

#### **4.3.8 -- CORPORAL PUNISHMENT**

The use of reasonable force by any certificated employee of the Van Buren School District is authorized in the exercise of his/her lawful authority to restrain a refractory pupil, to protect a pupil from harm or to maintain order in any school building, on any school property or at any school sponsored event. A report shall be filed as soon as practicable following any incident in which force is used as authorized in this policy by the certificated employee using such force. The report shall include a statement of reasons for the employees actions, the names of pupils involved and the names of witnesses and the signature of the employee.

The administration of corporal punishment by any certificated administrator of the Van Buren School District to any pupil who commits an act so antisocial or disruptive in nature as to shock the conscience in a school building, on the school grounds or at a school sponsored event is authorized. A report shall be filed by the administrator administering the corporal punishment as soon as practicable and shall include the reason for the punishment and shall include the signature of the administrator administering the punishment and the certificated employee who witnesses the punishment.

The administration of corporal punishment by an administrator of the Van Buren School District to any pupil is authorized for insubordination, disruptive conduct, refractory conduct, use of profane, violent, vulgar or insulting language, or other conduct that tends to disrupt the educational process or harm other pupils or school officials; provided, however, that punishment administered under this policy shall conform to the following guidelines:

- a. Corporal punishment shall not be administered to any pupil until a witness, who shall be a certificated employee of the district, has been summoned and is present; and the administrator who is contemplating the administration of corporal punishment has explained to the pupil in the presence of the witness the reason for the punishment; and the pupil has been given an opportunity to explain the reason for his/her actions or to deny the charge(s).
- b. The administration of corporal punishment shall be by a school administrator in the privacy of his/her office, except in unusual circumstances when no school administrator is present at school. In the event that the administrator is not available, the certificated employee of the district recommending the corporal punishment shall secure another certificated employee to administer the corporal punishment which shall be carried out in the privacy of the principal's or assistant principal's office and a written report filed immediately. The certificated employee administering the corporal punishment and the witness shall sign the report.
- c. The administration of the corporal punishment shall be observed by the witness.

d. Corporal punishment shall be limited to no more than five (5) swats with a paddle or other instrument approved by the school principal.

e. A written report signed by the employee administering the corporal punishment and the witness shall be filed in the principal's office immediately following the punishment.

Refusal to take corporal punishment shall result in suspension from school until a conference with the parents of the pupil can be arranged and an agreeable alternative can be determined. Building principals may adopt policies for their campus that are more strict than the above, but policies less strict shall not be adopted at the building level. In the event that a building principal adopts policies that vary from the above, these policies must be filed with the district office prior to implementation.