

## **SUBJECT: CORPORAL PUNISHMENT/ EMERGENCY INTERVENTIONS**

### **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.

Whenever a school employee uses physical force against a student, the school employee will immediately report the situation to the building principal or designee who will within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent will submit a written report semi-annually 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 the District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

### **Emergency Interventions**

If alternative procedures and methods which do not involve physical force do not work, then the use of reasonable physical force is permitted for the following reasons:

- a) Self-protection;
- b) Protection of others;
- c) Protection of property; or
- d) Restraining or removing a disruptive student.

Emergency interventions will only be used in situations where alternative procedures and methods that do not involve the use of reasonable physical force cannot reasonably be employed. Emergency interventions will not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify, or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student will be notified whenever an emergency intervention is utilized.

### **Physical Restraint**

~~—The Board of Cooperative Educational Services hold 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:~~

# POLICY

- 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.~~

## **OMRDD Supported Employment Program**

In addition to the foregoing, the following conditions shall apply to the OMRDD Supported Employment Program:

- a) Part 624 of Mental Hygiene Law regarding serious reportable incidents and allegations of abuse will be implemented and procedures followed accordingly;
- b) A Standing committee will be appointed by the Board of Education to review all reported incidents. The purpose of a Standing Committee is to review and monitor reportable incidents, serious allegations, and allegations of abuse. At the recommendation of the District Superintendent (who will not be part of the committee), the BOCES Board shall appoint a Standing Committee comprised as follows:
  - At least two (2) professional staff;
  - Other staff, which may include professional, direct care, or administrative/supervisory staff;
  - A physician, physician's assistant, or nurse practitioner (either on the Committee or available for consultation as needed);
  - A psychologist (recommended).

This Committee must meet at least quarterly, and within one month of each reportable incident or allegation so a review can take place. Minutes must be recorded by the Committee at every meeting convened so that they can be reviewed and referred to if necessary.

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)  
NYS Mental Hygiene Law, Part 624