

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1028

6 By: Talley

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 13-116, which relates to corporal punishment;
10 prohibiting use of corporal punishment on certain
11 students; deleting exception for parental waiver; and
12 providing an effective date.

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

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

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

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