



Kathy Cox, State Superintendent of Schools

June 5, 2008,

Mr. Jordan Riak, Executive Director
Parents and Teachers Against Violence in Education
P.O. Box 1033
Alamo, California 94507

Dear Mr. Riak:

State Superintendent Kathy Cox has received your letter and has asked me to respond on her behalf. I appreciate this opportunity to be of assistance to you.

Your correspondence addressed to Superintendent Cox firmly establishes your position pertaining to the use of corporal punishment. I am providing you with some additional information about the use of corporal punishment in Georgia public schools that I believe you will find interesting and informative.

The Constitution of Georgia, Article VIII delegates the control and management of local school systems in Georgia to locally elected school boards of education. These elected school boards possess significant authority and autonomy in the operation of their respective school systems.

Georgia State Statute 20-2-731 authorizes the use of corporal punishment by local school districts and it was initially enacted in 1964. Bear in mind that the statute "authorizes", but does not mandate local school districts to utilize corporal punishment. There are one hundred eighty school districts in Georgia and each local school board may choose whether or not their respective school district adopts a "corporal punishment" policy. The statute basically says that, if a school system chooses to utilize corporal punishment as a means of maintaining student discipline, then that system must adopt policies in accordance with very prescriptive language set forth in the law.

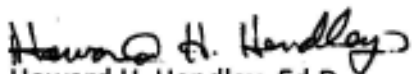
Some school districts in Georgia do not recognize the use of corporal punishment as a means of maintaining student discipline, and consequently have created no policies for its use. In

addition, the statute is very prescriptive in regard to the use of corporal punishment by Georgia school administrators, and the state law also includes an "opt out" provision which prohibits the use of corporal punishment on certain students under certain circumstances. Some school systems which authorize its use include "blanket" opt out provisions in their local policies and/or practices for any parent or guardian opposed to the use of corporal punishment on their children.

In short, no school district in Georgia is required to utilize corporal punishment as a means of maintaining student discipline. Our elected state leaders allow local voters in each school district to make this determination through their locally elected school board members. Any change in Georgia law would require additional state legislation to repeal or amend the current laws pertaining to the use of corporal punishment in our state.

Thank you for contacting Superintendent Cox, and please let me know if I can provide you with further assistance.

Sincerely,


Howard H. Hendley, Ed.D.

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