

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S4/19/21

A Bill

SENATE BILL 501

5 By: Senator Irvin
6 By: Representative Vaught
7

For An Act To Be Entitled

9 AN ACT CONCERNING CORPORAL PUNISHMENT; TO PROHIBIT
10 THE USE OF CORPORAL *PUNISHMENT WITHOUT PARENTAL*
11 *CONSENT* ON A CHILD WHO HAS AN INDIVIDUALIZED
12 EDUCATION PROGRAM; AND FOR OTHER PURPOSES.
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Subtitle

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15 *TO PROHIBIT THE USE OF CORPORAL*
16 *PUNISHMENT WITHOUT PARENTAL CONSENT ON A*
17 *CHILD WHO HAS AN INDIVIDUALIZED EDUCATION*
18 *PROGRAM.*
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22 *BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:*
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24 SECTION 1. Arkansas Code § 6-17-112(a)(2), concerning civil liability
25 if a teacher or administrator uses corporal punishment, is amended to read as
26 follows:

27 (2) A teacher or administrator in a school district that
28 authorizes use of corporal punishment in the school district's written
29 student discipline policy is not immune from civil liability under
30 subdivision (a)(1) of this section if the teacher or administrator uses
31 corporal punishment, without consent from a parent, legal guardian, or person
32 standing in loco parentis of a child, on a child who ~~is:~~

33 (A) Is intellectually disabled, nonambulatory, nonverbal,
34 or autistic; or

35 (B) Has an individualized education program in accordance
36 with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et



1 seq., as it existed on January 1, 2021.

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3 SECTION 2. Arkansas Code § 6-18-503(b)(3), concerning written student
4 discipline policies, is amended to read as follows:

5 (3) A school district that authorizes use of corporal punishment
6 under subdivision (b)(1) of this section shall not:

7 (A) Use corporal punishment without consent from a parent,
8 legal guardian, or person standing in loco parentis of a child on a child who
9 ~~is~~:

10 (i) Is intellectually disabled, nonambulatory,
11 nonverbal, or autistic; or

12 (ii) Has an individualized education program in
13 accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §
14 1400 et seq., as it existed on January 1, 2021; or

15 (B) Include in its written student discipline policy a
16 provision to allow the use of corporal punishment without consent from a
17 parent, legal guardian, or person standing in loco parentis of a child on a
18 child who ~~is~~:

19 (i) Is intellectually disabled, nonambulatory,
20 nonverbal, or autistic; or

21 (ii) Has an individualized education program in
22 accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §
23 1400 et seq., as it existed on January 1, 2021.

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25 /s/Irvin
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