



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 6285

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CATEGORY: **Students, Discipline**

EFFECTIVE: **1-29-62**

SUBJECT: **Prohibition of Corporal Punishment**

REVISED: **9-17-99**

A. PURPOSE AND SCOPE

1. To outline legal constraints prohibiting the administration of corporal punishment to students.
2. General discipline and supervision, including use of physical control, is covered in Procedure 6270; also refer to Sections B.2.a. and B.3. below.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: H-6000, I-4400; Education Code Sections 44807, 49000, 49001, 49072.
2. **Education Code Section 49001** states that:
 - a. “**Corporal punishment**” means the willful infliction of, or willfully causing the infliction of, physical pain on a pupil. An amount of force that is reasonable and necessary for a person employed by or engaged in a public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, *is not and shall not be construed to be corporal punishment* within the meaning and intent of this section. Physical pain or discomfort caused by athletic competition or other such recreational activity, voluntarily engaged in by the pupil, *is not and shall not be construed to be corporal punishment* within the meaning and intent of this section. (Emphasis added.)
 - b. No person employed by or engaged in a public school shall inflict, or cause to be inflicted corporal punishment upon a pupil. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing the infliction of corporal punishment upon a pupil attending a public school is void and unenforceable.
3. **Education Code Section 44807** provides:

Every teacher in the public schools shall hold students to a strict account of their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain

order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. (See Procedure 6270.)

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Institute for Learning.
2. Corporal punishment shall not be inflicted on any student of the district by any district employee.
3. Any written approval obtained from parents to inflict corporal punishment is void and cannot be used to justify punishment.

D. IMPLEMENTATION (Refer to Section C.)

E. FORMS AND AUXILIARY REFERENCES

F. REPORTS AND RECORDS

G. APPROVED BY



Chief of Staff, Terrance L. Smith
For the Superintendent of Public Education