Policy JKA Corporal Punishment

Issued 5/05; **Edited April 2022**

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

==No staff member or other person will subject a student to corporal punishment, defined as any act of physical force upon a student for the purpose of punishing that student, or condone the use of corporal punishment by any person under his or her supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent/legal guardian or district official.==

~~The use of reasonable corporal punishment of a student is permitted by the board as a disciplinary measure. A parent/legal guardian must give written permission before corporal punishment may be administered. Such written permission must be made each school year and will be kept on file in the main office of the school.~~

~~Corporal punishment should be administered in private by either the principal or assistant principal. The individual administering corporal punishment should be of the same gender as the student receiving the consequence. At least one certified employee will witness the administration of corporal punishment by the principal or assistant principal.~~

~~Any corporal punishment should be reasonable and moderate. In administering this type of disciplinary consequence, the administration will consider the following.~~
- ~~the seriousness of the offense~~
- ~~the attitude and past behavior of the student~~
- ~~the age and physical condition of the student~~
- ~~the availability of other effective means of discipline~~

Adopted 9/25/75; Revised 6/27/80, 5/26/05

Legal references:

      S.C. Code, 1976, as amended:

            Section 59-63-260 - Corporal punishment.

Judicial Decisions:

      Ingraham v. Wright, 430 U.S. 651, 51 L. Ed. 2d 711 (1977).

Ware v. Estes, 328 F. Supp. 657 (1970), aff'd 458 F. 2d 1360 (5th cir. 1971).

Johnson v. Horace Mann, 241 So. 2d 588 (La. 1970).

Suits v. Glover, 71 So. 2d 49 (Ala. 1954).

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