

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Corporal Punishment
	POLICY CODE: JKA

Tucson Unified School District implements Positive Behavioral Intervention Strategies (PBIS) and Restorative Practices (RS) to teach students behavioral expectations.

The Guidelines for Students Rights and Responsibilities set forth in Governing Board Policy JK establish the infractions that may require disciplinary actions as detailed in that Policy.

Corporal Punishment

For purposes of this Policy, “corporal punishment” means striking or spanking a student as a means of discipline.

Tucson Unified School District prohibits the use of corporal punishment.

Restraint

For purposes of this Policy, the term "restraint" means any method or device that immobilizes or reduces the ability of a student to move the student’s torso, arms, legs or head freely, including physical force or mechanical devices.

As used in this Policy, the term “restraint” does not include any of the following:

- Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
- The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location.
- The brief holding of a student by one adult for the purpose of calming or comforting the student.
- Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

Seclusion

For purposes of this Policy, the term "seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented (i.e. the student is prevented from leaving the room).

As used in this Policy, the term "seclusion" does not include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or the use of an individualized education program that involves the student's separation from a larger group for purposes of calming.

Persons Authorized to Use Restraint or Seclusion Techniques

Restraint or seclusion techniques must be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques, unless an emergency situation does not allow sufficient time to summon trained personnel.

Use of Restraint and/or Seclusion

Tucson Unified School District prohibits the use of seclusion and restraint, except as set forth in this Policy, and only at a school site approved by the Superintendent and in compliance with state law.

Restraint or seclusion techniques may only be used on a student if both of the following apply:

- The student's behavior presents an imminent danger of bodily harm to the student or others.
- Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a student:

- School personnel must maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
- The restraint or seclusion technique ends when the student's behavior no longer presents an imminent danger to the student or others.
- The restraint technique employed must not impede the student's ability to breathe.
- The restraint technique must not be out of proportion to the student's age or physical condition.

Reporting and Documentation Requirements

School personnel must follow the reporting and documentation requirements set forth below when a restraint or seclusion technique has been used on a student. The procedures shall include the following requirements:

- School personnel shall provide the student's parent or guardian with written or oral notice on the same day that the incident occurred, unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four (24) hours after the incident.
- Within a reasonable time following the incident, school personnel shall provide the student's parent or guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.
- School personnel shall review strategies used to address a student's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the student during a school year. The review must include a review of the incidents in which restraint or seclusion technique were used and an analysis of how future incidents may be avoided, including whether the student requires a functional behavioral assessment (FBA).

Law Enforcement

If school personnel summon law enforcement instead of using a restraint or seclusion technique on a student, school personnel shall comply with the reporting, documentation and review procedures established in this Policy.

Notwithstanding this Policy, school resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

School Safety or Crisis Intervention Plans

Tucson Unified School District may establish policies and procedures for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual student.

Adopted: May 26, 2009 [Recoded from Policy 5310 and revised]
Reviewed: October 9, 2012 (Recoded from JKAB)
Revised: March 7, 2017

LEGAL REF.: A.R.S. § 15-843
A.R.S. § 15-105

CROSS REF: JK – Student Discipline
GBEB – Staff Conduct
JKA-Regulation