

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE DRS85116-LE-90* (03/09)

Short Title: Modify Law Re: Corporal Punishment.

(Public)

Sponsors: Senators Pate and Purcell (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE INVOLVEMENT OF A PARENT OR GUARDIAN BEFORE
3 SCHOOL OFFICIALS MAY ADMINISTER CORPORAL PUNISHMENT ON A
4 STUDENT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115C-391(a)(5) reads as rewritten:

7 "(5) ~~Corporal punishment shall not be administered on a student who is a child~~
8 ~~with a disability as defined in G.S. 115C-106.3(1) or on a student with a~~
9 ~~disability who is covered under section 504 of the federal Rehabilitation Act~~
10 ~~of 1973, as amended, 29 U.S.C. § 794, whose parent or guardian has stated~~
11 ~~in writing that corporal punishment shall not be administered on that student.~~
12 ~~Parents and guardians shall be given a form to make such an election at the~~
13 ~~beginning of the school year or when the student first enters the school~~
14 ~~during the year. If a parent or guardian has not submitted in writing that~~
15 ~~corporal punishment shall not be used on the student, then the form shall be~~
16 ~~presented to the parent or guardian at the first individualized education~~
17 ~~program or section 504 plan meeting held during the school year. Corporal~~
18 ~~punishment may be administered only on a student whose parent or guardian~~
19 ~~has stated in writing that corporal punishment may be administered on that~~
20 ~~student. Parents and guardians shall be given a form to make such an~~
21 ~~election at the beginning of the school year or when the student first enters~~
22 ~~the school during the school year."~~

23 **SECTION 2.** This act is effective when it becomes law and applies beginning with
24 the 2011-2012 school year.

