



Book	Board of Trustees Policy
Section	200 Pupils
Title	Corporal Punishment
Code	222
Status	Active
Adopted	June 29, 2017
Last Revised	June 29, 2017
Last Reviewed	June 29, 2017

Agora Cyber Charter School
1018 W 8th Ave
King of Prussia, PA 19406

Board of Trustees Policy

Prohibition of Corporal Punishment Policy

Purpose:

The Board of Trustees of Agora Cyber Charter School (the "Board") has the authority to make reasonable and necessary rules governing the conduct of students in Agora Cyber Charter School (the "Charter School"). The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. The Board acts within those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of the Charter School. Authorized discipline of Charter School students shall not include corporal punishment.

Authority

Accordingly, the Board's adoption of a Student Code of Conduct, which contains student rights and responsibilities as well as levels of misconduct and resulting discipline, is within its grant of authority from the General Assembly. The rules contained within this policy are to be implemented in a consistent and nondiscriminatory manner and are a rational means of accomplishing the legitimate school purpose of a safe and orderly environment in which students may be instructed.

The Board directs the Charter School administration to ensure that all Charter School students are protected from any unlawful and excessive force used by teachers and school authorities for discipline purposes. The Charter School and its teachers and employees could be at risk of liability and criminal punishment by engaging in corporal punishment. For the above reasons, the Charter School strictly prohibits any corporal punishment on any student for disciplinary infractions. Teachers and employees may only use reasonable force to quell a disturbance, obtain possession of weapons or other dangerous objects, and for the purposes of self-defense or for the protection of persons or property.

The Charter School CEO and/or his or her designee shall develop and disseminate reasonable rules to carry out the purpose of this policy, none of which shall include corporal punishment. The CEO and/or his or her designee is responsible for publishing and distributing to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct and the sanctions that may be imposed for violations of those rules. These rules shall comply with applicable public law and shall include the following elements:

(a) Standards of student conduct shall inform students and staff what conduct is acceptable and what is prohibited. These standards shall apply to students while traveling to and from school, at school and in all school-related activities and shall be appropriate to students' ages.

(b) Disciplinary sanctions shall state which staff may employ what sanctions to penalize and correct students who violate reasonable standards of conduct. Discipline must be rationally related to the offense, designed to teach responsibility for one's actions and applied without discrimination on account of race, color, sex, sexual orientation, national origin or religion.

Authorized sanctions shall not include corporal punishment of students. Corporal Punishment is defined as physically punishing a student for an infraction of the disciplinary policy. 22 Pa. Code § 12.5. It is a form of physical discipline that is intended to cause pain and fear and in which a student is spanked, paddled, or hit on any part of the body with a hand or instrument. 22 Pa. Code § 12.16.

Exceptions to use of force: Teachers and Charter School employees may only use reasonable force under the following circumstances:

- To quell a disturbance;
- To obtain possession of weapons or other dangerous objects; and,
- For the purpose of self-defense or for the protection of persons or property.

22 Pa. Code § 12.5.

Penalties: If a teacher or an employee of the Charter School engages in corporal punishment or adverse techniques, he or she is subject to discipline as outlined in the employee handbook, which may or may not include termination of employment at the Charter School.

Special Education Students: Special education students are afforded appropriate protection of their due process rights through a separate document, "Positive Behavioral Supports Policy."

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.