

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE BILL 498\*  
Education/Higher Education Committee Substitute Adopted 5/5/11

Short Title: Modify Law Re: Corporal Punishment.

(Public)

Sponsors:

Referred to:

April 4, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE INVOLVEMENT OF A PARENT OR GUARDIAN BEFORE  
3 SCHOOL OFFICIALS MAY ADMINISTER CORPORAL PUNISHMENT ON A  
4 STUDENT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115C-391(a)(5) reads as rewritten:

7 "(5) ~~Corporal punishment shall not be administered on a student who is a child~~  
8 ~~with a disability as defined in G.S. 115C-106.3(1) or on a student with a~~  
9 ~~disability who is covered under section 504 of the federal Rehabilitation Act~~  
10 ~~of 1973, as amended, 29 U.S.C. § 794, whose parent or guardian has stated~~  
11 ~~in writing that corporal punishment shall not be administered on that student.~~  
12 ~~Parents and guardians shall be given a form to make such an election at the~~  
13 ~~beginning of the school year or when the student first enters the school~~  
14 ~~during the year. If a parent or guardian has not submitted in writing that~~  
15 ~~corporal punishment shall not be used on the student, then the form shall be~~  
16 ~~presented to the parent or guardian at the first individualized education~~  
17 ~~program or section 504 plan meeting held during the school year. Corporal~~  
18 ~~punishment shall not be administered on a student whose parent or guardian~~  
19 ~~has stated in writing that corporal punishment shall not be administered to~~  
20 ~~that student. Parents and guardians shall be given a form to make such an~~  
21 ~~election at the beginning of the school year or when the student first enters~~  
22 ~~the school during the year. If the parent or guardian does not return the form,~~  
23 ~~corporal punishment may be administered on the student."~~

24 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
25 the 2011-2012 school year.

