

State of Misconsin 2009 - 2010 LEGISLATURE

LRB-4504/1 PG:bjk:rs

2009 ASSEMBLY BILL 922

April 2, 2010 – Introduced by Representatives Krusick, A. Williams, Berceau, Black, Pasch and Roys. Referred to Committee on Education Reform.

AN ACT *to create* 119.23 (7) (cm), 119.23 (10) (a) 8. and 119.23 (10) (am) 4. of the statutes; **relating to:** prohibiting the use of corporal punishment in private schools that participate in the Milwaukee Parental Choice Program.

Analysis by the Legislative Reference Bureau

Current law prohibits an official, employee, or agent of a school board from subjecting a pupil enrolled in the school district to corporal punishment, defined as the intentional infliction of physical pain as a means of discipline. Certain exceptions are provided; e.g., using reasonable and necessary force to quell a disturbance, obtain possession of a weapon, or prevent a pupil from inflicting harm on himself or herself.

This bill prohibits an official, employee, or agent of a private school that is participating in the Milwaukee Parental Choice Program (MPCP) from subjecting a pupil attending the school to corporal punishment. The bill provides the same exceptions that apply in public schools.

The bill allows the state superintendent of public instruction to bar a private school from participating in the MPCP if he or she determines that the prohibition has been violated in the private school.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 119.23 (7) (cm) of the statutes is created to read:

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1	119.23 (7) (cm) 1. Except as provided in subd. 2., no official, employee, or agent
2	of a private school participating in the program under this section may subject a
3	pupil attending the school to corporal punishment, as defined in s. 118.31 (1).
4	2. Subdivision 1. does not prohibit an official, employee, or agent of a private
5	school from engaging in any of the activities specified in s. 118.31 (3).
6	SECTION 2. 119.23 (10) (a) 8. of the statutes is created to read:
7	119.23 (10) (a) 8. Allowed any official, employee, or agent of the private school
8	to violate sub. (7) (cm).
9	SECTION 3. 119.23 (10) (am) 4. of the statutes is created to read:
10	119.23 (10) (am) 4. An official, employee, or agent of the private school has
11	violated sub. (7) (cm).
12	(END)

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