



# 二戰後英國學生管教政策及法案之 發展：體罰、停學、教養令 與管教權

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## 摘要

良好的學生行為管教是提升教學效能與維護校園安全不可或缺之一環。本研究目的在於從英國（以英格蘭為主）教育發展脈絡闡述其學生管教政策及立法之發展，重點為：體罰的盛行、沒落與禁止；學生停學懲戒的立法與規範；教養令的立法與實施；學校與教師管教權的強化。研究發現，英國學生管教措施發展具法制化趨勢，將早期的「權威習慣」、「道德責任」立法，清楚劃分利害關係人的權利義務及法律責任。臺灣早期教育環境與英國二戰後頗有雷同之處，但學生管教法制化卻未能趕上社會變遷，建議教育當局依法治國原則建立合法適用的學生管教系統制度、討論課責家長法律規範的建置，以維護校園安全、提升教學效能。

**關鍵詞：**英國教育政策、停學、教養令、學生管教、體罰

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# **Development of Post-War Student Discipline Policy and Education Act in Britain: Corporal Punishment, Disciplinary Exclusion, Parenting Order, and Power for Discipline**

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## **Abstract**

Proper student behaviour discipline policy is the key to promote teaching efficacy and the safety in campus. The aim of the article was to explore the development of post-war student discipline policy in Britain (mainly in England), and the main topics were the prevalence, decline, and abolishment of corporal punishment, the regulation of student disciplinary exclusion, the introduction of parenting order, and the emphasis of schools' and teachers' power for discipline. As the result, the student discipline policy has been embedded in a legal system; the habitual authority and moral responsibility have been transferred into the lawful power, obligations and rights. The early education environment in Taiwan shared the same characteristics with

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the Britain, but the legislation of student discipline system does not keep up with the social change. Therefore, the priority of establishing legal student discipline system in policy agenda was proposed.

**Key words:** British education policy, disciplinary exclusion, parenting order, student discipline, corporal punishment