

Corporal Punishment at School for Children with Disabilities in TN What Parents Need to Know

In 2018 Tennessee's legislature passed a new law about corporal punishment for students who receive special education services through an IEP (Individualized Education Plan) or a 504 Plan under the Rehabilitation Act

The new law **prohibits** corporal punishment (defined as paddling in Tennessee code) of students who receive special education services unless:

- 1) School system has a policy that allows corporal punishment; and
- 2) Parent of the child receiving special education services has given written permission for corporal punishment.

A parent's permission for corporal punishment for their child must be in writing and include:

- 1) Type of corporal punishment allowed; and
- 2) Circumstances in which it is permitted.

Parents may change their mind about corporal punishment any time and withdraw this permission in writing to the school principal.

Beginning with the 2018-2019 school year, each school system must submit a report the Tennessee Department of Education about corporal punishment that includes:

- 1) School where each corporal punishment occurred;
- 2) Reason for each corporal punishment;
- 3) If a student paddled had an IEP, the student's primary disability category; and
- 4) If a student paddled had a 504 plan, the reason for which the student has a 504 plan.

The report the schools send to the State will not include student's names.

Each year, the Tennessee Department of Education will report on its website the number of times each school system paddles a student and the number of times they use corporal punishment on a student who has an IEP or a 504 Plan.

The Tennessee Department of Children's Services will have rules about corporal punishment and the circumstances that warrant corporal punishment in their special school district. These will allow for corporal punishment only as is reasonably necessary.

Records will be kept about who requested a student be paddled with a brief description of the circumstances.

For more information, contact Loria Hubbard at lhubbard@thearctn.org.