

CORPORAL PUNISHMENT/EMERGENCY INTERVENTION

Corporal Punishment

Corporal punishment, defined as any act of physical force upon a student for the purpose of punishing that student, is not acceptable in Patchogue-Medford Union Free School District and will not be allowed as a disciplinary measure. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot be used, reasonable physical force may be used to protect oneself, another student, teacher or any other person from physical injury.

In any case where physical force is used for one of the above reasons, the following reporting procedure must be used:

1. The teacher or principal who has used physical force on a student must file a written report immediately with his/her assigned immediate superior. The principal of the school in which the incident occurred must always be immediately advised of it as well.
2. The report will give the details of the incident, including what led to the action, what force was used, why the force was used, and what measures, if any, were taken to avoid the use of physical force.
3. The report will be kept on file in the school office and will be available upon request to the parent of the student involved.
4. The parent will be given an opportunity to have a conference with the student, teacher and administrator(s) involved in the incident to discuss the situation. The conference will occur at a mutually agreeable time and place.
5. The school principal is responsible for immediately reporting all incidents of the use of physical force on students to the superintendent.
6. The Superintendent of School will promptly inform the Board of Education of all incidents where physical force is used with a student.

Alternative procedures and methods not involving the use of physical force include, but are not limited to:

1. The use of verbal de-escalation strategies;
2. Issuing clear directions to the offending student;
3. Explaining the consequences of the student's actions to the student; and
4. Enlisting the aid of another district employee.

Corporal Punishment/Emergency Intervention (Cont'd.)

Investigation of Complaints

Any claim about the use of corporal punishment shall be submitted in writing by the complainant to the superintendent of schools. This written complaint will be forwarded to the school attorney within seven (7) school days. The superintendent or designee shall investigate the complaint to determine whether an incident actually took place and, if so, to determine the identity of the person or persons who administered the corporal punishment, the identity of the student or students involved, reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the school attorney upon completion of the investigation.

Reports to the Commissioner of Education

Reports shall be submitted to the Commissioner of Education on or before January 15 and July 15 of each year concerning the complaints about the use of corporal punishment during the six-month reporting period. Such reports shall set forth the substance of each complaint, resolutions of the investigation, and the action, if any, by the district.

Aversive Behavioral Interventions

Aversive behavioral interventions, defined as an intervention that is intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior, is not acceptable in Patchogue-Medford Union Free School District and will not be allowed as a disciplinary measure. Such prohibited aversive interventions include:

1. contingent application of noxious, painful, intrusive stimuli or activities; strangling, shoving, deep muscle squeezes or other similar stimuli;
2. any form of noxious, painful or intrusive spray, inhalant or tastes;
3. contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink in order to make it distasteful;
4. movement limitation used as a punishment, including but not limited to helmets and mechanical restraints; or
5. other stimuli or similar actions.

The term shall not include interventions such as voice control, limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.

Corporal Punishment/Emergency Intervention (Cont'd.)**Prone Restraint**

Prone restraint, defined as physical or mechanical restraint while the student is in the face down position, is not acceptable in Patchogue-Medford Union Free School District and will not be allowed as a disciplinary measure.

Seclusion

Seclusion, defined as the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will, is not acceptable in Patchogue-Medford Union Free School District and will not be allowed as a disciplinary measure. However, the term “seclusion” does not include a “timeout”.

Timeout

The Patchogue-Medford Union Free School District acknowledges that it is authorized by law to use “timeouts” in a limited manner. The term “timeout” means a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program in accordance with subdivision (d) of 8 NYCRR § 19.5. The term “timeout” shall not include:

1. a student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies;
2. use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan; or
3. a teacher removal, in-school suspension; or any other appropriate disciplinary action.

Except for situations that pose an immediate concern for the physical safety of a student or others, the use of timeout shall be used to assist students to calm and self-regulate or in conjunction with a behavioral intervention plan (BIP) as permitted by 8 NYCRR § 200.22. District employees shall return the student to their educational program as soon as the student has safely deescalated, regained control and is prepared to meet expectations.

Physical Restraint

The Patchogue-Medford Union Free School District acknowledges that it is authorized by law to use physical restraints in a limited manner. The term physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

Corporal Punishment/Emergency Intervention (Cont'd.)

Legally Authorized Limited Use of Timeout and Physical Restraint

Positive, proactive, evidence and research-based strategies through a multi-tiered system of supports shall be used to reduce the occurrence of challenging behaviors, eliminate the need for the use of timeout and physical restraint, and improve school climate and the safety of all students. Timeout and physical restraint may be used only when:

1. other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others;
2. there is no known medical contraindication to its use on the student; and
3. school staff using such interventions have been trained in its safe and appropriate application in accordance with the requirements of applicable law.

Timeout and physical restraints shall not be used as discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify, or eliminate a targeted behavior.

Staff Training

All District employees shall receive annual training on the school's policies and procedures related to the use of timeout and physical restraint; evidence-based positive, proactive strategies; crisis intervention and prevention procedures and de-escalation techniques. Additionally, any District employee who may be called upon to implement timeout or physical restraint, shall receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures.

Documentation

The District shall maintain documentation of each incident involving the use of timeout, including timeout used in conjunction with a student's behavioral intervention plan consistent with applicable law, and/or physical restraint on each student, which shall include:

1. the name and date of birth of the student;
2. the setting and location of the incident;
3. the name of the staff who participated in the implementation, monitoring and supervision of the use of timeout and/or physical restraint and any other persons involved;
4. a description of the incident including duration, and for physical restraint, the type of restraint used;
5. whether the student has an individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student by the school;

**Corporal Punishment/Emergency Intervention (Cont'd.)
Documentation (Continued)**

6. a list of all positive, proactive intervention strategies utilized prior to the use of timeout and/or physical restraint; and for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable;
7. the details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;
8. the date and method of notification to the parent or person in parental relation and whether a meeting was held; and
 - a. the date of the debriefing held consistent with the requirements of applicable law.

Parental Notification

The District will ensure same day notification to a parent or person in parental relation to the student following the use of timeout, including timeout used in conjunction with a student's behavioral intervention plan consistent with applicable law, or use of a physical restraint. When the student's parent or person in parental relation cannot be contacted, after reasonable attempts are made, the school principal or building administrator shall record such attempts. For students with disabilities, the school principal or building administrator shall report such attempts to the student's committee on preschool special education or committee on special education. Such notification shall offer the parent the opportunity to meet regarding the incident. Further, the District will provide the parent or person in parental relation to the student a copy of the documentation of the incident within three school days of the use of timeout or a physical restraint.

Compliance with Reporting Requirements Beginning with the 2024-2025 School Year

Beginning with the 2024-2025 school year, the Patchogue-Medford Union Free School District will submit an annual report on the use of physical restraint and timeout and substantiated and unsubstantiated allegations of use of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint, and seclusion to the New York State Department of Education, on a form and at a time prescribed by the Commissioner in accordance with 8 NYCRR § 100.2(bb)(2).

Legal Reference: 8 NYCRR § 100.2; 8 NYCRR § 19.5; 8 NYCRR § 200.22

Policy Adopted:

January 19, 1976

Policy Revised:

May 20, 1985

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Policy Revised:

December 16, 1991

Policy Revised:

November 20, 2000

Policy Revised:

October 24, 2022

Policy Revised:

October 28, 2024

Corporal Punishment (Continued)
Aversive Behavioral Interventions (Continued)

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