

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1799

By: Boren

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5
6 AS INTRODUCED

7 An Act relating to students; amending 70 O.S. 2021,
8 Section 13-116, which relates to corporal punishment;
9 requiring certain consent to be provided by all
10 parents or legal guardians of certain student;
11 requiring consent to be provided during certain
12 meeting within certain time period of certain event;
13 requiring review of certain alternative disciplinary
14 strategies; requiring consent to include certain
15 information; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2021, Section 13-116, is
19 amended to read as follows:

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

1 B. A waiver to the provisions of subsection A of this section
2 shall be granted if all of the parent parents or legal guardian
3 guardians of a student provides provide written consent. The
4 written consent shall be provided during a meeting of the IEP team
5 members that is held no more than three (3) days from the
6 disciplinary event that provoked the use of corporal punishment.
7 The IEP team shall review with the student's parents or legal
8 guardians any evidence-based alternative disciplinary strategies
9 that have been attempted or that could be attempted to improve the
10 student's behavior in a school setting. The written consent
11 provided for in this subsection shall:

12 1. Indicate that evidence-based alternative disciplinary
13 strategies reviewed by the IEP team with the student's parents or
14 legal guardians were not successful;

15 2. Include the name of the school employee authorized to
16 administer corporal punishment;

17 3. Indicate if a paddle will be used to administer corporal
18 punishment. If a paddle is to be used, the consent shall include a
19 description of the weight, length, and thickness of the paddle to be
20 used and how many times the student will be hit with the paddle; and

21 4. Indicate if a school employee's hand will be used to
22 administer corporal punishment to hit, spank, slap, or administer
23 any other physical force. If a hand is to be used, the consent
24 shall include the name of the school employee, his or her size, his

1 or her weight, and how many times the student will be hit with the
2 employee's hand.

3 C. As used in this section, "corporal punishment" means the
4 deliberate infliction of physical pain by hitting, paddling,
5 spanking, slapping, or any other physical force used as a means of
6 discipline.

7 SECTION 2. This act shall become effective July 1, 2024.

8 SECTION 3. It being immediately necessary for the preservation
9 of the public peace, health, or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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