S T A T E O F N E W Y O R K

8343

2011-2012 Regular Sessions

I N A S S E M B L Y

June 14, 2011

Introduced by M. of A. NOLAN, BARRON -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to prohibiting the use of handcuffs on students in schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 3214-a to read as follows:

S 3214-A. USE OF HANDCUFFS PROHIBITED. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE USE OF HANDCUFFS ON A STUDENT TEN YEARS OF AGE OR YOUNGER SHALL BE PROHIBITED IN PUBLIC SCHOOLS AND AT ALL EVENTS AND ACTIVITIES SPONSORED BY SUCH SCHOOLS.

2. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PRECLUDE A TEACHER, SCHOOL ADMINISTRATOR OR OTHER SCHOOL PERSONNEL FROM USING REASONABLE FORCE TO PROTECT STUDENTS, OTHER PERSONS OR THEMSELVES FROM ASSAULT OR IMMINENT, SERIOUS PHYSICAL HARM, IN ACCORDANCE WITH ANY APPLICABLE LAW AND REGULATIONS INCLUDING PROVISIONS ABOUT NOTICE TO PARENTS AND REPORTING REQUIREMENTS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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