

## **Physical Injuries and Student Safety: A Step-by-Step Guide to Your Response to Unexplained Bumps, Bruises or Cuts**

1. Ask your student about the injury.
2. Meet with your student's teacher.
  - Talk about the class's activities that day. Could your student have been injured during recess or Physical Education? Did the student bump into furniture?
  - Talk about your student's relationship with others in the classroom. Could another student have caused the injury?
  - Ask if the teacher noticed the bruise or cut on your student. Did the teacher document the injury? Did the teacher tell anyone about the injury? What does the teacher think caused the injury?
  - Ask if other teachers or school staff mentioned the injury to the teacher. What information did they share?
  - Ask for a copy of any incident reports or notes the teacher made about the injury.
3. Follow the school student/parent grievance procedure.
  - Every school system has a grievance procedure. Your student's school handbook should explain the procedure. You can also find it on your school system's website or by asking the school principal.
  - In general, you should ask to meet with the principal to discuss your concerns. If you are not satisfied with the principal's response, you should

contact the superintendent of the school system. If you are not satisfied with the superintendent's response, you should contact the board of education.

4. Ask for a formal investigation of the injury.

- Carefully consider the information you have learned about your student's injury.
- If you suspect that a student or staff member caused the injury, ask the school principal to investigate the matter.
- If you suspect that a special education staff member caused the injury, ask the school system's Exceptional Children Program director to investigate the matter.
- If you suspect that the injury is a result of the use of seclusion or restraint, ask the school system's Exceptional Children Program director to investigate the matter.
- The school system should share the findings of the investigation with you. **BUT**, you do not have the right to know if the school took personnel action against a staff member (i.e. whether a staff member was disciplined). **BUT**, you do not have the right to know if another student was disciplined as a result of the investigation.

5. Use the IEP or 504 Plan process to advocate for your student's safety.

- Is the cause of the injury still unknown? Incorporate close adult supervision into the IEP or 504 Plan. Incorporate daily checks for injury into the IEP or 504 Plan. Make this part of your daily routine at home, too.
- Was your student injured by another student? Ask your school system's bullying coordinator to attend the meeting. Incorporate close adult supervision into the IEP or 504 Plan. Incorporate social skills or self-advocacy training into the IEP or 504 Plan.
- Was your student injured by a piece of equipment or Assistive Technology? Ask your school's physical therapist or occupational therapist to attend the meeting. Incorporate periodic equipment checks and adjustments by a therapist into the IEP or 504 Plan.
- Was your student injured during seclusion or restraint? Improve your student's Behavior Intervention Plan. Add additional strategies and Positive Behavior Supports. Incorporate related services, such as counseling. Incorporate social skills training. Ask that all staff members involved with your student become certified in a de-escalation and restraint curriculum, such as the Crisis

Prevention Institute (CPI). Ask that all staff members involved with your student learn about the student's BIP.

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Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.

Contact us for assistance or to request this information in an alternate format.

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