

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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## **ASSEMBLY BILL 922**

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	<b>SECTION 2.</b> 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	<b>SECTION 3.</b> 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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