

## SENATE BILL No. 280

By Senators Journey, Barone, Huelskamp, Ostmeyer, Pine, Pyle and  
Taddiken

2-5

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10 AN ACT concerning school districts; relating to corporal punishment.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) As used in this section:

14 (1) "School" means any public school.

15 (2) "Board" means the board of education of any school district.

16 (b) A school district, and its officers, employees and agents, which  
17 authorizes the imposition of corporal punishment in compliance with the  
18 provisions of this section and any policies adopted by the board of edu-  
19 cation pursuant to this section shall not be held liable in any civil or  
20 criminal action for the imposition of corporal punishment.

21 (c) Any school district which desires to impose corporal punishment  
22 as a form of discipline shall adopt a policy authorizing the imposition of  
23 corporal punishment. Corporal punishment policies shall include a pro-  
24 vision that:

25 (1) Corporal punishment be reasonable and be administered only for  
26 cause;

27 (2) corporal punishment shall not be imposed as a first line of pun-  
28 ishment for misbehavior unless the pupil and the parent or guardian of  
29 the pupil was informed that the specific behavior could result in im-  
30 position of corporal punishment. Behavior for which corporal punishment  
31 may be imposed as a first line of punishment includes those acts of mis-  
32 conduct which are antisocial or disruptive in nature so as to shock the  
33 conscience;

34 (3) corporal punishment shall be imposed only by a school principal  
35 or the principal's designee. A principal's designee shall be a teacher or  
36 another school administrator who is employed by the district;

37 (4) corporal punishment shall be imposed in the presence of a school  
38 principal or the principal's designee. Prior to the imposition of corporal  
39 punishment, the principal or such principal's designee shall be informed,  
40 in the presence of the pupil, of the reason for which the corporal punish-  
41 ment will be imposed. A principal's designee shall be a teacher or another  
42 school administrator who is employed by the district;

43 (5) the person who imposes corporal punishment shall provide to the

1 pupil's parent or guardian, upon request thereof, a written explanation of  
2 the reasons for the imposition of corporal punishment to the pupil and  
3 the name of the person who was present when the punishment was im-  
4 posed. Any explanation provided pursuant to this paragraph shall not be  
5 used as evidence in any civil or criminal action brought as a result of the  
6 imposition of the corporal punishment;

7 (6) the parent or guardian of a pupil has completed and submitted to  
8 the school a written authorization to the imposition of corporal punish-  
9 ment to the pupil; and

10 (7) any other requirement imposed by the school district pursuant to  
11 this section and subsection (e) of K.S.A. 72-8205, and amendments  
12 thereto.

13 (d) A school district shall require annual renewal of parental author-  
14 ization for the imposition of corporal punishment.

15 (e) A school district shall provide written notification to the parent  
16 or guardian of a pupil that the school district and its officers, employees  
17 and agents are not subject to liability in any civil or criminal action for  
18 the imposition of corporal punishment if it is imposed pursuant to the  
19 provisions of this section and any policies adopted by the board of edu-  
20 cation pursuant to this section. The parent or guardian of the pupil shall  
21 sign a statement acknowledging that the school district and its officers,  
22 employees or agents incur no liability for the imposition of corporal pun-  
23 ishment and agreeing to release, indemnify and hold the school and its  
24 officers, employees and agents, harmless from and against any claims  
25 relating to the imposition of corporal punishment if it is imposed pursuant  
26 to the provisions of this section and any policies adopted by the board of  
27 education pursuant to this section.

28 (f) A board of education may adopt a policy pursuant to subsection  
29 (e) of K.S.A. 72-8205, and amendments thereto, which:

30 (1) Imposes requirements relating to the imposition of corporal pun-  
31 ishment which are in addition to those required by this section; and

32 (2) establishes a procedure for, and the conditions under which, the  
33 authorization for the imposition of corporal punishment may be revoked  
34 by a parent or guardian. A revocation shall be effective no later than 24  
35 hours after delivery thereof.

36 Sec. 2. This act shall take effect and be in force from and after its  
37 publication in the statute book.