

Adopted: November 10, 2010
Revised: February 26, 2014, August 25, 2021

**BLUESKY CHARTER SCHOOL POLICY No. 4.5.6
USE OF REASONABLE FORCE AND
PROHIBITION ON USE OF CORPORAL PUNISHMENT**

I. PURPOSE

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

II. POLICY STATEMENT

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

III. POLICY

It is the policy of BlueSky Charter School 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. BlueSky Charter School 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. BlueSky Charter School 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, Removal of Students with IEPs)

Legal References: Minn. Stat. §124E.03 subd.4 para(b) (Charter Schools)
Minn. Stat. §121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §121A.67 (Aversive and Deprivation Procedures)
Minn. Stat. §125A.0941 (Definitions)
Minn. Stat. §609.06 (Authorized Use of Force)
Minn. Stat. §609.379 (Permitted Actions)