

HOUSE BILL REPORT

HB 1064

As Reported By House Committee On:
Education

Title: An act relating to corporal punishment.

Brief Description: Requiring the adoption of a policy prohibiting corporal punishment in schools.

Sponsors: Representatives G. Cole, Van Luven, G. Fisher, Cothorn, Dorn, Holm, Leonard, Jones, Rust, R. Fisher, Jacobsen, King, Dellwo, Scott, Morris, Wang, Thibaudeau, Romero, Valle, Pruitt, Appelwick, Basich, J. Kohl, Anderson, Ogden, H. Myers, Wineberry, Riley, Brown, Long, Orr, Shin, Horn, Forner, Eide, Wolfe, Johanson, Kessler and Veloria.

Brief History:

Reported by House Committee on:
Education, February 11, 1993, DPS.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Dorn, Chair; Cothorn, Vice Chair; Brumsickle; G. Cole; Eide; G. Fisher; Hansen; Holm; Jones; Karahalios; J. Kohl; Patterson; Pruitt; and Roland.

Minority Report: Do not pass. Signed by 5 members: Representatives Brough, Ranking Minority Member; Thomas, Assistant Ranking Minority Member; Carlson; Stevens; and Vance.

Staff: Margaret Allen (786-7191).

Background: A school district is authorized by law to use corporal punishment to discipline children, if the punishment is imposed outside the view of other students, by an authorized employee while witnessed by another employee. No cruel or unusual form of corporal punishment, and only reasonable and moderate force, may be used. In addition, no form of corporal punishment may be inflicted upon a student's head.

Upon request, the school district must provide the student's parents or guardian with a written explanation of the reason

or reasons for the corporal punishment, and the name of the witness.

A 1992 attorney general opinion concluded the State Board of Education currently lacks the authority to ban corporal punishment.

According to the national PTA, 22 states prohibit the use of corporal punishment in disciplining students.

Summary of Substitute Bill: Corporal punishment in the common schools is prohibited.

By February 1, 1994, the State Board of Education, in consultation with the Office of the Superintendent of Public Instruction, must adopt a policy prohibiting the use of corporal punishment in common schools. The policy is to take effect in all school districts September 1, 1994.

Substitute Bill Compared to Original Bill: A statement expressly prohibiting corporal punishment in the common schools is added, and a section in the original bill amending a criminal statute is deleted.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Corporal punishment is used disproportionately on minorities, boys, and children with learning disabilities. The Department of Social and Health Services cannot use corporal punishment; schools should not either. Some children are abused at home and need to learn nonabusive ways of resolving differences.

Testimony Against: Schools should be given latitude in the area of student discipline. Spare the rod, spoil the child. There would be less crime today if there had been more spanking when needed.

Witnesses: Representative Grace Cole, Sponsor; Kirstin Klepp, Janaki Nathan, Morgan Fowler, Michael Hutton (pro); Marsha Holland, Washington State PTA (pro); Julie MacGregor, Washington State Association of School Psychologists (pro); Bob Maier, Washington Education Association (pro); Linda Byrnes, Washington State Board of Education (pro); Ann Simons, Washington Child Abuse Prevention Association (pro); Lynn McKinnon, Public School Employees (pro); Dwayne Slate, Washington State School Director's Association (pro); and Marilyn Jensen (con).