

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 610

TO ELIMINATE CORPORAL PUNISHMENT IN PUBLIC SCHOOLS.

Amendment No. 1 to Senate Bill No. 610

Amend Senate Bill No. 610 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-17-112 is repealed.

~~6-17-112. Corporal punishment — Immunity from liability.~~

~~(a) Teachers and administrators in a school district that authorizes use of corporal punishment in the school district's written student discipline policy shall be immune from any civil liability for administering corporal punishment to students, provided only that the corporal punishment is administered in substantial compliance with the school district's written student discipline policy.~~

~~(b) As used in subsection (a) of this section, "teachers and administrators" means those persons employed by a school district and required to have a state issued license as a condition of their employment.~~

SECTION 2. Arkansas Code § 6-17-1113(a)(2), concerning the School Worker Defense Program, is amended to read as follows:

(2) This section provides protection against civil liability, attorney's fees, and costs of defense for acts or omissions of each employee or volunteer in the performance of his or her duties as a volunteer or his or her official duties as a school employee, ~~including civil liability for administering corporal punishment to students,~~ in the amount of two hundred fifty thousand dollars (\$250,000) for incidents which occurred prior to July 1, 1999, and one hundred fifty thousand dollars (\$150,000) for each incident ~~which~~ that occurs after June 30, 1999.

SECTION 3. Arkansas Code § 6-18-503(b), concerning written student discipline policies of a public school district, is amended to read as follows:

~~(b)(1) A school district that authorizes use of corporal punishment in its discipline policy shall include provisions for administration of the punishment, including that it be administered only for cause, be reasonable, follow warnings that the misbehavior will not be tolerated, and be administered by a teacher or a school administrator and only in the presence of a school administrator or his or her designee, who shall be a teacher or~~



~~an administrator employed by the school district.~~

~~(2) As used in this section, "teachers and administrators" means those persons employed by a school district and required to have a state-issued educator license as a condition of their employment. A school district shall not:~~

~~(1) Use corporal punishment as a disciplinary measure; and~~

~~(2) Include in its written student discipline policy the use of corporal punishment.~~

SECTION 4. Arkansas Code § 6-18-505(c), concerning the School Discipline Act, is repealed.

~~(c)(1) Any teacher or school administrator in a school district that authorizes use of corporal punishment in the district's written student discipline policy may use corporal punishment, provided only that the punishment is administered in accord with the district's written student discipline policy, against any pupil in order to maintain discipline and order within the public schools.~~

~~(2) As used in subdivision (c)(1) of this section, "teachers and administrators" means those persons employed by a school district and required to have a state issued educator license as a condition of their employment.~~

SECTION 5. Arkansas Code § 6-18-516(a)(2)(D), concerning the definition of "discipline measure" in the context of the Department of Education report regarding discipline in public school districts, is repealed.

~~(D) Corporal punishment; and"~~

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Elliott

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Secretary