

## **SUBJECT: CORPORAL PUNISHMENT/ PHYSICAL RESTRAINT**

### **Corporal Punishment**

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee or agent of BOCES.

However, if alternative procedures and methods which would not involve physical force do not work, then the use of reasonable physical force is not prohibited for the following reasons:

- a) To protect oneself from physical injury;
- b) To protect another student or teacher or any other person from physical injury;
- c) To protect the property of the school or of others; or
- d) To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers or duties, if that student has refused to comply with a request to refrain from further disruptive acts; provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth above.

Whenever a school employee uses physical force against a student, the school employee shall, within the same school day, make an immediate written report to his/her supervisor describing in detail the circumstances and the nature of the action taken.

The District Superintendent shall submit a written semi-annual report to the Commissioner of Education, with copies to the Board, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by school authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

(Continued)

## **SUBJECT: CORPORAL PUNISHMENT/ PHYSICAL RESTRAINT (Cont'd.)**

### **Physical Restraint**

The Board of Cooperative Educational Services holds the belief that the classroom teacher is the key person responsible for the maintenance of acceptable discipline among students. A well-planned program that keeps students occupied with work that is meaningful, interesting and challenging is the best means of preventing disruptive behavior by students. The Board recognizes, however, that under certain circumstances, a classroom teacher, supervisor or administrator may find it necessary to resort to reasonable and prudent physical restraint in maintaining order in or on school premises. Accordingly, the following actions by a teacher are herewith authorized:

- a) Physical restraint which may be used to prevent threatened assault, self-inflicted harm or physical injury to other students or personnel;
- b) Physical restraint which may be used to prevent damage to school or BOCES property.

Education Law Sections 3028 and 3811  
Penal Law Section 35.10  
Rules of the Board of Regents Section 19.5  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2(1)(3)

Adopted: 7/10/02