



SCHOOL BOARD ACTION REPORT

DATE: May 4, 2018
FROM: ~~Dr. Nyland~~ Denise Juneau, Superintendent
LEAD STAFF: Wyeth Jessee, Chief of Student Support Services,
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For Introduction: August 29, 2018
For Action: September 5, 2018

1. TITLE

Amending Policy No. 3244, Prohibition of Corporal Punishment

2. PURPOSE

This board action removes one item from the list of exceptions to the prohibition of corporal punishment to align with recent changes to state law.

3. RECOMMENDED MOTION

I move that the School Board amend Board Policy No. 3244, Prohibition of Corporal Punishment, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

a. Background

In a recent round of updates to its model policies, the Washington State School Directors' Association (WSSDA) noted that the model policy for the prohibition of corporal punishment needed to be updated to align with state law. Washington law has prohibited aversive intervention and the use of physical restraint in a student's Individualized Education Program (IEP) since 2015. Seattle Public Schools has been in compliance with this prohibition and its policies and procedures for IEPs reflect this. However, Policy No. 3244, Prohibition of Corporal Punishment, has included the practice now prohibited in state law as an exception to what is considered corporal punishment. This action is a clerical action to align Policy No. 3244 with the District's current practice and state law. In other words, with this action what is already prohibited per state law and other policies will now be prohibited under Policy No. 3244 as well.

b. Alternatives

Do not amend this policy. This is not recommended as keeping the current language could potentially confuse individuals into believing that physical restraint and the use of aversive therapy can still be part of a behavior management program in a student's IEP.

c. **Research**

WSSDA Policy News, February 2018

5. FISCAL IMPACT/REVENUE SOURCE

There is no fiscal impact to this action.

The revenue source for this motion is not applicable.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

Upon approval, the updated policy will be posted online for the public and staff to review.

7. EQUITY ANALYSIS

As it is a technical change to align policy with state law, this motion was not put through a full racial equity analysis.

8. STUDENT BENEFIT

Updating this policy will reduce the risk that school staff will misunderstand state law and provide students with a consistent experience in classrooms.

9. WHY BOARD ACTION IS NECESSARY

Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)

Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)

Adopting, amending, or repealing a Board policy

Formally accepting the completion of a public works project and closing out the contract

Legal requirement for the School Board to take action on this matter

Board Policy No. _____, [TITLE], provides the Board shall approve this item

Other: _____

10. POLICY IMPLICATION

Policy No. 2161, Special Education, commits to providing a free, appropriate public education to all eligible students with disabilities.

Policy No. 3246, Restraint, Isolation, and Other Uses of Physical Intervention, states, “All students in the district, including those who have an individualized education program (IEP) or plan developed under Section 504 of the Rehabilitation Act of 1973, shall remain free from unreasonable restraint, restraint devices, isolation and other uses of physical intervention. Under no circumstances will these techniques be used as a form of discipline or punishment.”

11. BOARD COMMITTEE RECOMMENDATION


This motion was discussed at the Operations Committee meeting on August 22, 2018. The Committee reviewed the motion and moved the item forward with a recommendation for approval by the full Board.

12. TIMELINE FOR IMPLEMENTATION

Upon approval, the updated policy will be posted online for the public and staff to review.

13. ATTACHMENTS

- Board Policy No. 3244, Prohibition of Corporal Punishment – clean (for approval)
- Board Policy No. 3244, Prohibition of Corporal Punishment – tracked changes (for reference)

	PROHIBITION OF CORPORAL PUNISHMENT	Policy No. 3244 DATE Page 1 of 1
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The use of corporal punishment is prohibited in Seattle Public Schools. Corporal punishment is defined as any act that willfully inflicts or willfully causes the infliction of physical pain on a student.

Corporal punishment does not include:

- A. The use of reasonable physical force by an administrator, teacher, other school employee or volunteer as necessary to maintain order to prevent a student from harming him/herself, other students, school staff, other persons, or property;
- B. Physical pain or discomfort resulting from or caused by training for or participation in athletic competition or recreational activity voluntarily engaged in by a student; or
- C. Physical exertion shared by all students in a teacher directed class activity, which may include, but is not limited to, physical education exercises, field trips or vocational education projects.

Adopted: December 2011

Revised: DATE

Cross Reference: Policy No. 3246

Related Superintendent Procedure:


Previous Policies:

Legal References: RCW 28A.150.300 Corporal punishment prohibited — Adoption of policy;

WAC 392-172A-03130 Aversive interventions – Conditions; WAC 392-400-235 Discipline –

Conditions and limitations

Management Resources:

	<p>PROHIBITION OF CORPORAL PUNISHMENT</p>	<p>Policy No. 3244 December 7, 2011 <u>DATE</u> Page 1 of 1</p>
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The use of corporal punishment is prohibited in Seattle Public Schools. Corporal punishment is defined as any act ~~that~~which willfully inflicts or willfully causes the infliction of physical pain on a student, ~~and is not permitted.~~

Corporal punishment does not include:

- A. The use of reasonable physical force by an administrator, teacher, other school employee or volunteer as necessary to maintain order to prevent a student from harming him/herself, other students, school staff, ~~and~~ other persons, or property;
- B. Physical pain or discomfort resulting from or caused by training for or participation in athletic competition or recreational activity voluntarily engaged in by a student; or
- C. Physical exertion shared by all students in a teacher directed class activity, which may include, but is not limited to, physical education exercises, field trips or vocational education projects; ~~or~~
- ~~D. Physical restraint or the use of aversive therapy as part of a behavior management program in a student's individual education program which has been signed by the parent and is carried out according to district procedures in compliance with WAC 392-171-800(30).~~

Adopted: December 2011

Revised: DATE

Cross Reference: Policy No. 3246

Related Superintendent Procedure:

Previous Policies:

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