Overview

This bill proposes to combine and state in the affirmative four separate but related laws governing corporal punishment and aversive and deprivation procedures and the legal defenses that teachers and other district agents have against civil liability or criminal prosecution for using reasonable force to discipline students.

1 Student discipline; reasonable force.

Subd. 1. Reasonable force standard. (a) Allows a teacher, in exercising the teacher's lawful authority, to use reasonable force when needed under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

(b) Allows a school employee, school bus driver or other school district agent, in exercising the person's lawful authority, to use reasonable force when needed under the circumstances to restrain a student or prevent bodily harm or death to another.

(c) Declares that paragraphs (a) and (b) do not authorize conduct prohibited under the statutory sections governing corporal punishment and aversive and deprivation procedures.

Subd. 2. Civil liability. (a) Declares that a teacher who, in exercising the teacher's lawful authority, uses reasonable force under subdivision 1, paragraph (a), has a defense against a civil action for damages.

(b) Declares that a school employee, school bus driver or other school district agent who, in exercising the person's lawful authority, uses reasonable force under subdivision 1, paragraph (b), has a defense against a civil action for damages.

Subd. 3. Criminal prosecution. (a) Declares that a teacher who, in exercising the teacher's lawful authority, uses reasonable force under subdivision 1, paragraph (a), has a defense against a criminal prosecution.
(b) Declares that a school employee, school bus driver or other school district agent who, in exercising the person's lawful authority, uses reasonable force under subdivision 1, paragraph (b), has a defense against a criminal prosecution.

**Subd. 4. Supplementary rights and defenses.** Declares that any right or defense under this section is supplementary to those specified in state laws governing corporal punishment and aversive and deprivation procedures and defenses against civil liability or criminal prosecution for disciplining a child.

**Effective date.** Makes section 1 effective for the 2000-2001 school year and later.