

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S4/19/21  
**A Bill**

SENATE BILL 501

By: Senator Irvin  
By: Representative Vaught

### For An Act To Be Entitled

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

### Subtitle

*TO PROHIBIT THE USE OF CORPORAL PUNISHMENT WITHOUT PARENTAL CONSENT ON A CHILD WHO HAS AN INDIVIDUALIZED EDUCATION PROGRAM.*

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

SECTION 1. Arkansas Code § 6-17-112(a)(2), concerning civil liability if a teacher or administrator uses corporal punishment, is amended to read as follows:

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

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

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



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

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

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

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

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

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

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

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

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

/s/Irvin