

Salinas Union High School District

USE OF PHYSICAL FORCE BY CERTIFICATED PERSONNEL

1. Corporal Punishment

Corporal punishment is defined as a "striking of students upon the body with hand or board or strap or other implement by District staff for the purpose of inflicting punishment upon the student for infraction of school rules and regulations."

This practice is prohibited by Board Policy 5144.3 in the Salinas Union High School District.

2. Self-Defense

When an employee of the District is in danger of bodily harm by attack upon his person by students or other persons, he may use reasonable physical force to ward off such attack and defend himself against injury. When practical, the following steps should be considered in deciding on the use of self-defense:

- a. Remind the assailant that he is violating the law by threatening attack
- b. Warn him that you will defend yourself
- c. If forced to "stand and fight" use reasonable physical force as necessary to repel or control the assailant

3. Preventing harm to individual students, groups of students, or other school personnel

a. Categories of possible situations:

- (1) Careless handling of dangerous equipment and materials
- (2) Violation of traffic rules which may result in injury or death
- (3) Fighting
- (4) Inciting to riot
- (5) Willfully blocking exits and passageways
- (6) Acts of vandalism which present a clear and present danger to school personnel
- (7) Panic situations, i.e., earthquake, fire, flood

b. In the above situations and similar situations where there appears to be a threat to physical safety, it is suggested that the following steps be taken, if practical:

- (1) Oral request to cease such conduct

-IF INEFFECTIVE-

- (2) Warning that you may have to use physical force

-IF INEFFECTIVE-

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- (3) The use of a reasonable degree of physical force necessary to eliminate the possibility of harm
- (4) In those circumstances in which more immediate action may be required and the normal progression through the above steps appears to be impractical, in the interest of safety of the persons involved, it may be necessary to forego the first two steps and intercede with physical force immediately

4. Verbal or Non-Verbal Defiance of Authority

- a. When a student or students defy the authority of the school by orally stating their refusal to obey the reasonable orders of school employees or by non-verbal actions which may be reasonably interpreted as defying the authority of the school, and when no health and safety concern arises to those in defiance or other persons present, school employees are not to use physical force* to seek student submission to the authority of the school. An exception to this practice would be if there is severe disruption of the instruction environment or serious undermining of staff respect and authority. When occurrences of these kinds arise, it is suggested that the following steps be taken:

*Physical force as used in this regulation is defined as the laying of hands upon or other physical contact with a student for the express purpose of controlling or restraining him against his will.

- (1) Seek the assistance of administrative personnel
- (2) Do not force a confrontation
- (3) Administrative personnel may call parents (guardian), probation officer, police, or other appropriate persons
- (4) Complete a written statement of the entire incident and deliver it to the administration

- b. Defiance of a school authority is not acceptable student conduct; therefore, the following should be noted:

- (1) The Board of Trustees wishes to run orderly schools and will not tolerate defiance of authority and/or other forms of misconduct
- (2) There must be continual communication from the administration concerning disciplinary procedures and changes in the law relative to the rights and to the responsibilities of both staff and students
- (3) Students must be clearly informed of Board policies, the rights and the responsibilities of both staff and students, and the nature of local school rules and regulations

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Students

Regulation #5144.3

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- c. The following administrative alternatives may be utilized in dealing with defiant behavior:
- (1) When flagrant defiance of staff authority results in a student's being sent from the class under direction not to return, the student may not return to the class unless there is mutual consent between student and staff, but not more than the remainder of the period and the next day's period. The teacher must follow up immediately with a parent conference. (EC 48910) (cf AR 5144.1)
 - (2) Legal action by the staff under the provisions of Education Code 13560
 - (3) Suspension
 - (4) Referral to the Probation Department
 - (5) Exclusion or expulsion

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