

CORPORAL PUNISHMENT COMPLAINTS

The Board of Education asserts that corporal punishment is not a desirable method of enforcing decorum, order or discipline. The Board prohibits the use of corporal punishment by district employees.

1. No teacher, administrator, officer, employee or agent in the district shall use corporal punishment against a pupil.
2. As used in this section, corporal punishment is defined as the use of physical force for the purpose of punishing a pupil, except as otherwise provided in subdivision 3.
3. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
 - a. to protect oneself from physical injury;
 - b. to protect another pupil or teacher or any other person from physical injury;
 - c. to protect district property or the property of others;
 - d. to restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of district functions, powers or duties, if that pupil has refused to comply with a request to refrain from further disruptive acts.

Investigation of Complaints

Any complaint about the use of corporal punishment shall be submitted in writing to the Superintendent of Schools. This written complaint will be forwarded to the School Attorney within 7 (seven) days. The Superintendent shall investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the punishment, the identity of the student or students punished, reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the School Attorney upon completion of the investigation. The written complaint should include at a minimum the following (see exhibit):

1. Name of employee or employees involved in the incident;
2. Name of student or students involved in the incident;
3. Time and date of incident;
4. Locations where incident occurred;
5. Names of all witnesses;
6. Narrative report of circumstances involved in the incident.

Reports to Commissioner of Education

Reports shall be submitted to the Commissioner of Education on or before January 15th and July 15th of each year concerning complaints about the use of corporal punishment during the six-month reporting period. Such reports shall set forth the substance of each complaint, the results of the investigation and the action, if any, by the district.

Cross-ref: 5460, Suspected Child Abuse and Maltreatment

Ref: 8 NYCRR §100.2(1)(3)
Rules of the Board of Regents §19.5

Adoption date: July 12, 1994