STATE OF NEW YORK

5261--A

2023-2024 Regular Sessions

IN SENATE

February 28, 2023

Introduced by Sens. SALAZAR, LIU, BRISPORT, CLEARE, GONZALEZ, GOUNARDES, HOYLMAN-SIGAL, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee and committed 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:

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

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

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

60. The commissioner shall promulgate rules and regulations prohibiting a teacher, administrator, officer, employee or agent of any school within the state from using corporal punishment.

§ 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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