

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1028

6 By: Talley, Moore, Munson,
7 Rosecrants, Waldron, Lepak,
8 Hefner, Dollens, Townley,
9 Ranson, Martinez, Stinson,
10 and Pae of the House

11 and

12 Floyd of the Senate

13 [schools - corporal punishment - exception for
14 parental waiver - effective date]

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

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

18 Section 13-116. A. School district personnel shall be
19 prohibited from using corporal punishment on students identified
20 with the most significant cognitive disabilities according to
21 criteria established by the State Department of Education unless
22 addressed in an annual individualized education program (IEP)
23 developed in accordance with the Individuals with Disabilities
24 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, "corporal punishment" means the
5 deliberate infliction of physical pain by hitting, paddling,
6 spanking, slapping or any other physical force used as a means of
7 discipline.

8 SECTION 2. This act shall become effective November 1, 2023.

9 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
10 April 11, 2023 - DO PASS AS AMENDED

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