

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 63.1-248.4:1, relating to child*  
3 *protective services; corporal punishment by school personnel.*

4 [H 1866]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 63.1-248.4:1 as follows:**8 *§ 63.1-248.4:1. Complaints of abuse and neglect against school personnel.*

9 *A. If a teacher, principal or other person employed by a local school board or employed in a school*  
10 *operated by the Commonwealth is suspected of abusing or neglecting a child in the course of his*  
11 *educational employment, the complaint shall be investigated in accordance with §§ 63.1-248.6 and*  
12 *63.1-248.6:01. Pursuant to § 22.1-279.1, no teacher, principal or other person employed by a school*  
13 *board or employed in a school operated by the Commonwealth shall subject a student to corporal*  
14 *punishment. However, this prohibition of corporal punishment shall not be deemed to prevent (i) the use*  
15 *of incidental, minor or reasonable physical contact or other actions designed to maintain order and*  
16 *control; (ii) the use of reasonable and necessary force to quell a disturbance or remove a student from*  
17 *the scene of a disturbance that threatens physical injury to persons or damage to property; (iii) the use*  
18 *of reasonable and necessary force to prevent a student from inflicting physical harm on himself; (iv) the*  
19 *use of reasonable and necessary force for self-defense or the defense of others; or (v) the use of*  
20 *reasonable and necessary force to obtain possession of weapons or other dangerous objects or*  
21 *controlled substances or paraphernalia that are upon the person of the student or within his control. In*  
22 *determining whether the actions of a teacher, principal or other person employed by a school board or*  
23 *employed in a school operated by the Commonwealth are within the exceptions provided in this section,*  
24 *the local department of social services shall examine whether the actions at the time of the event that*  
25 *were made by such person were reasonable.*

26 *B. For purposes of this section, "corporal punishment" or "abused or neglected child" shall not*  
27 *include physical pain, injury or discomfort caused by the use of incidental, minor or reasonable physical*  
28 *contact or other actions designed to maintain order and control as permitted in clause (i) of subsection*  
29 *A or the use of reasonable and necessary force as permitted by clauses (ii), (iii), (iv), and (v) of*  
30 *subsection A, or by participation in practice or competition in an interscholastic sport, or participation*  
31 *in physical education or an extracurricular activity.*

ENROLLED

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