

# STATE OF NEW YORK

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5010--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 27, 2023

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Introduced by M. of A. LAVINE, AUBRY, BURGOS, REYES, DeSTEFANO -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to prohibiting corporal punishment in schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 1125 of the education law, as  
2 added by chapter 180 of the laws of 2000, is amended to read as follows:

3 1. "Child abuse" shall mean any of the following acts committed in an  
4 educational setting by an employee or volunteer against a child: (a)  
5 intentionally or recklessly inflicting physical injury, serious physical  
6 injury or death, or (b) intentionally or recklessly engaging in conduct  
7 which creates a substantial risk of such physical injury, serious phys-  
8 ical injury or death, or (c) any child sexual abuse as defined in this  
9 section, or (d) the commission or attempted commission against a child  
10 of the crime of disseminating indecent materials to minors pursuant to  
11 article two hundred thirty-five of the penal law, or (e) using corporal  
12 punishment as defined by the commissioner.

13 § 2. Section 305 of the education law is amended by adding a new  
14 subdivision 60 to read as follows:

15 60. The commissioner shall promulgate rules and regulations prohibit-  
16 ing a teacher, administrator, officer, employee or agent of any school  
17 within the state from using corporal punishment.

18 § 3. This act shall take effect immediately.

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

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