

Adopted: 01-18-2016
Revised: 08/17/2020, 9/16/21

ROCHESTER BEACON ACADEMY- RBA
POLICY No. 413
USE OF REASONABLE FORCE AND
PROHIBITION ON USE OF CORPORAL PUNISHMENT

I. PURPOSE

It is the purpose of this policy to set forth RBA's prohibitions on corporal punishment and allowances of reasonable force.

II. POLICY STATEMENT

Corporal punishment of students is prohibited by RBA and reasonable force is allowed by law under certain circumstances.

III. POLICY

It is the policy of RBA to ensure that administrators, teachers, staff, and other agents of the school comply with Minnesota law regarding the use of reasonable force in dealing with students and to prohibit the use of corporal punishment.

IV. CORPORAL PUNISHMENT PROHIBITED

- A. The authority to use reasonable force does not authorize the use of "corporal punishment" defined by Minnesota Statute §121A.58 to mean conduct involving (1) hitting or spanking a person with or without an object; or (2) unreasonable physical force that causes bodily harm or substantial emotional harm.
- B. RBA employees and agents shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

V. REASONABLE FORCE

- A. RBA administrators, teachers, staff, and other agents may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- B. Students with an Individualized Education Program (IEP) or Section 504 Plan.

Students with an IEP or Section 504 Plan may not be restrained or physically held except in an emergency where immediate intervention is required to protect a person from physical injury. (*See* Policy 5.6.3, Use of Restraints)

Legal References: Minn. Stat. § 124E.03 (Charter Schools – Applicable Law)
Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.67 (Aversive and Deprivation Procedures)
Minn. Stat. § 125A.0941 (Definitions)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)