

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 SENATE BILL NO. 364

By: Rader of the Senate

4 and

5 Moore of the House

6
7
8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 13-116, which relates to use of corporal
10 punishment on certain students; prohibiting use of
11 corporal punishment on any student identified with
12 certain disability; removing language authorizing
13 certain waiver; providing an effective date; and
14 declaring an emergency.

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

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

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

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 July 1, 2025.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health, or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
14 February 11, 2025 - DO PASS

15
16
17
18
19
20
21
22
23
24