

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2526

By: Cleveland

AS INTRODUCED

An Act relating to schools; amending Section 1, Chapter 222, O.S.L. 2017 (70 O.S. Supp. 2017, Section 13-116), which relates to punishment for students with disabilities; prohibiting the use of seclusion on students identified with the most significant cognitive disabilities; providing exception for written consent; defining term; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 222, O.S.L. 2017 (70 O.S. Supp. 2017, Section 13-116), is amended to read as follows:

Section 13-116. A. School district personnel shall be prohibited from using corporal punishment or seclusion on students identified with the most significant cognitive disabilities according to criteria established by the State Department of Education unless addressed in an annual individualized education program (IEP) developed in accordance with the Individuals with Disabilities Education Act (IDEA).

1 B. A waiver to the provisions of subsection A of this section
2 shall be granted if the parent or legal guardian of a student
3 provides written consent.

4 C. As used in this section, 7:

5 1. "~~corporal~~ Corporal punishment" means the deliberate
6 infliction of physical pain by hitting, paddling, spanking, slapping
7 or any other physical force used as a means of discipline; and

8 2. "Seclusion" means involuntary confinement alone in a room or
9 area where the student is physically prevented from leaving, usually
10 because the door or exit is locked or obstructed.

11 SECTION 2. This act shall become effective November 1, 2018.

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