

RANCHO SANTA FE SCHOOL DISTRICT

Board Policy No. 5022: NO CORPORAL PUNISHMENT

- A. The California Legislature prohibits corporal punishment. No employee of the District may use corporal punishment on any pupil. The term "corporal punishment" means the willful infliction of, or willfully causing the infliction of, physical pain on a pupil.

- B. An amount of force that is reasonable and necessary for a person employed by or engaged in a public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this Board Policy. Physical pain or discomfort caused by athletic competition or other such recreational activity, voluntarily engaged in by the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this Board Policy.

- C. Seclusion and Restraint
 - 1. The use of restraint and seclusion must be consistent with the child's right to be treated with dignity and to be free from abuse. The District shall avoid, whenever possible, the use of seclusion or behavioral restraint techniques. Restraint and seclusion should only be used as a safety measure of last resort, and should never be used as punishment or discipline or for staff convenience.

 - 2. The District may use seclusion or a behavioral restraint only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive.
 - a. "Behavioral restraint" means an intervention when a pupil presents an immediate danger to self or to others that is either: the use of a device or equipment to restrict a pupil's freedom of movement; or a personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely.

 - b. "Behavioral restraint" does not include:
 - i. Postural restraints or devices used to improve a pupil's mobility and independent functioning rather than to restrict movement.

 - ii. A physical escort, which means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a pupil who is acting out to walk to a safe location.

 - iii. The use of force by peace officers or security personnel for detention or for public safety purposes.

3. In the event seclusion or a behavioral restraint is needed:
 - a. The responsible District employee shall keep constant, direct observation of a pupil who is in seclusion, which may be through observation of the pupil through a window, or another barrier, through which the educational provider is able to make direct eye contact with the pupil. The observation shall not be through indirect means, including through a security camera or a closed-circuit television.
 - b. The District shall afford to pupils who are restrained the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the pupil and others.
 - c. If prone restraint techniques are used, the responsible District employee shall observe the pupil for any signs of physical distress throughout the use of prone restraint. Whenever possible, the responsible District employee monitoring the pupil shall not be involved in restraining the pupil. "Prone restraint" means the application of a behavioral restraint on a pupil in a facedown position.

4. The District shall not:
 - a. Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.
 - b. Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.
 - c. Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.
 - d. Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a pupil's face.
 - e. Place a pupil in a facedown position with the pupil's hands held or restrained behind the pupil's back.
 - f. Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the pupil or others.

5. The District shall collect and, no later than three months after the end of a school year, report to the Department of Education annually on the use of behavioral restraints and seclusion for pupils enrolled in or served by the District for all or part of the prior school year.
 - a. The data collected and reported pursuant to this section shall be available as a public record and shall be posted annually on the District website.
 - b. The report required pursuant to Paragraph 5 shall include all of the following information, disaggregated by race or ethnicity, and gender:
 - i. The number of pupils subjected to mechanical restraint, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.
 - ii. The number of pupils subjected to physical restraint, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.
 - iii. The number of pupils subjected to seclusion, with separate counts for pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.
 - iv. The number of times mechanical restraint was used on pupils, with separate counts for the number of times mechanical restraint was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.
 - v. The number of times physical restraint was used on pupils, with separate counts for the number of times physical restraint was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal

Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

- vi. The number of times seclusion was used on pupils, with separate counts for the number of times seclusion was used on pupils with a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program.

Legal Reference:

Education Code sections 49000, 49001, 49005, 49005.1, 49005.2, 49005.4, 49005.6, 49005.8, 49006, 49006.2, 49006.4

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; June 5, 2008; July 11, 2019; November 19, 2024