

## CORPORAL PUNISHMENT

It is self-evident that a suitable atmosphere for teaching and learning promotes the best interest of the schools within the Central Community School System and that the learning process is best developed and the promotion of skills, self-discipline and personality traits are best served by providing an educational environment in which both teacher and learner can perform at their best. In adherence to its commitment to education it is the duty of the Central Community School Board to provide an atmosphere which promotes the learning process and provides for security, orderly conduct, discipline and respect for and among students and their teachers.

Every teacher is authorized to hold every pupil to a strict accountability for any disorderly conduct in school or on the playground of the school, or on any school bus going to or returning from school, or during intermission or recess.

The Central Community School Board shall allow reasonable corporal punishment of unruly pupils. If such punishment is required, it shall be administered with extreme care, tact and caution, and then only by the principal, assistant principal, or the principal's designated representative in the presence of another adult school employee. At no time shall corporal punishment be administered in the presence of another student. All school personnel and parents shall be fully informed of these provisions at the beginning of each school year.

*Corporal punishment* means using physical force to discipline a student, with or without an object. Corporal punishment includes hitting, paddling, striking, spanking, slapping, or any other physical force that causes pain or physical discomfort.

Corporal punishment does not include:

1. The use of reasonable and necessary physical restraint of a student to protect the student, or others, from bodily harm or to obtain possession of a weapon or other dangerous object from a student.
2. The use of seclusion and restraint as provided in La. Rev. Stat. Ann. §17:416.21.

No form of corporal punishment shall be administered to a student with an exceptionality, excluding gifted and talented, as defined in La. Rev. Stat. Ann. §17:1942 or to a student who has been determined to be eligible for services under *Section 504 of the Rehabilitation Act of 1973* and has an *Individual Accommodation Plan*.

The following guidelines shall apply to any use of corporal punishment:

1. Except for those acts of misconduct which are extremely anti-social or disruptive in nature, corporal punishment should never be used unless the student is informed beforehand that specific misbehavior could occasion its use; and, subject

to this exception, it should never be used as a first line of punishment. Its use should follow specific failures of other corrective measures to effect student behavior modification. Corporal punishment shall be used only as a last resort for students with significant behavior problems and only within the guidelines provided.

2. The principal or the designee shall punish corporally only in the presence of a second school employee, who should be informed beforehand of the reasons for the punishment.
3. In cases where a student protests innocence of the offense or ignorance of the rule, a brief but adequate opportunity shall be provided for the student to explain his/her side of the situation.
4. School principals, assistant principals or appropriate designees who have administered corporal punishment shall provide the child's parents or legal guardians, upon request, a written explanation of the reasons and the name of the school employee who was present as a witness. For each incident of corporal punishment, a *Corporal Punishment Incidence Checklist* shall be completed and maintained in the administrative offices of the school.
5. Corporal punishment shall be administered in the office of the principal, assistant principal or in such place or places as may be designated by the principal.
6. The use of corporal punishment shall at all times be reasonable and proper. Considerations in this regard shall include but not be limited to the following:
  - A. Age of child;
  - B. Size of child;
  - C. Sex of child;
  - D. Ability to bear the punishment; and
  - E. Overall physical condition of the child.
7. Corporal punishment shall not be administered in anger or with malice at any time.
8. Corporal punishment shall be administered by paddling the *buttocks only*, by hand or with a paddle approximately 20 inches long, 4 inches wide and not exceeding ½ inch in thickness, such punishment to consist of not more than 3 swats (either by hand or paddle) on the buttocks area to be inflicted in such manner and with such force as not to cause serious bodily injury to the child.

Nothing contained herein shall be interpreted as prohibiting an employee from using physical force, reasonable and appropriate under the circumstances, in defending himself/herself against a physical attack by a student or to restrain a student from attacking another student or employee, or to prevent acts of misconduct which are so

anti-social or disruptive in nature as to shock the conscience.

### IMPERMISSIBLE CORPORAL PUNISHMENT

Corporal punishment administered other than as outlined hereinabove shall be deemed and defined to be *impermissible corporal punishment*. Any accusations involving employees using impermissible corporal punishment shall be promptly investigated, in accordance with provisions of policy *F-11.3, Investigations*.

### REQUEST FOR NONUSE OF CORPORAL PUNISHMENT

The Central Community School Board recognizes that a parent may request that school officials do not use corporal punishment in regard to a parent's child. The School Board shall provide a form to be used district-wide for a parent to indicate that he/she does not desire his/her child to be spanked at school. Any complaint regarding a violation of the parent's request shall be made to the Director of Student Services who shall reply to the parent after receiving such a complaint within ten (10) working days regarding his/her review of the circumstances and any action taken in regard to the employee who was alleged to have violated the parent's request.

If the parent is not satisfied with the report received, he/she may request a review by the Superintendent. The Superintendent shall investigate and report his/her findings to the parents within ten (10) working days.

### Restriction

Unless prohibited by written restriction setting forth valid reason(s), such as illness, physical or emotional infirmity and signed by the parents or guardians of the pupil, the use of corporal punishment as herein recited shall be available. Any parent or guardian restricting such use shall thereby assume and bear all responsibility for the student's behavior and conduct.

Revised: August, 2017

Ref: U.S. Constitution, Amend. XIII; U.S. Constitution, Amend. XIV §1; Ingraham v. Wright, 97 S. Ct. 1401, (1977); Baker v. Owen, 96 S. Ct. 210 affirming 395 F. Supp. 294 (M.D.N.C., 1975); La. Rev. Stat. Ann. §§17:81.6, 17:223, 17:416, 17:416.1.