

WAC 110-300-0331 Prohibited behavior and discipline, and physical separation of children. (1) An early learning provider, staff member, or household member is prohibited from using the following behaviors and discipline of children:

(a) Profanity, obscene language, "put downs," or cultural or racial slurs;

(b) Angry or hostile interactions;

(c) Threats of physical harm or inappropriate discipline such as, but not limited to, spanking, biting, jerking, kicking, hitting, slapping, grabbing, shaking, pulling hair, pushing, shoving, throwing a child, or inflicting pain or humiliation as a punishment;

(d) Intimidation, gestures, or verbal abuse including sarcasm, name calling, shaming, humiliation, teasing, derogatory remarks about a child or the child's family;

(e) Emotional abuse including victimizing, bullying, rejecting, terrorizing, extensive ignoring, or corrupting a child;

(f) Sexual abuse, pursuant to RCW 26.44.020;

(g) Preventing a child from or punishing a child for exercising religious rights;

(h) Restricting a child's breathing;

(i) Binding or restricting a child's movement unless permitted under WAC 110-300-0335;

(j) Taping a child's nose, mouth, or other body part;

(k) Depriving a child of sleep, food, clothing, shelter, physical activity, first aid, or regular or emergency medical or dental care;

(l) Forcing a child to ingest something as punishment such as hot sauce or soap;

(m) Interfering with a child's ability to take care of their own hygiene and toileting needs;

(n) Using toilet learning or training methods that punish, demean, or humiliate a child;

(o) Withholding hygiene care, toileting care, or diaper changing from any child unable to provide such care for themselves;

(p) Exposing a child to extreme temperatures as punishment;

(q) Demanding excessive physical exercise or strenuous postures. Excessive physical exercise includes, but is not limited to, running laps around the yard until overly tired, an extensive number of push-ups, having a child rest more than the child's development requires, standing on one foot for an uncomfortable amount of time, or holding out one's arms until tired or painful;

(r) Placing the separated child in a closet, bathroom, locked room, outside, or in an unlicensed space; and

(s) Using high chairs, car seats, or other confining space or equipment to punish a child or restrict movement.

(2) An early learning provider must supervise to protect children from the harmful acts of other children. A provider must immediately intervene when they become aware that a child or children are teasing, fighting, bullying, intimidating, or becoming physically or sexually aggressive.

(3) An early learning provider may separate a preschool age or school age child from other children when that child needs to regain control of themselves.

(a) During separation time, the child must remain under the appropriate level of supervision of a licensee, center director, assistant director, program supervisor, lead teacher or an assistant teacher.

(b) Separation time should be minimized and appropriate to the needs of the individual child.

(4) If a child is separated from other children, an early learning provider must:

(a) Consider the child's developmental level, language skills, individual and special needs, and ability to understand the consequences of their actions; and

(b) Communicate to the child the reason for being separated from the other children.

(5) If an early learning provider follows all strategies in this section, and a child continues to behave in an unsafe manner, only a licensee, center director, assistant director, program supervisor, lead teacher, or an assistant teacher may physically separate the child to a less stimulating environment. Staff must remain calm and use a calm voice when directing or separating the child. Physical separation of a child is determined by that child's ability to walk:

(a) If the child is willing and able to walk, staff may hold the child's hand and walk the child away from the situation.

(b) If the child is not willing or able to walk, staff may pick the child up and separate the child to a quiet place where the child cannot hurt themselves or others.

[Statutory Authority: Chapter 42.56 RCW, RCW 43.215.070, 43.215.201, 43.216.055, 43.216.065, and 43.216.742. WSR 25-02-097, s 110-300-0331, filed 12/30/24, effective 1/30/25. WSR 18-15-001, recodified as § 110-300-0331, filed 7/5/18, effective 7/5/18. Statutory Authority: RCW 43.215.070, 43.215.201 and chapter 42.56 RCW. WSR 18-14-079, § 170-300-0331, filed 6/30/18, effective 8/1/19.]