

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 956

Short Title: Corporal Punishment Ban/Day Care.

(Public)

Sponsors: Representatives Jerals; Barnes, Barnhill, Beall, Bowie, Colton, N. J. Crawford, Cunningham, Dial, Diamont, Easterling, Fitch, Fussell, Gamble, Gist, Green, Greenwood, Hensley, Holt, Judy Hunt, Jeffus, Jones, Kennedy, Luebke, Michaux, Oldham, Stamey, and Withrow.

Referred to: Human Resources.

April 19, 1991

A BILL TO BE ENTITLED

AN ACT TO BAN CORPORAL PUNISHMENT IN DAY CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-91(10) reads as rewritten:

"(10) Each operator or staff member shall truly and honestly show each child in his care true love, devotion and tender care.

Each day-care facility shall have a written policy on discipline, which policy describes the methods and practices used to discipline children enrolled in that facility. This written policy shall be discussed with, and a copy given to, each child's parent prior to the first time the child attends the facility. Subsequently, any change in discipline methods or practices shall be communicated in writing to the parents prior to the effective date of the change. The use of corporal punishment as a form of discipline is prohibited and may not be used by any operator or staff member of any day-care facility. The written policy on discipline shall clearly state this prohibition."

Sec. 2. G.S. 110-101 reads as rewritten:

"§ 110-101. Registration; minimum standards for child day care homes.

It shall be unlawful for any person to operate a day care home unless such day care home is registered with the Department in accordance with the requirements for registration adopted by the Commission. The person who is registered shall be the

1 individual who is on site providing care. A registration certificate shall be issued and
2 remain valid for a two-year period unless revoked, suspended or modified. Each home
3 shall display its current registration certificate in a prominent place. The registration
4 certificate shall remain the property of the State. Day care homes shall comply with the
5 reasonable minimum standards for health, safety, and sanitation adopted by the
6 Commission. Each day care home shall be located in a residence or other building
7 which meets the requirements of the North Carolina Building Code under standards
8 developed by the Building Code Council in consultation with the Division of Facility
9 Services, and subject to adoption by the Commission, specifically for day care homes.

10 The use of corporal punishment as a form of punishment is prohibited and may not
11 be used by any operator or staff person of any day care home."

12 Sec. 3. This act becomes effective October 1, 1991.