

2017 Regular Session

SENATE BILL NO. 91

BY SENATOR PETERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS. Prohibits the use of corporal punishment for certain students with exceptionalities. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 17:223(A), 416.1(B), and 3996(B)(2), relative to student  
3 discipline; to prohibit the use of corporal punishment in public elementary and  
4 secondary schools for students with exceptionalities, except gifted and talented  
5 students; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:223(A), 416.1(B), and 3996(B)(2) are hereby amended and  
8 reenacted to read as follows:

9 §223. Discipline of pupils; suspension from school; ~~corporal punishment~~

10 A. Every teacher is authorized to hold every pupil to a strict accountability  
11 for any disorderly conduct in school or on the playground of the school, or on any  
12 school bus going to or returning from school, or during intermission or recess. ~~Each~~  
13 ~~parish and city school board shall have discretion in the use of corporal punishment.~~  
14 ~~In those cases in which a parish or city school board decides to use corporal~~  
15 ~~punishment, each parish or city school board shall adopt such rules and regulations~~  
16 ~~as it deems necessary to implement and control any form of corporal punishment in~~  
17 ~~the schools in its district.~~

\* \* \*

§416.1. Discipline of pupils; additional disciplinary authority

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B. ~~Each parish and city school board~~ **The governing authority of a public elementary or secondary school** shall have ~~the~~ discretion with respect to the use of corporal punishment. ~~In those cases in which a parish or city school board decides to use corporal punishment, each parish or city school board;~~ **however, no form of corporal punishment shall be administered to a student with an exceptionality, excluding gifted and talented, as defined in R.S. 17:1942. Each governing authority of a public elementary or secondary school** shall adopt such rules and regulations as it deems necessary to implement and control any form of corporal punishment in the schools ~~in its district~~ **under its jurisdiction.**

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§3996. Charter schools; exemptions; requirements

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B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

\* \* \*

(2) Corporal punishment, **R.S. 17:416.1(B)**, and suspension of students, R.S. 17:223.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

