

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Smith**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO PROHIBIT CORPORAL PUNISHMENT IN SCHOOLS AND TO
9 PROVIDE FOR ALTERNATIVE METHODS OF DISCIPLINE AND CONFLICT
10 MANAGEMENT; AND FOR OTHER PURPOSES."

Subtitle

13 "TO PROHIBIT CORPORAL PUNISHMENT IN SCHOOLS AND TO PROVIDE
14 FOR ALTERNATIVE METHODS OF DISCIPLINE AND CONFLICT
15 MANAGEMENT."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. As used in this act:

20 (1) "Corporal punishment" means the use or attempted use of physical
21 force upon or against a student, either intentionally or with reckless
22 disregard for the student_s safety, as punishment, or in an attempt to modify
23 the behavior, thought, or attitude of a student. Physical pain or discomfort
24 caused by athletic competition, or other such recreational activity
25 voluntarily engaged in by the student is not and shall not be construed to be
26 corporal punishment with the meaning and intent of this act.

27 (2) "School" means any public or private elementary or secondary school
28 within the State of Arkansas.

29 (3) "Student" means an individual enrolled in a public or private
30 elementary or secondary school.

32 SECTION 2. No person employed or engaged by any public or private
33 school shall inflict or cause to be inflicted corporal punishment upon a
34 student attending any public or private school. This section does not
35 prohibit a person from using and applying such amounts of physical restraint

1 as may be reasonably necessary:

2 (1) to protect himself, the pupil or other persons from physical
3 injury;

4 (2) to obtain possession of a weapon or other dangerous object upon the
5 person or within the control of a pupil; or

6 (3) to protect property from serious harm.

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8 SECTION 3. Every resolution, bylaw, rule, ordinance, or other act or
9 authority permitting or authorizing corporal punishment or bodily pain to be
10 inflicted upon a student attending a school is void.

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12 SECTION 4. Each school district shall establish a written policy on
13 discipline in the schools. The policy shall include standard procedures for
14 handling disciplinary problems and alternative methods of discipline. Each
15 district shall instruct certified personnel, and others, as necessary in the
16 application of these procedures as well as conflict management and problem-
17 solving alternatives.

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19 SECTION 5. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 6. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 7. All laws and parts of laws in conflict with this act are
30 hereby repealed.

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