The name of a school employee the parent or guardian can contact regarding the incident.
 - (5) No local board of education or employee of a local board of education shall discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee makes a report alleging a prohibited use of physical restraint, mechanical restraint, aversive procedure, or seclusion, unless the employee knew or should have known that the report was false.
- (k) Nothing in this section shall be construed to create a private cause of action against any local board of education, its agents or employees, or any institutions of teacher education or their agents or employees or to create a criminal offense.

**NCLB /FERPA Opt-Out Letter
Buncombe County Public Schools**

If you wish to restrict the disclosure of your student's directory information, please check all boxes that apply and return to your child's school.

The *No Child Left Behind Act of 2001* requires schools to release a secondary student's name, address, and phone number to military recruiters and institutions of higher education unless the student or his parent requests in writing that such information be withheld. In addition, the *Family Educational Rights and Privacy Act* (FERPA) gives parents (or students, if 18 years of age or older) the authority to prohibit schools from disclosing any or all directory information by providing notification in writing.

Please consider this letter notice of the following:

As parent of a student who is less than 18 years of age and in high school, I hereby exercise my right to request that you do not disclose the name, address, or telephone number of the following student to:

Military recruiters Institutions of higher education

As a student 18 years of age or older and in high school, I hereby exercise my right to request that you do not disclose my name, address, or telephone number to:

Military recruiters Institutions of higher education

As parent of a student less than 18 years of age, I hereby exercise my right under FERPA to request that you do not disclose any directory information for the following student for any purpose, except: [List directory information or purposes that you do permit, if any].

As a student 18 years of age or older, I hereby exercise my right under FERPA to request that you do not disclose any of my directory information for any purpose, except: [List directory information or purposes that you do permit, if any].

Student Name: _____ Grade: _____

(Please Print)

Name of School: _____ Grade: _____

(Please Print)

Signature of Parent

Date

Signature of Student (if 18 years of age or older)

Date

It is the policy of the Buncombe County Public School System not to discriminate on the basis of race, color, ethnic origin, sex, age or disability in its educational programs, activities, or employment policies.

Please sign, date, and return this page to your child's teacher, indicating that you have received the Parent Manual.

I, _____, parent of
(print name of parent/guardian)

_____ have received the
(print name of student)

Progressive Education Program's Parent Manual.

Signature: _____

Date: _____

Teacher: _____