

Frequently Asked Questions on Corporal Punishment

What is the definition of Corporal Punishment at DCPS?

Corporal Punishment is the use or attempted use of physical force upon, or against, a student, either intentionally or with reckless disregard for the student's safety, as a punishment, or discipline. An employee also commits Corporal Punishment when s/he directs another to use force against a student.

What are some common examples of Corporal Punishment?

Examples of Corporal Punishment include pushing, grabbing, hitting, and unreasonable restraint.

Am I ever allowed to use force against a student to protect myself or others?

Yes. An employee will not be disciplined if her/his use of force was prompted by reasonable efforts at self-defense or the defense of others, was necessary to maintain or regain order, or was necessary for the safety of the educational environment.

What factors will DCPS consider in determining whether the nature and amount of force used in self-defense or the defense of others was appropriate?

DCPS will consider the student's conduct, whether the employee's conduct was proportionate to the student's, and whether less intrusive steps could have been taken to control the situation.

What factors will DCPS consider in determining whether the nature and amount of force used to maintain or regain order or to protect the safety of the educational environment was appropriate?

DCPS will consider whether the employee tried all other reasonable alternatives before using or attempting to use physical force and whether the force ultimately used was as mild as possible.

Are all attempts by an employee to use physical force against a student Corporal Punishment?

No. Force that is not used for the purpose of discipline or punishment does not fall within the definition of Corporal Punishment. Such conduct, however, may constitute Discourteous Treatment, in violation of another DCPS rule, and, depending on the severity, could also violate criminal law.

If a student is not injured by the use of force, is it still Corporal Punishment?

Yes. Even the attempted use of force can constitute Corporal Punishment.

Can I use Corporal Punishment if a student's parent gives me permission?

No. The use of Corporal Punishment by DCPS staff is strictly prohibited even if authorized by a parent.

What should I do if I suspect an employee has engaged in Corporal Punishment?

Pursuant to your obligations as a mandated reporter of child abuse and neglect, you are obligated to report instances of Corporal Punishment to the Metropolitan Police Department and the Child and Family Services Agency (202-671-SAFE). Please consult the Frequently Asked Questions on Mandated Reporting of Child Abuse or Neglect for DCPS Employees for more information on reporting abuse or neglect.

Where can I turn for guidance on the appropriate means of using force to defend myself or others?

The Office of the State Superintendent of Education offers monthly training on Nonviolent Crisis Intervention. For information, go to: <http://osse.dc.gov/event/nonviolent-crisis-intervention-training-0>.

What are the consequences of engaging in corporal punishment?

Employees who engage in corporal punishment shall be subject to disciplinary action, up to termination.

Where should I go if I'm feeling overwhelmed by student behavior?

Your Principal, Dean of Students (or other onsite behavior specialist), and the Student Discipline and School Climate team in the Office of Youth Engagement are good resources to consult about student behavior. Additionally, the DCPS Employee Assistance Program (COPE) provides free, confidential counseling to DCPS employees on matters including workplace stress. COPE can be reached at 202.628.5100.



Definition of Corporal Punishment

5-E DCMR 2403

- 2403.1 For purposes of this section, “corporal punishment” is defined as the use, or attempted use, of physical force upon, or against, a student, either intentionally or with reckless disregard for the student’s safety, as a punishment, or discipline.
- 2403.2 The use of corporal punishment in any form is strictly prohibited in and during all aspects of the public school environment or school activities. No student shall be subject to the infliction of corporal punishment by any teacher, other student administrator, or other school personnel.
- 2403.3 No teacher, administrator, student or other person shall subject a student to corporal punishment or condone the use of corporal punishment by any person under his or her supervision or control.
- 2403.4 Permission to administer corporal punishment shall not be sought or accepted from any parent, guardian, or school official.
- 2403.5 Conduct prohibited by this section include actual or attempted use or physical force against a student in accordance with § 2403.1, provided that the conduct is not prompted by reasonable efforts at self defense or the defense of others; is necessary to maintain or regain order; or is necessary for the safety of the educational environment. Examples of prohibited conduct include, but are not limited to, the following:
- (a) Shoving;
 - (b) Striking;
 - (c) Grabbing;
 - (d) Shaking;
 - (e) Hitting;
 - (f) Throwing of objects; and
 - (g) Unreasonable restraint.
 - (h) Directing others to inflict any of the above on a student.
- 2403.6 The nature and the amount of physical contact reasonably necessary for self- defense, defense of others, protection of the educational environment, or to regain or maintain order shall be dependent upon the factual circumstances of each case. When reviewing those circumstances, the following shall be considered.
- (a) If the action was taken in self-defense or the defense of others, whether the action taken against the student was (1) proportionate to student’s conduct, and (2) the least intrusive means of controlling the situation.
 - (b) If the action was taken against a student for the protection of the educational environment or regain or to maintain order, whether the action taken against the student was (1) taken as a last resort after all other reasonable means had been exhausted, and (2) the least intrusive means of controlling the situation.
- 2403.7 All allegation of the use of corporal punishment shall be promptly investigated. Discipline shall be administered against any employee who violates this section. Students shall be permitted, but not required, to testify at any proceeding relating to the allegation of corporal punishment.
- 2403.8 Employees found to have violated this provision will be subject to discipline in accordance with § 1401 these Board Rules, 5 DCMR 1401, and the appropriate collective bargaining agreement, if applicable.