Policy Number: 3470

Dated: 9/16/26

Prohibition of Corporal Punishment/ Use of Emergency Safety Interventions Policy

PURPOSE

American Leadership Academy Spanish Fork recognizes that every student should have the opportunity to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption. At times, student behavior may present an immediate danger requiring emergency safety interventions. Behavioral interventions for students should promote and facilitate their safety and dignity. The Board of Education acknowledges that Utah law prohibits corporal punishment in public schools but provides for the use of physical restraint or force under certain circumstances.

DEFINITIONS

1. Corporal Punishment - the intentional infliction of physical pain upon the body of a student as a disciplinary measure.

GUIDELINES

1. No school employee shall inflict or cause the infliction of corporal punishment upon a student.
2. In accordance with Utah Code, 53G-8-302, a school employee is not prohibited from using reasonable and necessary restraint or force in self-defense or when otherwise appropriate to the circumstances to:
    a. obtain possession of a weapon or other dangerous object in the possession or under the control of a student;
    b. protect a student or another person from physical injury;
    c. remove a student who is violent from a situation; or
    d. protect property from being damaged, when physical safety is also at risk
3. All uses of physical restraint must be carried out using the Emergency Safety Intervention procedures set forth in this policy.
4. A school employee may not be subjected to any sanction for failure or refusal to commit an act prohibited by this policy and the laws it is intended to implement.
5. Any school employee who “has knowledge of or has reason to suspect” the use of corporal punishment must follow the reporting and investigation requirements for Utah Code, Title 80, Chapter 2, Part 6, Child Abuse and Neglect Reports.
    a. Reports must be immediately made to the building administrator (principal or assistant principal) and to law enforcement or the Utah Division of Child and Family Services.

b. The building administrator receiving a report must immediately file a report with law enforcement or the Utah Division of Child and Family Services.
c. Reports made on violations of this part are subject to the same requirements of confidentiality as provided under Section 80-2-1005.
d. Any school or individual who in good faith makes a report or cooperates in an investigation by a school or authorized public agency concerning a violation of the corporal punishment prohibition is immune from any civil or criminal liability that might otherwise result from such reporting or cooperation.
e. If a violation is confirmed, the building administrator will take prompt and appropriate action, including in-service training and other administrative action, to ensure against a repetition of the violation.
f. All findings and actions taken by the building administrator will be reviewed by the K-12 Operations Director. The K-12 Operations Director may make additional recommendations.
g. An employee may appeal any discipline imposed under this policy through the use of the employee grievance policy and/or orderly termination procedures for violations resulting in dismissal.

6. This policy does not prohibit the use of reasonable and necessary restraint or force with students who are educated pursuant to an individual education plan (IEP), Section 504 plan, or a behavior intervention plan. Such use of reasonable and necessary restraint or force must meet state, federal, and local guidelines governing qualified students with disabilities.

EMERGENCY SAFETY INTERVENTIONS

1. A school employee may not subject a student to physical restraint or seclusionary time out unless utilized as a necessary emergency safety intervention (ESI) in compliance with this section.
    a. “Emergency safety intervention (ESI)” means the use of seclusionary time out or physical restraint when a student presents an immediate/imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm. An “emergency safety intervention” is not for disciplinary purposes.
    b. “Physical Escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.
    c. “Physical restraint” means personal restriction immobilizing or reducing the ability of an individual to move the individual’s arms, legs, body, or head freely.
    d. “Seclusionary time out” means that a student is placed in a safe enclosed area, isolated from adults and peers, and under circumstances where the student reasonably believes he or she will be prevented from leaving the area.
2. General Provisions
    a. Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI as well as the safe use of ESI and a release criteria.
    b. ESI shall:
        I. be applied for the minimum time necessary to ensure safety;
        II. be discontinued as soon as imminent danger of physical harm to self or others has dissipated;
        III. be discontinued if the student is in severe distress;
        IV. never be used as punishment or discipline;
        V. in no instance be imposed for more than 30 minutes

3. Students with Disabilities Receiving Special Education
    a. Use of ESI for a student with a disability receiving specialized educational services under IDEA, Section 504 or a behavior intervention plan, shall be subject to the State of Utah's Least Restrictive Behavioral Interventions (LRBI) Technical Assistance Manual. The LRBI Manual provides guidance and information in creating successful behavioral systems and supports within Utah's public schools that:
        I. Promote positive behaviors while preventing negative or risky behaviors; and
        II. Create a safe learning environment that enhances all student outcomes.
4. Physical Restraint
    a. A school employee may, when acting within the scope of employment, use and apply physical restraint or force as an ESI as may be reasonable and necessary under the following circumstances:
        I. To protect the student or another person from serious physical harm;
        II. to take possession of a weapon, other dangerous objects in the possession or under the control of a student: or
        III. Where the student is destroying property and physical safety is at risk.
    b. When an employee exercises physical restraint as an ESI on a student, the following types of physical restraint are prohibited:
        I. prone, or face down;
        II. restraint which obstructs the airway or adversely affects the student's primary mode of communication;
        III. supine, or face up;
        IV. mechanical restraint, except for seatbelts or safety equipment used to secure students during transportation; or
        V. chemical restraint, except as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority and implemented in compliance with a student's Health Care Plan.
        VI. seclusion or restraint that is outside of the scope of ESI training.
        VII. restraint or seclusion that is maintained beyond the minimum time necessary and terminated as soon as the student no longer poses a danger to him/herself or others, or is maintained if the student is in distress.
5. Seclusionary Time Out
    a. A school employee may, when acting within the scope of employment, place a student in seclusionary time out as an ESI under the following circumstances;
        I. the student presents immediate danger of serious physical harm to self or others;
        II. any door remains unlocked; and
        III. the student is within line of sight of the employee at all times.
6. Notification
    a. If a crisis situation occurs requiring an ESI be used, the school or employee shall notify the student's parent/guardian and school administration
    b. Parent notification made under this section shall be documented in the student information system as required by R277-609-6(C)(4)
    c. Upon request of a parent/guardian, the school shall provide a copy of any notes or additional documentation taken during a crisis situation.
    d. A parent/guardian may request a time to meet with school staff and administration to discuss the crisis situation.
7. Defacing or damaging school property--Student's liability--Work program alternative

a. A student who willfully defaces or otherwise damages any school property may be suspended or otherwise disciplined.
b. If a school property has been lost or willfully cut, defaced, or otherwise damaged, a school may withhold an official written grade report, diploma or transcript of the student responsible for the damage or loss until the student or the student's parent or guardian has paid for the damages.
c. The student's parent or guardian is liable for damages as otherwise provided in Utah Code Section 78A-6-1113.
d. If the student's parent or guardian are unable to pay for the damages or if it is determined by the school in consultation with the student's parent or guardian that the student's interests would not be served if the parent or guardian were to pay for the damages, the school shall provide a program of work the student may complete in lieu of the payment.
e. The school shall release the official grades, diploma, and transcripts of the student upon completion of the work.
f. The student's right to due process will be protected before any penalties are assessed.
g. No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.
h. If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, the student's records, if requested by the department or agency may not be withheld from the department for nonpayment of damages.

Reference:
Utah Code 53G-8-302, 53G-8-303, 53G-8-304, 53G-8-305.
R277-609