MARATHON CITY SCHOOL DISTRICT

CORPORAL PUNISHMENT/USE OF PHYSICAL FORCE BY STAFF

No official, employee or agent of the Board may subject a student enrolled in the district to corporal punishment. "Corporal punishment" means the intentional infliction of physical pain which is used as a means of discipline. "Corporal punishment" includes, but is not limited to, paddling, slapping or prolonged maintenance of physically painful positions, when used as a means of discipline. "Corporal punishment" does not include actions consistent with an individualized education program (IEP) developed under state law or reasonable physical activities associated with athletic training.

An official, employee or agent of the Board is not prohibited from:

1. Using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person.

2. Using reasonable and necessary force to obtain possession of a weapon or other dangerous object within a student's control.

3. Using reasonable and necessary force for the purpose of self-defense or the defense of others.

4. Using reasonable and necessary force for the protection of property.

5. Using reasonable and necessary force to remove a disruptive student from a school premises or motor vehicle or from school-sponsored activities.

6. Using reasonable and necessary force to prevent a student from inflicting harm on him/herself.

7. Using reasonable and necessary force to protect the safety of others.

8. Using incidental, minor or reasonable physical contact designed to maintain order and control.

In determining whether or not a person was acting within the exceptions above, deference shall be given to reasonable, good faith judgements made by an official, employee or agent of the Board.

Except as otherwise provided, this policy does not create a separate basis for civil liability of a Board of their officials, employees or agents for damages arising out of claims involving allegations of improper or unnecessary use of force by school employees against students.

Nothing in this policy shall prohibit, permit or otherwise affect any action taken by an official, employee or agent of the Board with regard to a person who is not a student in the district.

Building principals are charged with developing and maintaining disciplinary standards in each building. During each fall's pre-school inservice, corporal punishment shall be discussed.

LEGAL REF.: Sections 118.31 Wisconsin Statutes
939.61(1)

APPROVED: February 14, 2001