

KEARNS HIGH SCHOOL

Memo No. 39

August, 2010

SUBJECT: CORPORAL PUNISHMENT

We have been instructed by the superintendent's office that all employees of the district are to be reminded that incidents which involve corporal punishment or aggressive physical contact should be avoided, if possible.

While the law is clear that schools do act in loco parentis, and while the courts have upheld teachers who have, under certain circumstance, utilized corporal punishment, the complications which arise out of any such incidence suggest extreme care before engaging in same. Corporal punishment includes, but is not limited to, the following: striking, pulling of hair, shoving, kicking, etc. Any kind of aggressive physical contact could be included in the definition.

The counsel, which has consistently been given in this district is that if teachers or members of the school staff find themselves in a situation which they think may result in physical action against a student, the teacher should refer the student to the counselor or principal for assistance with the problem. Hopefully, this action will result in a satisfactory resolution of a student's behavior without the legal complications which can arise from an act of corporal punishment.

Please understand, this is not meant to rigidly prohibit the meting out of physical action if provoked and warranted, e.g., in defense against a physical attack by a student or to protect the safety of another student.