

SUBJECT: CORPORAL PUNISHMENT AND USE OF EMERGENCY INTERVENTIONS

Corporal Punishment

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee or agent of this School District. The term corporal punishment shall mean any act of physical force upon a pupil for the purpose of punishment.

The Superintendent will submit a written report semi-annually to the Commissioner of Education, through the State Education Department portal, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Emergency Interventions

Emergency interventions are defined as use of physical restraint to protect oneself or others. The use of physical restraint in response to the destruction of property is prohibited unless the property damage would result in imminent harm to the student or others. Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical restraint cannot reasonably be employed. Emergency interventions will not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

If alternative procedures and methods which would not involve physical restraint do not work, emergency interventions can be used.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. (example: Therapeutic Crisis Intervention for Schools). The parent(s) or person(s) in parental relation of the student will be notified on the same day whenever an emergency intervention is utilized. When the student's parent or person in parental relation cannot be contacted on the same day after reasonable attempts are made, the building principal will record the attempts and, when applicable, report the attempts to the committee on special education (CSE).

Use of Time Out Rooms

Except as provided in section 200.22(C) of this Title, timeout shall only be used in a situation that poses an immediate concern for the physical safety of the student or others. Staff shall return the student to their educational program as soon as the student has safely de-escalated, regained control and is prepared to meet expectations. Time out rooms are only used for students who have a Behavioral Intervention Plans.

Documentation

Whenever a school employee uses physical force and/or restraint against a student, the school employee will immediately report the situation to the building principal or designees who will, within the same school day, make a report to the Superintendent, or designee, describing in detail the circumstances and the nature of the action taken.

(Continued)

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Students

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Documentation (cont'd)

The District will maintain documentation on the use of emergency interventions for each student including:

- a) Name and date of birth of student;
- b) Setting and location of the incident;
- c) Name of staff or other persons involved;
- d) Description of the incident and emergency intervention used, including duration;
- e) A statement as to whether the student has a current behavioral intervention plan; and
- f) Details of any injuries sustained by the student or others, including staff, as a result of the incident.

This documentation will be reviewed by District supervisory personnel and, if necessary, by the school nurse or other medical personnel.

Education Law § 4402
8 NYCRR §§ 19.5, 100.2(1)(3), and 200.22(d)

NOTE: Refer also to Policy #7313 -- Suspension of Students

Adopted: 7/10/2001

Revised: 11/13/2007, 5/28/2019; 9/8/2023