

1. Purpose:

- 1.1. To implement state law regarding Corporal Punishment of students in the school.

2. Policy:

- 2.1. A GWA employee may not inflict or cause the infliction of corporal punishment upon a child who is receiving services from the school. Utah Code §53G-8-301(5)(a))
- 2.2. This policy does not prohibit the use of reasonable and necessary physical restraint or force in self-defense or otherwise appropriate to the circumstances only to:
 - 2.2.1. Obtain possession of a weapon or other dangerous object in the possession or under the control of a child.
 - 2.2.2. Protect the child or another person from physical injury.
 - 2.2.3. Remove from a situation a child who is violent (only allowed when safety is at risk).
 - 2.2.4. Protect property from being damaged when physical safety is at risk.
- 2.3. A school employee shall first use the least restrictive intervention available, including a physical escort, before using emergency safety interventions. (New per §53G-8-301(2)).
- 2.4. Seclusion may only be used in limited emergency situations for students in grade 1 or above and only if written LEA policies are in place. Seclusion is prohibited for disciplinary purposes, coercion, retaliation, humiliation, for inadequate staffing, or for staff convenience. (New per §53G-8-301(10))

3. Procedure:

- 3.1. Definition: "Corporal punishment" means the intentional infliction of physical pain upon the body of a minor child as a disciplinary measure. (Aligned with §53G-8-301(1)(a))
- 3.2. Investigation of complaint - Confidentiality - Immunity.
 - 3.2.1. The reporting and investigation requirements of Title 80, Chapter 2, Part 6, Child Abuse and Neglect Reports apply to complaints on corporal punishment.
 - 3.2.2. If a violation is confirmed, school authorities shall take prompt and appropriate action, including in-service training and other administrative action to ensure against a repetition of the violation. (Per §53G-8-301(6))
 - 3.2.3. Reports made on violations of this policy are subject to the same requirements of confidentiality as provided under Section 80-2-1005.
 - 3.2.4. Any individual who in good faith makes a report or cooperates in an investigation by a school or authorized public agency concerning a violation of this part is immune from any civil or criminal liability that might otherwise result by reason of those actions. (Per §53G-8-301(8))
 - 3.2.5. Corporal punishment which would, but for this part, be considered to be reasonable discipline of a minor may not be used as a basis for any civil or criminal action. (Clarified in §53G-8-301(5)(c))
 - 3.2.6. Corporal punishment that exceeds reasonable discipline under Section 76-2-401 may be used to establish civil or criminal liability. (New per §53G-8-301(5)(d))

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- 3.3. Exceptions
 - 3.3.1. Behavior reduction interventions that are in compliance with state and local special education rules and regulations are excepted from this part as provided under Section 53A-11-705.
- 3.4. Documentation, Parental Notification & Data Collection (New: §53G-8-301(10)(c-d) & (11))
 - 3.4.1. Document each emergency safety intervention (physical restraint or seclusion), including reason, duration, and alternative strategies used.
 - 3.4.2. Notify parents immediately, and no later than 15 minutes after the intervention.
 - 3.4.3. GWA will collect and annually submit data to the State Board, including student demographic info, intervention details, alternatives attempted, purpose, duration, and staff training records.
- 3.5. Enforcement and Consequences.
 - 3.5.1. Violations, including improper use of seclusion or restraint, may constitute unlawful detention and result in referral to local law enforcement and the Utah Professional Practices Advisory Commission. (Per §53G-8-301(13))