



MDIE Recommends

CORPORAL PUNISHMENT

The section of the *Revised School Code* that addresses this issue is contained in the Michigan Compiled Laws under MCL 380.1312.

Corporal Punishment Prohibited

Corporal punishment against a pupil by an employee, volunteer or contractor of a local or intermediate school district, or public school academy is prohibited by section 380.1312 of the Revised School Code. The law defines corporal punishment as “the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.” It does not include physical pain caused by reasonable physical activities associated with athletic training.

Reasonable Physical Force

Although the use of corporal punishment is prohibited, the use of **reasonable** physical force **necessary** to maintain order and control for the purpose of providing an environment conducive to safety and learning is permitted in the following situations:

- To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district or public school academy functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts
- For self-defense or the defense of another.
- To prevent a pupil from inflicting harm on himself or herself.
- To quell a disturbance that threatens physical injury to any person.
- To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.
- To protect property.

An individual who uses corporal punishment or physical force against a pupil which is not reasonably necessary may be disciplined by the school district board or public school academy. In determining whether the person has used reasonably necessary physical force, “. . . deference is given to the reasonable good-faith judgments made by that person.”

Code of Student Conduct

The local or intermediate school district, or public school academy must develop and implement a code of student conduct and enforce its provisions regarding pupil misconduct in the classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

Alternatives to Corporal Punishment

Local and intermediate school districts and public school academies must approve and distribute to each employee, volunteer, and contractor a list of alternatives to the use of corporal punishment. The Department of Education has developed guidelines that illustrate alternative methods to the use of corporal punishment.

This information is provided as a service of the Michigan Department of Education and is distributed with the understanding that the Department is not engaged in rendering legal advice. Those individuals desiring or requiring legal advice should seek the services of an attorney