

Adopted: 2007

Revised: 10/24/2024

## **507 CORPORAL PUNISHMENT**

### **I. PURPOSE**

The purpose of this policy is to describe limitations on use of corporal punishment and prone restraint upon a student.

### **II. GENERAL STATEMENT OF POLICY**

No employee or agent of the school district or charter school shall inflict corporal punishment or use prone restraint upon a student.

### **III. DEFINITIONS**

1. "Corporal punishment" means conduct involving:
  - a. hitting or spanking a person with or without an object; or
  - b. Unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a school resource officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

### **IV. PROHIBITIONS**

1. An employee or agent of the district 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.
2. An employee or agent of the school district shall not use prone restraint.
3. An employee or agent of a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress, places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.
4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates

IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582. The use of reasonable force as set forth-in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

## **V. RESONABLE FORCE**

1. Reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes it to exist.
  - a. when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when the following circumstances exist or the actor reasonably believes it to exist:
  - a. when used by a teacher, school principal, school employee, school bus driver, or other agent of the district, or other member of the instructional, support, or supervisory staff of a public school upon or toward a child or pupil when necessary to restrain the child or public to prevent bodily harm or death to the child, pupil. Nothing in Minnesota Statutes, section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06 subdivision 1.

A teacher or school principal may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

## **VI. VIOLATION**

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

**Legal References:** Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)  
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)  
Minn. Stat. § 626.8482 (School Resource Officers; Duties; Training;  
Model  
Policy)  
Minn. Stat. § 645,241 (Punishment for Prohibited Acts)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal  
of School District Employees)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect  
or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment  
of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507.5 (School Resource Officers)