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POSITION PAPER

HOUSE BILL NO. 480

For an Act entitled: "An Act relating to corporal punishment of students."

This bill would prevent a person employed by, or contracting with, a public or private school from inflicting or causing to be inflicted corporal punishment on a student. An employee or contractor is permitted to use reasonable and necessary physical restraint on a student for certain protections of the student and/or property.

The department supports this bill. As the state agency responsible for investigating child abuse reports and for providing protective services, the department would welcome a partnership with the schools to end the destructive cycle of child abuse. Considerable data exists to support the concern that physical violence cycles through generations of families and that the most effective way to end the pattern is to stop the use of physical force as a disciplinary measure. Public and private school employees are viewed by students and parents as role models of appropriate behavior. Teachers have been trained in other techniques for preventing and dealing with conflict including increasing students' self control and self concept. Teachers are therefore in a unique position to influence families to use positive approaches rather than physical force in dealing with children's problems.

RECOMMENDED:

Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE:

March 18, 1986

APPROVED:

John R. Pugh, Deputy
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE:

3-20-86

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 480
 Title : An Act relating to corporal
 punishment of students.
 Sponsor : _____
 Requestor : _____
 Date of Request : 3/17/86

FISCAL DETAIL

Agency Affected : Health & Social Services
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

| OPERATING | FY 86 | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | -0- | -0- | -0- | -0- | -0- |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | -0- | -0- | -0- | -0- | -0- |
| CAPITAL | | -0- | -0- | -0- | -0- | -0- |
| REVENUE | | -0- | -0- | -0- | -0- | -0- |

FUNDING : (Thousands of Dollars)

| | | | | | | |
|---------------|--|-----|-----|-----|-----|-----|
| GENERAL FUND | | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | -0- | -0- | -0- | -0- | -0- |

POSITIONS :

| | | | | | | |
|-----------|--|-----|-----|-----|-----|-----|
| FULL-TIME | | -0- | -0- | -0- | -0- | -0- |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS : Attach a separate page if necessary

n/a

Prepared by: Michael L. Prater, Director *Michael L. Prater* Phone: 465-3170
 Division: Family and Youth Services Date: 3/17/86 *JCC*
 Approved by Commissioner: John B. Fugh *Conner John, Deputy for* Date: 3/20/86
 Agency: Department of Health and Social Services

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Introduced: 1/16/86
Referred: Health, Education &
Social Services and State Affairs

1 IN THE HOUSE

BY KOPONEN AND DAVIS

2

HOUSE BILL NO. 480

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to corporal punishment of students."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 14.30 is amended by adding a new section to read:

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ARTICLE 8. CORPORAL PUNISHMENT.

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Sec. 14.30.610. CORPORAL PUNISHMENT. (a) Except as provided in

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(b) of this section, a person employed by or contracting with a public
12 or private school may not inflict or cause to be inflicted corporal
13 punishment or bodily pain on a student.

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(b) A person employed by or contracting with a public or private
15 school may, within the scope of the person's employment, use reason-
16 able and necessary physical restraint on a student to

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(1) protect the person, a student, or others from physical

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injury;

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(2) obtain possession of a weapon or other dangerous object

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from a student; or

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(3) protect property from serious harm.

