

### **CORPORAL PUNISHMENT**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

#### *Investigation of Complaints*

Any complaint about the use of corporal punishment shall be submitted in writing to the Building Administrator and/or Superintendent. The Administrator and/or 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. At a minimum, the investigation shall include a meeting with all parties involved, jointly or separately. The investigation shall be completed within ten (10) school days of the receipt of the allegation. Results of this investigation by an administrator will be forwarded to the Superintendent.

A decision shall be rendered by the Superintendent within five (5) school days of the close of the investigation with recommendations for action, if any. Copies of the decision shall be forwarded to the complainants and the Board within seven (7) days.

In the event the person who has initiated the complaint believes the action taken is insufficient, he/she may file a written appeal of the recommendation and its implementation to of the Board. Upon receipt of a notice of appeal, the Board shall schedule a hearing. That hearing shall take place within fifteen (15) school days of the receipt of notice of appeal. A decision shall be rendered within ten (10) school days of the close of the hearing and shall be made available to all parties concerned.

#### *Reports to Commissioner of Education*

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

Ref: 8 NYCRR ~~§100.2(1)(3)~~ §19.5a)-(c); 100.2(l)(3)(i)  
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