

1 10A NCAC 09 .2102 is amended **with changes** as published in 40:06 NCR 505-506 as follows:

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3 **10A NCAC 09 .2102 USE OF CORPORAL PUNISHMENT**

4 (a) Corporal punishment may be used in religious-sponsored child care facilities in accordance with G.S. **110-91(10)**,
5 **if: 110-91 (10).**

6 **(1) the religious sponsored child care facility files a notice with the Division stating that corporal**
7 **punishment is part of the religious training of its program; and**

8 **(2) the religious sponsored child care facility states in its written policy of discipline that corporal**
9 **punishment is part of the religious training of its program.**

10 (b) The **facility's** discipline policy shall state when corporal punishment is used, what type of punishment is used,
11 **and** who will be administering the **punishment.punishment, and that parents will be notified before the corporal**
12 **punishment is administered and notified in writing by the end of the day that their child received corporal punishment.**
13 **[The discipline policy shall state that parents will be informed before and by the end of the day after their child has**
14 **received corporal punishment and who will be administering the punishment.] The facility shall comply with [their]**
15 **its written discipline policy. [If administered by facility staff, corporal punishment shall be limited to one swat by the**
16 **hand on the buttocks of a child over the child's normal mode of dress that does not result in any mark that lasts more**
17 **than two hours or bruising. A witness shall be present when corporal punishment is administered and shall be**
18 **administered by the administrator or other designated staff member. A facility shall not administer corporal**
19 **punishment more than once a day per child. The facility's administrator shall complete an incident report whenever**
20 **corporal punishment is administered at the facility.] Corporal punishment shall be administered by the administrator,**
21 **other designated staff, or the child's parent. An additional staff member shall be present when corporal punishment is**
22 **administered.**

23 **(c) The facility's administrator shall maintain a corporal punishment log anytime corporal punishment is administered**
24 **at the facility. This log shall be maintained for a period of three years and shall be made available for review by**
25 **Division staff. This log shall include the following:**

26 **(1) the child's name;**

27 **(2) the date and time corporal punishment was administered;**

28 **(3) the type of corporal punishment administered; and**

29 **(4) the name of the person administering the corporal punishment.**

30 **(e)(d)** The discipline policy shall be shared with all parents that have children enrolled at the facility and the facility
31 shall provide parents a copy of the policy for their records.

32 **(d)(e)** If the facility's discipline policy changes, the new policy shall be shared with parents 14 days prior to the change
33 becoming effective. A copy of the revised discipline policy shall be submitted to the Division within 30 days of the
34 effective date of the revised policy.

35 **(e)(f)** A discipline policy that meets the requirements of this Rule shall not preclude the investigation of a complaint
36 **by the Department of Health and Human Services, Division of Child Development and Early Education,** alleging
37 inappropriate discipline of a child or child maltreatment as specified in G.S 110-105.3.

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History Note: Authority G.S. 110-91(10); 110-106; 110-88; 110-85;
Eff. October 1, 2017.
Amended Eff. ~~[May 1, 2026]~~ September 1, 2026.