

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.

Corporal punishment does not include the use of physical restraint to protect the student, another student, teacher or any other person from physical injury, when alternative procedures and methods not involving the use of physical restraint cannot reasonably be employed to achieve these purposes.

Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to positive, proactive intervention strategies.

The authorized use of timeout and physical restraint is addressed in policy 4321.12 and policy 4321.15.

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, they may file a written appeal of the recommendation and its implementation to 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.

Cross-ref:

4321.12, Use of Timeout

4321.15, Limited Use of Physical Restraint

Ref:

8 NYCRR §100.2(1)(3)

Rules of the Board of Regents §19.5

Effective date: February 6, 2024