

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/8/17

A Bill

SENATE BILL 610

5 By: Senator Elliott
6

For An Act To Be Entitled

8 AN ACT TO ELIMINATE CORPORAL PUNISHMENT IN PUBLIC
9 SCHOOLS; AND FOR OTHER PURPOSES.

Subtitle

12 TO ELIMINATE CORPORAL PUNISHMENT IN
13 PUBLIC SCHOOLS.
14

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16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

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 Arkansas Code § 6-17-112 is repealed.*

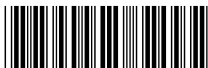
20 ~~*6-17-112. Corporal punishment—Immunity from liability.*~~

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

27 ~~*(b) As used in subsection (a) of this section, "teachers and*~~
28 ~~*administrators" means those persons employed by a school district and*~~
29 ~~*required to have a state-issued license as a condition of their employment.*~~
30

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

33 *(2) This section provides protection against civil liability,*
34 *attorney's fees, and costs of defense for acts or omissions of each employee*
35 *or volunteer in the performance of his or her duties as a volunteer or his or*
36 *her official duties as a school employee, including civil liability for*



1 ~~administering corporal punishment to students, in the amount of two hundred~~
2 ~~fifty thousand dollars (\$250,000) for incidents which occurred prior to July~~
3 ~~1, 1999, and one hundred fifty thousand dollars (\$150,000) for each incident~~
4 ~~which that occurs after June 30, 1999.~~

5
6 SECTION 3. Arkansas Code § 6-18-503(b), concerning written student
7 discipline policies of a public school district, is amended to read as
8 follows:

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

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

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

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

23
24 SECTION 4. Arkansas Code § 6-18-505(c), concerning the School
25 Discipline Act, is repealed.

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

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

36

