



TFS Board Policy
JKA-G Corporal Punishment/Use of Physical Intervention and Restraint
Revised 27 February 2024

To maintain a safe learning environment, Third Future Schools (“TFS”) employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying policies JKA-R Use of Physical Intervention and Restraint and JKA-E Student Restraint Incident Report Form. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Physical Intervention

Restraint shall only be administered by TFS employees trained in accordance with applicable State Board of Education rules.

No corporal punishment shall be administered to any student by any TFS employee.

There are times within the scope of their employment, when it becomes necessary for staff to use reasonable and appropriate physical intervention with a student that does not constitute restraint as defined by this policy, to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of the student.
3. For the purpose of self-defense.
4. For protection of persons against physical injury or prevent the destruction of property which could lead to physical injury to the student or others.

Under no circumstances shall a student be physically held for one minute or longer unless the provisions regarding restraint contained in the policy and accompanying policies JKA-R Use of Physical Intervention and Restraint and JKA-E Student Restraint Incident Report Form are followed.

Restraint

Restraint is defined by state law and this policy as any method or device used to involuntarily limit a student’s freedom of movement, including but not limited to bodily physical force,

mechanical devices, chemicals, and seclusion. Restraint shall not include the holding of a student for less than one minute by a TFS employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

TFS employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior. TFS employees are also prohibited from restraining a student by use of a mechanical restraint or chemical restraint, as those terms are defined by applicable State Board of Education rules and policies JKA-R Use of Physical Intervention and Restraint and JKA-E Student Restraint Incident Report Form.

Exceptions

The restraint provisions in this policy and accompanying regulation shall not apply to:

1. Peace officers as defined by C.R.S. 16-2.5-101 et seq. who are acting within the scope of their employment or in accordance with C.R.S. 16-3-109; and
2. When CEC is engaged in transporting a student from one facility or location to another facility or location when it is within the scope of CECs powers and authority to effect such transportation.

LEGAL REFS.: C.R.S. 18-1-703 use of physical force by those supervising minors C.R.S. 18-6-401(1) definition of child abuse C.R.S. 19-1-103 (1) definition of abuse and neglect C.R.S. 22-2-107 (1)(a) and (1)(c) State board - power C.R.S. 22-32-109.1(2)(a) adoption and enforcement of discipline code C.R.S. 22-32-109.1(2)(a)(IV) policy required as part of safe schools plan C.R.S. 22-32-109.1(9) immunity provisions in safe schools law C.R.S. 26-20-101 et seq. Protection of Persons from Restraint Act C.R.S. 26-20-108 Protection of Persons from Restraint Act Rules 1 CCR 301-45 State Board of Education rules for the Administration of the Protection of Persons from Restraint Act

CROSS REFS.: JKA-R Use of Physical Intervention and Restraint JKA-E Student Restraint Incident Report Form