

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1924

By: Floyd

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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 prohibiting school personnel from using specific
10 types of corporal punishment on students identified
11 with certain disability; providing types of
12 disabilities; prohibiting a disability from including
13 a reason for placement on certain plan; removing
14 language regarding a written consent waiver; removing
15 definition; 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 of hitting, slapping,
22 paddling, or any other means of inflicting physical pain on students
23 identified with ~~the most significant cognitive disabilities~~
24 ~~according to criteria established by the State Department of~~
~~Education unless addressed in an annual~~ a disability under state and
federal regulations that result in the student being on an
individualized education program (IEP) developed in accordance with

1 the Individuals with Disabilities Education Act (IDEA). For the
2 purposes of this section, a disability includes autism, deaf-
3 blindness, deafness, emotional disturbance, hearing impairment,
4 intellectual disability, multiple disabilities, orthopedic
5 impairment, other health impairment, specific learning disability,
6 speech or language impairment, traumatic brain injury, and visual
7 impairment including blindness, as defined by Section 18-109.5 of
8 this title. A disability shall not include a reason for which a
9 student may be placed on a Section 504 Plan as defined by the
10 Rehabilitation Act of 1973.

11 ~~B. A waiver to the provisions of subsection A of this section~~
12 ~~shall be granted if the parent or legal guardian of a student~~
13 ~~provides written consent.~~

14 ~~C. As used in this section, "corporal punishment" means the~~
15 ~~deliberate infliction of physical pain by hitting, paddling,~~
16 ~~spanking, slapping or any other physical force used as a means of~~
17 ~~discipline.~~

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

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

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