

Students

Corporal Punishment

I. Purpose

This policy describes limitations on the use of corporal punishment and prone restraint upon a of students.

II. General Statement of Policy

~~The school district strictly prohibits corporal punishment. No employee or agent of the school district will cause inflict corporal punishment or use prone restraint upon a student. to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct. As used in this policy, the term “corporal punishment” means conduct involving hitting or spanking a person with or without an object, or unreasonable physical force that causes bodily harm or substantial emotional harm.~~

III. Definitions

1. “Corporal punishment” means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. “Prone restraint” means placing a child in a face-down position.

IV. Prohibitions

1. An employee or agent of the school district will not inflict corporal punishment or cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the district, including a school resource officer, security personnel, or police officer contracted with the district, will not use prone or compressive restraint; inflict any form of physical holding that restricts or impairs a student’s ability to breathe; restricts or impairs a student’s ability to communicate distress; places pressure or weight on a student’s head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student’s torso.
3. All peace officers, including those who are school resource officers or

otherwise agents of the district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court. Restrictions on prone and compressive restraints do not apply in these circumstances when these officials or those assisting these officials are executing duties allowed by law.

4. Conduct that violates this policy is not a crime unless the conduct violates a provision of Minnesota Statutes. Nothing in this policy precludes the use of reasonable force in accordance with state law.

VIII. Exceptions

A teacher, or school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Conduct and Discipline) when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another. Other school district employees, school bus drivers, or other agents of a district may use reasonable force when necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

VI. Violation

Employees who violate the provisions of this policy will be subject to disciplinary action as appropriate. Any such disciplinary action will be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

Legal References:

Minn. Stat. § 121A.58 (Corporal Punishment)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)

Minn. Stat. § 609.06, Subd. 1(6) and (7) (Authorized Use of Force)

Op. Atty. Gen. 169f (August 22, 2023) (School Pupils: Discipline)

Op. Atty. Gen. 169f Supp. (September 20, 2023) (School Pupils: Discipline)

Cross Reference:

Policy 403 (Discipline of School District Employees)

Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

Policy 506 (Student Conduct and Discipline)

Policy 532 (Use of Crisis Teams and Peace Officers to Remove Students with Individualized Education Plans (IEPs) from School Grounds)

Policy

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INDEPENDENT SCHOOL DISTRICT NO. 273

Edina, Minnesota

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