

1. 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 WI Stats. Sec. 115.80(3)(e) or reasonable physical activities associated with athletic training.
2. Except as provided in subsection (3), no official, employee or agent of a school board may subject a student enrolled in the school district to corporal punishment.
3. Subsection (2) does not prohibit an official, employee or agent of a school board from:
 - a. Using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person.
 - b. Using reasonable and necessary force to obtain possession of a weapon or other dangerous object within a student's control.
 - c. Using reasonable and necessary force for the purpose of self defense of others under subsection 939.49.
 - d. Using reasonable and necessary force for the protection of property under subsection 939.48.
 - e. Using reasonable and necessary force to remove a disruptive student from school premises or motor vehicle as defined in subsection 125.09(2)(a) 1 and 4, or from school-sponsored activities.
 - f. Using reasonable and necessary force to prevent a student from inflicting harm on himself or herself.
 - g. Using reasonable and necessary force to protect the safety of others.
 - h. Using incidental, minor or reasonable physical contact designed to maintain order and control.
4. In determining whether or not a person was acting within the exceptions in subsection (3), deference shall be given to reasonable, good faith judgments made by an official, employee or agent of a school board.
5. Except as provided in subsection 939.61(1), this section does not create a separate basis for civil liability of a school board or 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.
6. Nothing in this section shall prohibit, permit or otherwise affect any action taken by an official, employee, or agent or a school board with regard to a person who is not a student enrolled in the school district.

Legal Reference: WI Statutes 118.31

Initial Adoption: 2/8/10

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