Corporal Punishment and the Use of Inappropriate Restraint No Longer an Option in Utah Public Schools

The Utah State Legislature Passes House Bill 92

The Disability Law Center (DLC) is pleased to announce the passing of House Bill 92 by the Utah State Legislature. Until today, corporal punishment and restraint of students for something as simple as breaking a pencil were options in Utah public schools. Representative Carol Moss sponsored the bill based on the liabilities to both students and educators under current law.

Under the new law corporal punishment is now prohibited in Utah schools and physical restraint may be used only when safety is at risk. In twelve DLC cases involving restraint, students received bruising, bleeding, scrapes and rug burns. In working with students who have disabilities the DLC knows that physical restraint is used in situations where a student’s behavior may be out of control, but this does not address the behavior and often behavior escalates.

In one particular DLC case a student was physically out of control. His purpose was trying to communicate with school staff. He used a communication device to communicate regularly and that was withheld from him while restrained. This escalated his behavior. HB92 now protects this student from unnecessary restraint and provides educators with alternatives.

Alternatives include those outlined in state board rule which requires school employees to be trained in promoting positive behaviors as well as crisis de-escalation techniques. Most educators have stated that they are already using techniques to de-escalate crises and promote positive behavior. This law supports such efforts.

Although the DLC focuses on students with disabilities, we are thrilled to see the protections this provides for all students in Utah schools. The DLC will continue to support and advocate for efforts that provide effective education for Utah students.

The Disability Law Center is a private non-profit organization. The DLC’s mission is to enforce and strengthen laws that protect the opportunities, choices and legal rights of Utahns with disabilities. Our services are available statewide and free of charge, regardless of income, legal status, language, or place of residence.

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