



5495.1: CORPORAL PUNISHMENT AND PHYSICAL CONTACT

I. Corporal Punishment Prohibited

Corporal punishment shall not be used to discipline students.

II. Corporal Punishment Defined

Corporal punishment is the infliction of bodily pain as a penalty for disapproved behavior. Corporal punishment does not, as hereinafter provided in Sections III and IV, include any and all physical force or physical contact.

III. Allowable Physical Force

Reasonable, protective physical force may be used by a staff member in the following circumstances.

- A. When the staff member believes that reasonable, protective physical force is immediately necessary for the purpose of protecting himself or herself against the use of unlawful force.
- B. When the use of reasonable, protective force is justifiable to protect a third person. To be justifiable to protect a third person, the staff member must believe that he or she would be justified in using such protective force to protect himself or herself in such circumstances, that the third person would be justified in using such protective force, and that intervention is necessary for the protection of the third person.
- C. When the staff member believes that reasonable, protective physical force is immediately necessary for the purpose of protecting a student from inflicting physical harm or otherwise injuring the student's own self.
- D. When the staff member believes that reasonable, protective physical force is immediately necessary to prevent or terminate an unlawful entry or other trespass upon land or a trespass against or the unlawful removal of tangible, movable property, provided that such land or movable property is, or is believed by the staff member to be, in his or her possession or in the possession of another person for whose protection the staff member acts.

IV. Allowable Physical Contact

Reasonable and incidental physical contact, which is not intended to punish a student for disapproved behavior, may be used by staff members in the following circumstances.

- A. When it is intended and used to provide personal and instructional interaction with a student.
- B. When it is intended and used to aid a student, further school purposes, or prevent interference with the educational process.
- C. When it is intended and used to maintain order and control.
- D. When it is intended and used to protect persons or property from harm.

Date of Adoption

July 5, 1988

Date of Revision

March 5, 2001

Reaffirmed

February 21, 2011

Related Policies and Rules

[5495: Corporal Punishment and Physical Contact](#)

Legal Reference

Neb. Rev. Stat. § 79-295

Neb. Rev. Stat. § 79-258

Neb. Rev. Stat. § 28-1411

Neb. Rev. Stat. § 28-1410

Neb. Rev. Stat. § 28-1409