

April 17, 2007

H 1570. IMPROVE SCHOOL DISCIPLINE. Filed 4/17/07. *TO IMPROVE SCHOOL DISCIPLINE.*

Amends GS 115C-390, which permits school personnel to use reasonable force to restrain or correct pupils and maintain order. Deletes the exception for schools subject to restrictions on use of force imposed by local boards of education. Provides that school personnel covered by the law may not be held civilly liable unless the trier of fact specifically finds that excessive force was used. Requires persons wishing to file a civil action to first appeal to the local board of education and prohibits the filing of an action before the board of education has determined whether excessive force was used. Creates a rebuttable presumption that any force employed was reasonable if the local board has found that no excessive force was used. Effective December 1, 2007.

Intro. by Blust.

GS 115C