

STATE OF NEW YORK

5337

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

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

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

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

1 Section 1. Section 1125 of the education law is amended by adding a
2 new subdivision 11 to read as follows:

3 11. "Corporal punishment" shall mean any act of physical force upon a
4 pupil, however light, for the purpose of punishing such pupil or modify-
5 ing undesirable behavior. Corporal punishment shall not mean the use of
6 reasonable physical force for any of the following purposes, provided
7 that alternative procedures and methods not involving the use of phys-
8 ical force cannot reasonably be employed to achieve such purposes: (a)
9 to protect oneself from physical injury; (b) to protect another pupil or
10 teacher or any other person from physical injury; (c) to protect the
11 property of the school or of others; or (d) to restrain or remove a
12 pupil whose behavior is interfering with the orderly exercise and
13 performance of school district functions, powers or duties if such pupil
14 has refused to comply with a request to refrain from further disruptive
15 acts.

16 § 2. The education law is amended by adding a new section 1135 to read
17 as follows:

18 § 1135. Prohibition of corporal punishment. No teacher, administrator,
19 officer, employee or agent of a school, educational setting, nursery
20 school, preschool, or kindergarten in this state shall use corporal
21 punishment against a pupil.

22 § 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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