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HOUSE BILL 1064

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State of Washington

53rd Legislature

1993 Regular Session

By 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

Read first time 01/13/93. Referred to Committee on Education.

1 AN ACT Relating to corporal punishment; amending RCW 9A.16.100;  
2 creating a new section; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The state board of education, in  
5 consultation with the superintendent of public instruction, shall  
6 develop and adopt a policy prohibiting the use of corporal punishment  
7 in the common schools. The policy shall be adopted by the state board  
8 of education no later than February 1, 1994, and shall take effect in  
9 all school districts September 1, 1994.

10 **Sec. 2.** RCW 9A.16.100 and 1986 c 149 s 1 are each amended to read  
11 as follows:

12 It is the policy of this state to protect children from assault and  
13 abuse and to encourage parents, teachers, and their authorized agents  
14 to use methods of correction and restraint of children that are not  
15 dangerous to the children. However, the physical discipline of a child  
16 is not unlawful when it is reasonable and moderate and is inflicted by  
17 a parent, private school teacher, or guardian for purposes of  
18 restraining or correcting the child. Any use of force on a child by

1 any other person is unlawful unless it is reasonable and moderate and  
2 is authorized in advance by the child's parent or guardian for purposes  
3 of restraining or correcting the child.

4 The following actions are presumed unreasonable when used to  
5 correct or restrain a child: (1) Throwing, kicking, burning, or  
6 cutting a child; (2) striking a child with a closed fist; (3) shaking  
7 a child under age three; (4) interfering with a child's breathing; (5)  
8 threatening a child with a deadly weapon; or (6) doing any other act  
9 that is likely to cause and which does cause bodily harm greater than  
10 transient pain or minor temporary marks. The age, size, and condition  
11 of the child and the location of the injury shall be considered when  
12 determining whether the bodily harm is reasonable or moderate. This  
13 list is illustrative of unreasonable actions and is not intended to be  
14 exclusive.

15 NEW SECTION. **Sec. 3.** Section 2 of this act shall take effect  
16 September 1, 1994.

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