

CORPORAL PUNISHMENT

Code **JKA** Issued **6/05**

Purpose: To establish the basic structure for the administering of corporal punishment.

The use of corporal punishment, defined as any act of physical force upon a student for the purpose of punishing that student, is not acceptable in this district and will not be tolerated as a disciplinary measure. Additionally, parents/legal guardians will not be allowed to administer corporal punishment to their own children on school property.

Each principal will immediately investigate any reported use of physical force on a student by a district employee and make a written report regarding his/her findings to the superintendent or his/her designee. If the superintendent or his/her designee determines that the physical force used was reasonable and necessary, no disciplinary action will be taken against the employee. If the superintendent or his/her designee determines that the physical force used was not reasonable and/or necessary, the employee will be subject to disciplinary action, up to and including termination of employment.

The board will permit the use of reasonable and necessary restraint strategies by district staff under the following circumstances.

- to quell a disturbance which threatens physical injury to persons, including those students involved or which threaten serious damage to property
- to obtain possession of weapons or other dangerous objects upon the person or within the control of a student
- to defend one's self
- to remove a student from a classroom or other school property when the student's continued presence poses a threat of danger to other persons or property

Incidental contact or mild, temporary physical restraint is not considered corporal punishment or conduct that is prohibited by board policy.

Adopted 7/1/75; Revised 8/13/91, 6/14/05

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 59-63-260 - Corporal punishment.

B. Judicial Decisions:

1. Ingraham v. Wright, 430 U.S. 651, 51 L. Ed. 2d 711 (1977).
2. Ware v. Estes, 328 F. Supp. 657 (1970), aff'd 458 F. 2d 1360 (5th cir. 1971).
3. Johnson v. Horace Mann, 241 So. 2d 588 (La. 1970).
4. Suits v. Glover, 71 So. 2d 49 (Ala. 1954).