

## CALIFORNIA EDUCATION CODES and PENAL CODES

### CA EDC 49005.8.

(a) An educational provider shall not do any of the following:

(1) Use seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation.

(2) Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.

(3) **Use a physical restraint technique that obstructs a pupil's respiratory airway or impairs the pupil's breathing or respiratory capacity**, including techniques in which a staff member places pressure on a pupil's back or places his or her body weight against the pupil's torso or back.

### EDUCATION CODE - EDC

#### TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

( Title 1 enacted by Stats. 1976, Ch. 1010. )

#### DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

( Division 1 enacted by Stats. 1976, Ch. 1010. )

#### PART 1 GENERAL PROVISIONS [1. - 446]

( Part 1 enacted by Stats. 1976, Ch. 1010. )

#### CHAPTER 2. Educational Equity [200 - 262.4]

( Heading of Chapter 2 amended by Stats. 1998, Ch. 914, Sec. 6. )

### ARTICLE 3. Prohibition of Discrimination [220 - 221.1]

( Heading of Article 3 amended by Stats. 1998, Ch. 914, Sec. 16. )

### 220.

**No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion**, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.

CHAPTER 2. Abandonment and Neglect of Children [270 - 273.75]

( Chapter 2 enacted 1872. )

273a.

(a) **Any person** who, under circumstances or conditions likely to produce great bodily harm or death, **willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health is endangered, shall be punished by imprisonment in a county jail not exceeding one year, or in the state prison for two, four, or six years.**

(b) Any person who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or **inflicts thereon unjustifiable physical pain or mental suffering**, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health may be endangered, is guilty of a misdemeanor.