

Corporal Punishment

Corporal punishment administered in a reasonable manner by the principal or assistant principal acting within the scope of his/her employment or function and in accordance with any state or federal laws or rules or regulations of the State Board of Education or the local School Board does not constitute assault, simple assault, aggravated assault, battery, negligence or child abuse.

No principal or assistant principal so acting shall be named as an individual defendant or be held liable in a suit for civil damages alleged to have been suffered by a student as a result of the administration of corporal punishment, unless the court determines that the principal or assistant principal acted in bad faith or with malicious purpose or in a manner exhibiting a wanton and willful disregard of human rights or safety.

“Corporal punishment” means the reasonable use of physical contact by the principal or assistant principal as may be necessary to maintain discipline, to enforce a school rule, for self-protection or for the protection of other students from disruptive students. Corporal punishment in the form of paddling shall be witnessed at all times by at least one (1) certified school employee, and all other acts of corporal punishment, as defined herein, shall be witnessed at all times, if possible, by a school employee. Section 37-11-57 (1997)

Also see JDB.

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Corporal punishment for use in this district is defined as punishing or correcting a student by striking the student on the buttocks with a paddle. Corporal punishment may be administered by either the principal or assistant principal; but in either case, another certified staff member must be a witness. Corporal punishment shall not exceed five (5) swats with a paddle. Corporal punishment may be administered only to punish and/or correct disruptive student conduct. Neither corporal punishment nor the promise of corporal punishment will be used to stimulate academic achievement or to punish academic lapses. Prior to the administering of corporal punishment, the principal or his/her designee shall advise the student of the particular misconduct of which he/she is accused. The student shall be given an opportunity to explain his or her version of the facts prior to the imposition of such corporal punishment. The student shall be informed beforehand of the specific misbehavior which results in the use of corporal punishment. Such punishment should not be administered in the presence of other students or in anger.

See JD – Student Discipline.

Legal Ref.: MS Code, Sections 37-11-57 and 11-46-91(1)(x)

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