

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

2

HOUSE BILL 641  
Committee Substitute Favorable 6/1/89

Short Title: Alternatives to Corporal Punishment.

(Public)

---

Sponsors:

---

Referred to:

---

March 16, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A TWO-YEAR PILOT PROGRAM IN SELECTED  
2 LOCAL SCHOOL SYSTEMS TO DEVELOP AND IMPLEMENT  
3 ALTERNATIVES TO THE USE OF CORPORAL PUNISHMENT IN SCHOOLS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 27 of Chapter 115C of the General Statutes is amended by  
6 adding a new section to read:

7 **"§ 115C-393. Alternatives to corporal punishment pilot program.**

8 (a) An alternative to corporal punishment pilot program is hereby established for  
9 the purpose of identifying and implementing effective alternatives to the use of corporal  
10 punishment in the public schools. The State Board of Education shall select not more  
11 than 16 local school systems, not more than two from each of the eight education  
12 districts in the State as set forth in this Chapter, which have volunteered to participate in  
13 the program. The local school board shall certify that entry into the pilot program has  
14 been approved by a majority vote of principals, assistant principals, and teachers in the  
15 local school system by secret ballot. Further, continuation in the program for the second  
16 year shall be contingent upon a majority vote by secret ballot of principals, assistant  
17 principals, and teachers in the system. The pilot program shall be developed by and  
18 implemented in each of the participating local school systems and shall operate for a  
19 two-year period beginning August 1989 through August 1991. The State Board of  
20 Education shall reimburse school systems selected to participate in the pilot program for  
21 their expenses incurred to provide special training for one teacher from each school in  
22

1 each system and one administrator from each system in the amount of one hundred  
2 dollars (\$100.00) per trainee per year.

3 (b) Upon development but before implementation of the alternatives to corporal  
4 punishment, the local school board of each of the 16 pilot school systems shall certify to  
5 the State Board of Education that the alternatives have been developed and that teachers  
6 and administrators of those systems are competent to implement the alternatives and to  
7 operate the school effectively without recourse to corporal punishment. The alternatives  
8 shall provide that teachers shall have the authority to remove any child from the  
9 classroom for misconduct. After certification to the State Board of Education the local  
10 school system shall implement the alternatives developed under the pilot program. Any  
11 local school system may withdraw from the pilot program at any time upon notification  
12 to the State Board of Education.

13 (c) At the end of the two-year pilot program the State Board of Education shall  
14 report to the General Assembly on the program's impact in each of the participating  
15 school systems. The State Board's report shall include such information as the pilot  
16 program's effect on student discipline, suspensions, tardiness, absenteeism, academic  
17 achievement, the drop-out rate, parent participation, and faculty morale."

18 Sec. 2. There is appropriated from the General Fund to the Department of  
19 Public Education the sum of \$20,000 for the 1989-90 fiscal year and the sum of \$20,000  
20 for the 1990-91 fiscal year to be used by the State Board of Education to reimburse local  
21 school systems for expenses incurred to provide special training of teachers and  
22 administrators pursuant to the provisions set forth in this act.

23 Sec. 3. G.S. 115C-390 reads as rewritten:

24 "**§ 115C-390. School personnel may use reasonable force.**

25 Principals, teachers, substitute teachers, voluntary teachers, teacher aides and  
26 assistants and student teachers in the public schools of this State may use reasonable  
27 force in the exercise of lawful authority to restrain or correct pupils and maintain order.  
28 Except as otherwise provided in this Article, ~~No~~ no local board of education shall  
29 promulgate or continue in effect a rule, regulation or bylaw which prohibits the use of  
30 such force as is specified in this section."

31 Sec. 4. This act shall become effective July 1, 1989.