

COLTON JOINT UNIFIED SCHOOL DISTRICT

Student Services Division



Memorandum #5-24-25 – Use of Reasonable Force

DATE: August 21, 2024
TO: Certificated Staff; Principals; Assistant Principals
FROM: Dr. Anthony Ortiz, Assistant Superintendent
RE: Use of Reasonable Force
CC: Executive Cabinet

The Student Services Division has established five priorities: 1) Parent Partnerships; 2) Attendance; 3) Access; 4) Well-being; and 5) Safety. You serve an important role in ensuring our students safe while on campus every day. Maintaining safety for students also protects staff and CJUSD from any liability.

Preventing issues from occurring is the best way to ensure safety. Some preventative measures you can take, include, but are not limited to:

- Treating and speaking to all students and adults respectfully and professionally.
- Standing outside your classroom during passing periods and/or before/after recess, etc.
- Reminding students of appropriate behavior, especially keeping hands, feet, and inappropriate comments to themselves.
- Posting and enforcing classroom rules.
- Call for support: Site Administrators; District Safety Officers (DSO); School Resource Officer (SRO), (if applicable); and/or counselors.

In instances of dangerous behavior, including, but not limited to, fighting, weapons, or drugs, the Education Code recognizes that teachers (and other certificated employees) have a responsibility to intervene physically to protect students. In these circumstances, certificated staff may use *reasonable force* to quell a disturbance, protect others, in self-defense, or take possession of weapons.

There are two Education Codes (EC) that provide direction:

EC 44807 provides that “Every teacher in the public schools *shall hold pupils to a strict account for their conduct* on the way to and from school, on the playgrounds, or during recess. *A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise* but which in no event shall exceed the amount of physical control reasonably necessary *to maintain order, protect property, or protect the health and safety of pupils*, or to maintain proper and appropriate conditions conducive to learning.” The provisions of this section are in addition to and do not supersede the provisions of Section 49000.

EC 49001(a) provides in pertinent part, “*An amount of force that is reasonable and necessary* for a person employed by or engaged in a public school *to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the*

control of the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this section.”

When dangerous situations arise, some preventative measures you can take, include, but are not limited to:

- Call for support: site administrators; District Safety Officers (DSO); School Resource Officer (SRO), (if applicable); and/or counselors.
- With a command presence, use verbal commands to gain compliance. *Repeat* verbal commands, as necessary.
- With the assistance of another staff member, separate the students.
- If you are alone and conditions are safe, then choose one student to separate from the altercation and create distance between the other student.
- Consider taking reasonable actions to gain compliance or until more assistance arrives.

Please note that ALL instances of use of force need to be reported to CDE. Once the situation and you are safe, inform your Site Administrator and provide a written or electronic summary of the circumstances around the situation and the details of your involvement. The information needs to be included in our student information system, Q. Site Administrators will follow up with the Safety & Security Team managers and SRO for any necessary incident reports. An investigation into the situation may be necessary, which may include an interview with you by school or district staff.

Ultimately, use your best professional judgment to take necessary and reasonable action to prevent injury to students and yourself. Reach out to your site administrators if you have any questions.