

## **507 CORPORAL PUNISHMENT AND PRONE RESTRAINT**

### **I. PURPOSE**

The purpose of this policy is to describe limitations on the use of corporal punishment and prone restraint upon a student.

### **II. GENERAL STATEMENT OF POLICY**

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student.

### **III. DEFINITIONS**

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

### **IV. PROHIBITIONS**

- A. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
- B. An employee or agent of a district, including a school resource officer, security personnel or police officer contracted with a district, shall not use prone restraint.
- C. An employee or agent of a district, including a school resource officer, security personnel or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a pupil’s ability to breathe; restricts or impairs a pupil’s ability to communicate distress; places pressure or weight on a pupil’s head, throat, neck, chest, lungs, sternum, diaphragm, back or abdomen; or results in straddling a pupil’s torso.
- D. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates

IV.1. above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582.

## **V. EXCEPTIONS**

A teacher or school principal may use reasonable force under the conditions set forth in Policy 506 (District-wide Student Discipline)..

## **VI. VIOLATION**

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall 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)(7) (Authorized Use of Force)

### **Cross References:**

Policy 403 (Discipline, Suspension and Dismissal 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 (Districtwide Student Discipline)

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