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Statement of.....

Policy and Responsibility

SUBJECT: PROHIBITION OF CORPORAL PUNISHMENT

This policy is authorized by Section 53A-3-401(14)(a) which allows the Board to make and enforce rules necessary for the control and management of the district schools.

The following policy and procedure governs the prohibition of corporal punishment as outlined in 53A-11-801, U.C.A. 1953. The procedures for use of appropriate behavior reduction interventions for students with disabilities are contained in the Murray School District Rules and Regulations for Special Education.

1. Definitions: the following terms shall be defined as:
 - A. Student: a person who is receiving educational services from a district school.
 - B. Corporal punishment: the intentional infliction of physical pain upon the body of a student as a disciplinary measure.
 - C. School: any public or private elementary or secondary school, pre-school, pre-school center, Nursery school, or business which receives compensation for supervising or educating a child.
 - D. Employee: each person employed part-time, full-time, or intermittently by the District whose wages or salary are paid by the District.
2. A school employee may not inflict or cause the infliction of corporal punishment upon a student receiving services from the school.
3. This section does not prohibit the use of reasonable and necessary physical restraint or force in self -defense or otherwise appropriate 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, employee, or another person from physical injury,
 - C. remove from a situation a student who is violent, or
 - D. protect property from being damaged.
4. No other rule, policy, or practice, may require an employee to use corporal punishment under any circumstances. An employee may not be sanctioned for failure or refusal to use corporal punishment.

5. Violations of this policy are to be reported immediately to the employee's supervisor. The supervisor will investigate the incident, requesting written statements from students and other school personnel observing the event, and report his/her findings to the Director of Personnel. Violations will also be reported to the Division of Child and Family Services. If a violation is confirmed, the following sanctions shall be imposed:
 - a. Verbal warning followed by written memorandum.
 - b. Report to Utah Professional Practices Advisory Commission (UPPAC) as required by Utah State Code 53A-6-306.
 - c. Unpaid leave for up to 5 days.

In addition, an employee may be placed on formal probation as per the Employee Orderly Termination Policy.

6. An employee's use of corporal punishment that is deemed severe, or multiple incidents of corporal punishment by an employee may result in termination of employment. The District will follow the Employee Orderly Termination Policy and Procedure (SP 908) found in the Policies, Rules, and Regulations of the Murray City School district when terminating an employee.
7. An employee placed on probation or terminated may appeal the decision following the procedures described in the Orderly Termination Policy.