

## Mandates Against the Use of Corporal Punishment in Schools

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### 1. The federal mandate for violence-free schools should include the actions and behaviors of adults

- a. **The National Association for the Education of Young Children (NAEYC) sets national standards for teacher preparation programs and guidelines for ethical practice for classrooms with young children in all 50 states, and expressly forbids the use of corporal punishment.** NAEYC requires the absence of all forms of punishment (See NAEYC Principle P-1.1): "Above all, we shall not harm children. We shall not participate in practices that are emotionally damaging, physically harmful, disrespectful, degrading, dangerous, exploitative, or intimidating to children. This principle has precedence over all others in this Code."

The accreditation system for the National Association for the Education of Young Children (NAEYC) explicitly forbids the use of physical punishment even in private programs with young children, including physical or psychological abuse or coercion (NAEYC, 2005).

This policy adds to the weight of support for the prohibition of physical punishment even in the case of very young children, due to the known lasting detrimental effects of stress on the developing brain, learning, attention, memory, and development (Mills et al., 2008; Taylor et al., 2010; Blair et al., 2011).

- b. **Violence in schools is not tolerated for students, but is allowed for teachers and principals by their use of corporal punishment.** The National Association of Secondary School Principals (NASSP) affirms its opposition to the practice of corporal punishment in schools and its support for alternative forms of discipline. "NASSP supports the federal goal of violence-free schools stated in Goals 2000: Educate America Act (1994). Every school in the United States should be free of drugs, violence, and the unauthorized presence of firearms and alcohol" (NASSP, 2015).
- c. **Corporal punishment is not tolerated in juvenile detention, but is legal in schools.** Although corporal punishment is not tolerated in the military, prisons, or mental institutions, 19 states still allow corporal punishment in full or in part according to the U.S. Department of Education (2008): Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Wyoming.
- d. **Aggression, hitting and hurting is not tolerated for students, but legal for teachers and principals who use corporal punishment.** Education Week (October, 2015) notes that corporal punishment administered to students with a paddle is to be used for "level two" offenses such

as hitting, hurting, or aggressive behavior. These student behaviors ironically result in physical punishment by an adult who clearly demonstrates exactly how to hit, hurt and use aggressive behavior while paddling.

- e. **The U.S. Department of Education itself has issued a strong mandate against the use of violence.** "Effective teaching and learning cannot take place unless students feel safe at school," U.S. Secretary of Education Arne Duncan said. "Positive discipline policies can help create safer learning environments without relying heavily on suspensions and expulsions. Schools also must understand their civil rights obligations and avoid unfair disciplinary practices" (U.S. Department of Education, 2014).
- f. **Assault and battery is not tolerated when one adult hits another, but allowed when an adult hits a child.** Hitting anyone other than a child is called "assault and battery" and is punishable by law.

## **2. The disproportionate practice of corporal punishment in school-based settings is a critical human rights issue**

- a. The 2014 National Association of School Psychologists (NASP) position statement frames the issue of corporal punishment through the lens of disproportionate practice:

"In recent years, the number of cases of physical punishment in schools is reported to be approximately 223,000 each year (Wasserman, 2011). Furthermore, students are more likely to experience corporal punishment if they are poor, male, or of ethnic minority status, live in specific regions (Marcus, 2002; Owen, 2005; Robinson et al., 2005; Society for Adolescent Medicine, 2003) or have an existing disability (Rollins, 2012)."
- b. In April of 2012, The American Civil Liberty Union presented a joint statement with Human Rights Watch in a hearing before the House Education and Labor Subcommittee on Healthy Families and Communities. The statement included irrefutable evidence demonstrating the disproportionate use of corporal punishment with minority students.

"Students of color and students with disabilities are disproportionately subjected to corporal punishment, hampering their access to a supportive learning environment. According to the Department of Education, while African Americans make up 17.1 percent of public school students nationwide, they accounted for 35.6 percent of those who were paddled during the 2006-2007 school year.

Hitting any student should be an unacceptable practice, but the disproportionate application of corporal punishment further undermines the educational environment for minority groups and students with disabilities. A federal prohibition on corporal

punishment in public schools is necessary to protect students from the discriminatory impact and the academic harms which it brings.

**3. A national consensus exists in support of the prohibition of corporal punishment in all educational settings by child and adolescent Medical and psychological associations:**

- a. The American Academy of Child & Adolescent Psychiatry (AACAP) (2004), states the following:

“Many other methods of discipline are effective in promoting self-control, eliminating undesirable behaviors and promoting desired behaviors in children. The AACAP recommends non-violent methods of addressing inappropriate behavior in schools, such as behavior management and school-wide positive behavior supports.

The American Academy of Child and Adolescent Psychiatry opposes the use of corporal punishment in schools and takes issue with laws in some states legalizing such corporal punishment and protecting adults who use it from prosecution for child abuse. The Academy joins with the National Congress of Parents and Teachers, the American Medical Association, the National Education Association, the American Bar Association, the American Academy of Pediatrics, and other groups calling for an end to this form of punishment.”

- b. The American Academy of Pediatrics (2012) states:

“The American Academy of Pediatrics urges parents, educators, school administrators, school board members, legislators, and others to seek the legal prohibition by all states of corporal punishment in schools and to encourage the use of alternative methods of managing student behavior.”

The full APA position statement against corporal punishment was written in cooperation with representatives from the American School Health Association, American Medical Association, National Association of Pediatric Nurse Associates and Practitioners, American Association of School Administrators, National Association of School Nurses, National Education Association Health Information Network, and the United States Centers for Disease Control and Prevention.

- c. The National Association of School Psychologists (NASP) (2014) states:

“The use of corporal punishment in schools communicates that hitting is the correct way to solve problems and violence is acceptable in our society. Corporal punishment does not produce long-lasting improvements in behavior; it negatively affects the social, psychological, and educational development of students; it contributes to the cycle of child abuse; and promotes proviolence attitudes of youth (Andero & Stewart, 2002; Gershoff, 2010; Owen, 2005;) society for Adolescent Medicine, 2003).

A meta-analysis of published research on corporal punishment involving over 47,000 individuals found negative behavioral and emotional effects on children (Paolucci & Violato, 2004). A separate meta-analysis of longitudinal studies on corporal punishment found that the practice was positively correlated with internalizing and externalizing symptoms in children (Ferguson, 2013). It is alarming that, despite the lack of empirical support for corporal punishment as an effective classroom management technique, it is still used in some schools (Little & Akin-Little, 2008).

Whereas the intent of school corporal punishment may be to correct student behavior, corporal punishment has been repeatedly found to be no more effective than nonviolent forms of discipline (Gershoff, 2010). Thus, the use of corporal punishment cannot be justified, given the costs and negative consequences of the practice when other effective discipline techniques are available to schools. Alternately, the use of positive support systems (e.g., reinforcements and rewards provided for the display of acceptable behaviors) has been shown to be extremely effective in addressing problematic behaviors and promoting desirable behaviors in students (Sugai & Horner, 2006; United States Department of Education, 2014). Nonviolent forms of discipline are important and schools have a strong role in teaching children to be self-disciplined.”

“Corporal punishment may serve to undermine the positive, affirming relationships between students and educators, which are associated with positive learning outcomes. Other negative side effects of corporal punishment include running away, being truant, fearing teachers or school; feeling high levels of anxiety, helplessness, and humiliation; being aggressive or destructive at home and school (Griffin, Robinson, & Carpenter, 2000); and increased risk for physical abuse (Gershoff, 2010). “

#### **4. The use of corporal punishment in schools is a national mental health priority**

**a.** The inclusion of pushing, grabbing and slapping on the Adverse Childhood Experiences Survey (CDC, 2014) link these practices to lasting detrimental health and life outcomes for children.

**c.** Corporal punishment has major deleterious effects on the physical and mental health of children, and may include ongoing post-traumatic stress, resulting in lowered school achievement, and higher negative high-risk behaviors (Gershoff & Bitensky, 2007; Hyman & May, 1996; Straus et al., 1998).

**d.** Corporal punishment inhibits the development of relationships and prosocial behaviors, whereas positive guidance help children develop greater emotion regulation (Blair & Urasache, 2011), increased impulse control (Blair, Willoughby et al., 2011), achieve more in school and enjoy more positive relationships with others (Atilli, et al., 2011; Tamis LeMonda et al., 2001). Positive behavior guidance increases children’s self-regulation and healthy pro-social skills (Blair, 2013; Brophy-Herb et al., 2007; Knafo & Plomin, 2006; Masterson, 2009). These are the outcomes educators and policy makers value for students.

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