

By: Senator(s) Norwood

To: Education

## SENATE BILL NO. 2614

1 AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972,  
2 TO PROHIBIT THE USE OF CORPORAL PUNISHMENT IN PUBLIC AND CHARTER  
3 SCHOOLS TO DISCIPLINE A STUDENT; TO PROVIDE THAT ANY EMPLOYEE WHO  
4 VIOLATES THE CORPORAL PUNISHMENT PROHIBITION SHALL BE HELD LIABLE  
5 FOR CIVIL DAMAGES SUFFERED AS A RESULT OF THE ADMINISTRATION OF  
6 CORPORAL PUNISHMENT; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 37-11-57, Mississippi Code of 1972, is  
9 amended as follows:

10 37-11-57. (1) Except in the case of excessive force or  
11 cruel and unusual punishment, a public schoolteacher, assistant  
12 teacher, principal, or an assistant principal acting within the  
13 course and scope of his employment shall not be liable for any  
14 action carried out in conformity with state or federal law or  
15 rules or regulations of the State Board of Education or the local  
16 school board or governing board of a charter school regarding the  
17 control, discipline, suspension and expulsion of students. The  
18 local school board shall provide any necessary legal defense to a  
19 teacher, assistant teacher, principal, or assistant principal in  
20 the school district who was acting within the course and scope of



21 his employment in any action which may be filed against such  
22 school personnel. A school district or charter school, as the  
23 case may be, shall be entitled to reimbursement for legal fees and  
24 expenses from its employee if a court finds that the act of the  
25 employee was outside the course and scope of his employment, or  
26 that the employee was acting with criminal intent. Any action by  
27 a school district or charter school against its employee and any  
28 action by the employee against the school district or charter  
29 school for necessary legal fees and expenses shall be tried to the  
30 court in the same suit brought against the school employee.

31 (2) Corporal punishment is prohibited from being  
32 administered in \* \* \* any public or charter school as an action to  
33 maintain control and discipline of students taken by a public  
34 schoolteacher, assistant teacher, principal or assistant principal  
35 employed by the local public charter school district or charter  
36 school acting within the scope of his employment \* \* \*. \* \* \* Any  
37 public school or charter school teacher, assistant teacher,  
38 principal or assistant principal so acting, who violates this  
39 subsection, shall be held liable in a suit for civil damages  
40 alleged to have been suffered by a student as a result of the  
41 administration of corporal punishment \* \* \* if the court  
42 determines that the teacher, assistant teacher, principal or  
43 assistant principal acted in bad faith or with malicious purpose  
44 or in a manner exhibiting a wanton and willful disregard of human  
45 rights or safety. For the purposes of this subsection, "corporal



46 punishment" means the reasonable use of physical force or physical  
47 contact by a teacher, assistant teacher, principal or assistant  
48 principal \* \* \* to maintain discipline, to enforce a school rule,  
49 for self-protection or for the protection of other students from  
50 disruptive students.

51 \* \* \*

52 **SECTION 2.** This act shall take effect and be in force from  
53 and after July 1, 2025.

