

CORPORAL PUNISHMENT

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 Livingston Parish School Board shall allow reasonable corporal punishment of unruly pupils. If such punishment is required, it shall be administered only with parental consent, and with extreme care, tact and caution. Corporal punishment may only be administered by the principal, assistant principal, or the principal's designated representative in the presence of another adult school employee.

The use of any form of corporal punishment is prohibited in any public school unless the student's parent or legal guardian provides written consent for the use of corporal punishment in a document created by the state Department of Education solely for such purpose. Such consent applies only to the school year in which it is given.

No form of corporal punishment shall be administered to a student with an exceptionality 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*. However, the parent or legal guardian of a student who is gifted and talented and has no other exceptionality may authorize the use of corporal punishment as otherwise provided by this policy.

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*.

All school personnel and parents shall be fully informed of these provisions at the beginning of each school year.

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 affect student behavior modification. No corporal punishment may be administered without documented consent of the student's parent or guardian.
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. In any case, complete documentation of each incident of corporal punishment shall be made including name of student, time, date and details of violation, the form of discipline administered, the names of the person administering the punishment and the witness, each of whom shall sign the documentation upon completion.
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. Utmost care, tact and judgment shall be exercised, and all cases of corporal punishment shall be documented by both the person administering the punishment and the witness and kept on file in the principal's office using the proper form.
7. 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.
8. Corporal punishment shall not be administered in anger or with malice at any time.
9. Corporal punishment shall be administered by paddling the buttocks only.

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 instances where allegations of abuse of a student are reported against an employee, principal or other school official, through the administering of impermissible corporal punishment or any other moral offense, the Board shall promptly investigate the action.

Such investigation shall proceed in accordance with the following:

1. A complaint against an employee alleging that the staff member has committed an act of child the administering of impermissible corporal punishment, shall be submitted in writing to the Superintendent.
2. Once the complaint has been submitted to the Superintendent, the Superintendent shall appoint an investigating team to examine the allegations.
3. The leader of the investigation team shall immediately schedule a conference with the alleged abuser to assess the validity of the report. Other staff members or students may be interviewed if it is deemed essential to the investigation.
4. At the conclusion of the investigation, the investigation team shall file a written report of the findings with the Superintendent. The report may include disciplinary action to be considered against the alleged abuser if the allegations can be substantiated.
5. Once the Superintendent receives the investigation team's report, he/she shall review the findings in the report, determine if further action is necessary, and report his/her findings to the School Board.

Revised: August 17, 2017

Revised: July, 2023

Ref: US Constitution, Amend. XIII; US Constitution, Amend. XIV '1; Ingraham v. Wright, 97 S. Ct. 1401, (1977); Jones v. Palmer, 421 F. Supp. 738 (S.D. Ala. 1976); Baker v. Owen, 96 S. Ct. 210 affirming 395 F. Supp. 294 (M.D.N.C., 1975); La. Rev. Stat. Ann. "17:81.6, 17:416; Board minutes, 8-17-17.