

November 21, 2016

An Open Letter to Local and State Educational Agencies & Policymakers:

On behalf of the National Women's Law Center and the undersigned organizations and individuals, we call on local, state, and federal policymakers to address the damaging use of corporal punishment against our nation's schoolchildren. It is important to eliminate the use of corporal punishment in both public schools and private schools, which serve students receiving federal services, as well as assist in creating a safer learning environment for every child. Instead, we urge policymakers to ensure that our schools are places where students and educators interact in positive ways that foster students' growth and dignity.

More than 109,000 students were subjected to corporal punishment in public schools in the 2013-14 school year¹—down from 163,333 in the 2011-12 school year.² Despite the decline in instances and the many problems associated with the hitting or paddling of students, corporal punishment is a legal form of school discipline in 19 states. Corporal punishment is often used for a wide range of misbehaviors; for example, 37 percent of corporal punishment used in North Carolina during the 2013-14 school year were for minor or subjective offenses like “bus misbehavior, disrespect of staff, cell phone use, inappropriate language and other misbehaviors.”³ Aside from the infliction of pain and physical injury that often result from the use of physical punishment,⁴ these violent disciplinary methods impact students' academic achievement and long-term well-being. Harsh physical punishments do not improve students' in-school behavior or academic performance. In fact, one study found that schools in states where corporal punishment is used perform worse on national academic assessments than schools in states that prohibit corporal punishment.

Moreover, evidence indicates that corporal punishment is disproportionately applied against certain groups of students. In seven states in which corporal punishment was legal in the 2011-12 school year, Black children were three to five times more likely to be corporally punished than

¹ Alex Harwin & Sarah D. Sparks, *Corporal Punishment: Inside the Education Week Analysis*, EDUC. WEEK, Aug. 23, 2016, http://blogs.edweek.org/edweek/inside-school-research/2016/08/corporal_punishment_frequently_asked_questions.html?r=981397119.

² Elizabeth T. Gershoff & Sarah A. Font, *Corporal Punishment in U.S. Public Schools: Prevalence, Disparities in Use, and Status in State and Federal Policy*, 20 SOC. POL'Y REPORT 1, 3 (2016) available at http://www.srcd.org/sites/default/files/documents/spr_30_1.pdf.

³ *Id.*

⁴ *Id.* at 13. Numerous accounts exist of children suffering from a range of serious injuries due to school corporal punishment that often require medical treatment, including bruises, hematomas, nerve and muscle damage, cuts, and broken bones. In 2003, the Society for Adolescent Medicine estimated that between 10,000 and 20,000 students needed medical attention because objects, such as paddles were used to corporally punish students each year.

white students.⁵ Similarly, in several states in the 2011-12 school year, students with disabilities were over five times more likely to experience corporal punishment than students without disabilities.⁶ These students are often punished simply for behaviors related to their disabilities, such as autism or Tourette’s syndrome. Hitting any student should be an unacceptable practice, but the disproportionate application of corporal punishment against these populations further undermines their educational environment. Furthermore, corporal punishment of adults has been banned in U.S. prisons and military training facilities.⁷ And every state has animal cruelty laws that criminalize beating animals so long and hard that it causes injury—even while allowing students to be subject to corporal punishment.⁸

Eliminating the use of corporal punishment in schools will assist in ensuring the safety of all students and educators. Families should be allowed to protect their children and states should prohibit the use of physical punishment against students and ensure that a plan is in place to alert school personnel and parents of policies eliminating corporal punishment for students.

In addition, policymakers should also give schools and educators new tools to foster a positive school climate by encouraging the use of school-wide positive behavior supports, an evidence-based approach to school discipline proven to reduce school discipline referrals and support improved academic outcomes. Local and state educational agencies should also take advantage of grants from the Every Student Succeeds Act, which provides funds to educational agencies to develop and implement restorative justice and positive behavioral supports and interventions in classrooms and schools and train teachers and staff in these methods.

All local and state educational agencies have a significant interest in ensuring a positive learning environment for the nation’s students. By eliminating the harmful practice of corporal punishment and implementing positive, evidence-based policies, local and state leaders can help students achieve access to a safe and high-quality education.

Sincerely,

National Women’s Law Center, joined by the following organizations and individuals:

Academy on Violence and Abuse

ACLU

American Academy of Pediatrics

American Association of Child & Adolescent Psychiatry

⁵ *Id.* at 10.

⁶ *Id.* at 12.

⁷ *Id.* at 14.

⁸ Elizabeth T. Gershoff & Sarah A. Font, *Corporal Punishment in U.S. Public Schools: Prevalence, Disparities in Use, and Status in State and Federal Policy*, 20 SOC. POL’Y REPORT 1, 14 (2016). For example, Indiana bans corporal punishment of vertebrate animals under its anti-animal cruelty statute, even while it permits corporal punishment of children with objects in schools.

American Association of University Women
American Federation of Teachers, AFL-CIO
American Humanist Association
American Professional Society on the Abuse of Children
American Psychological Association
American-Arab Anti-Discrimination Committee
Americans Against Corporal Punishment in Public School
Association of University Centers on Disabilities
Attachment Parenting International, Atlanta Chapter
Barton Child Law and Policy Center, Emory Law School
Center for Civil Rights Remedies, Civil Rights Project at UCLA
Center for Effective Discipline
Champion Women
Child Safe of Central Missouri, Inc.
Children's Advocacy Institute
Children's Defense Fund
Clearinghouse on Women's Issues
Coleman Advocates for Children & Youth
Colorado Organization for Latina Opportunity and Reproductive Rights
Council of Parent Attorneys and Advocates
Dane County District Attorney's Deferred Prosecution Program
Dignity in Schools Campaign
Division 7: Developmental Psychology, American Psychological Association
Education Law Center-PA
Family Services Network
Futures Without Violence
Girls Inc.
GLSEN
Gundersen Health System
Gundersen National Child Protection Training Center
Gwinnett Parent Coalition to Dismantle the School to Prison Pipeline (Gwinnett SToPP)
Integrated Clinical & Correctional Services
Judge David L. Bazelon Center for Mental Health Law
Lives in the Balance
Massachusetts Citizens for Children
Minnesota Communities Caring for Children, Home of Prevent Child Abuse MN
NAACP
National Alliance for Partnerships (NAPE)
National Association of School Psychologists
National Association of Secondary School Principals (NASSP)

National Autism Association
National Center for Special Education in Charter Schools
National Disability Rights Network
National Down Syndrome Congress
National Economic and Social Rights Initiative (NESRI)
National Education Association
National Organization for Women
National PTA
NC Child
NCLR (National Council of La Raza)
Nollie Jenkins Family Center, Inc.
Otto Bremer Trust Center for Safe and Healthy Children
Parent Trust for Washington Children
Partnership for Violence Free Families
Prevent Child Abuse Illinois
Project KnuckleHead
PsychHealth, Ltd.
Rights4Girls
Sargent Shriver National Center on Poverty Law
SelfWorks
SisterReach
SisterSong Women of Color Reproductive Justice Collective
Southeast Asia Resource Action Center (SEARAC)
Southern Poverty Law Center
StopSpanking.ORG
TASH
Tennesseans for Non Violent School Discipline
The National Partnership to End Interpersonal Violence Across the Lifespan
The Parenting Network
TNTP (formerly The New Teacher Project)
U.S. Alliance to End the Hitting of Children
University of the District of Columbia David A. Clarke School of Law Juvenile and Special
Education Law Clinic
Upbring
Women's Law Project
Youth Service, Inc.

The following individuals are listed with their affiliations for identification purposes only:

Nicholas Alexander Adams, Lecturer of Sociology and Criminal Justice, Old Dominion University
Kimberly Allen, Executive Director, Child Safe of Central Missouri, Inc.
Dr. Deborah Alley, Post-doctoral Researcher, University of California—Davis
Philip Anglewicz, Assistant Professor, Tulane University
Jess Antanaitis, Citizen, Parent, Grandparent and RN
Molly Ariail, MPH, LSUHSC School of Public Health
Maryellen Armour, LICSW, Licensed Independent Clinical Social Worker
Lisa Aronson Fontes, Ph.D., Senior Lecturer, University of Massachusetts—Amherst
Margaret V. Austin, Ph. D., Clinical Psychologist
Ariana Avila, Public Health Specialist
Justin Babin, Advocate
Charles Bachand, Advocate
Terry Baradine, Retired RN
Alessandra Bazzano, Assistant Professor, Tulane University
Bonnie Bee, Content and Engagement Strategist, SparkAction
Maya Begaliev, Clinical Associate Professor, Tulane University
Roberta Bentson-Royal, PNP, National Association of Pediatric Nurse Practitioners (NAPNAP)
Skip Berrien, State Representative, NH House of Representatives
Susan H. Bitensky, Professor of Law, Michigan State University College of Law
Nadine Block, Founder, Center for Effective Discipline
Stephanie D. Block, Assistant Professor, University of Massachusetts—Lowell
Susan Bonnell, Associate Professor, National Association of Pediatric Nurse Practitioners
Bette L. Bottoms, Professor of Psychology and Dean Emerita of the Honors College, University of Illinois at Chicago
Anna Bran, Advocate
Marian Brannon, Coordinator
Karen Braschayko, Advocate
Jsson Brown, Advocate
Kathy Brown, U.S.A.F. Veteran
Sarah E. Brucee, Advocate
Ann E. Budzak Garza, M.D., Pediatrician, Gundersen Health System
Kelly Burke, Graduate Student, University of Illinois at Chicago
Jennifer A. Case, ESL Instructor, ABLE
Myra Cleary, DNP, National Association of Pediatric Nurse Practitioners (NAPNAP)
Gretchen Clum, Associate Professor, Tulane School of Public Health and Tropical Medicine
Dr. Rachel Cobb, Advocate

Doreen Cole, Sr. Administrative Assistant to the Director, Family Research Laboratory / Crimes
against Children Research Center

Caroline Coltrane, Advocate

Caroline Cooke Carney, Ph. D., Emeritus Psychology Faculty, Monterey Peninsula College

Carlos Cuevas, Associate Professor, Northeastern University

Dr. Stephanie Day, Gardens Veterinary Hospital

Dr. Keri “Safire” DeJong, Lecturer, University of Massachusetts Amherst

Megan Dellorto, Advocate, University of Evansville

Nauka Desai, M.D., Boulevard Medical

Jessica Diel, Parent Leader & Advocate

Khanh T. Dinh, Professor of Psychology, University of Massachusetts—Lowell

Karen DiPofi, Community Liaison, Kobacker Center

Emily M. Douglas, Associate Professor, Bridgewater State University

Jimmy Dunne, President, People Opposed to Paddling Students—Houston

Sarah Duzinski, Research Scientist, Dell Children's Medical Center

Morgan Dynes, Ph.D., Child Clinical Psychologist, University of Toledo

Margaret L. Edgar, Child and Family Advocate, Parent Trust for Washington Children

Cheryl Enright, Advocate

Karen Eshelman, Parent Advocate

Stacey Eunnae, Supervising Attorney, University of the District of Columbia David A. Clarke
School of Law Juvenile and Special Education Law Clinic

Robert Fathman, Ph. D., Clinical Psychologist

Jennifer Fender, Parent Advocate

Sarah Font, Assistant Professor of Sociology, Pennsylvania State University

Dr. Jennifer Fraser, Motion Press Holdings

Milton Fuentes, Associate Professor/Psychologist, Montclair State University

Lauren Futrell Dunaway, Research and Evaluation Program Manager, Mary Amelia Women's
Center at Tulane University

Astrid Gamez, Advocate

Luciane V. Garcia, Elementary School Teacher

Saribel Garcia Quinones, Clinical Assistant Professor, New York University Meyers College of
Nursing

Caitlyn Gardner, Advocate

Elizabeth T. Gershoff, Ph. D., Associate Professor, Human Development and Family Sciences,
University of Texas at Austin

Selena Gillespie, RN, BSN, New York University

Rosa M. Gonzalez, Human Sciences Specialist, ISU Extension and Outreach

Jason Gonzalez, Advocate

Gail S. Goodman, Ph. D., University of California—Davis

Tina Goodman-Brown, Ph.D., Clinical Psychologist & Consultant to Ventura County Juvenile Court

Vito Grasso, Executive Vice President, NYS Academy of Family Physicians

Helen Graves, Advocate

Pam Hall, Advocate, Global Women's Strike/LA

Janice M. Harper, Community Organizer, Nollie Jenkins Family Center, Inc.

Lauren Hayden, Advocate

Nancy Henderson, M.D., Child Abuse Pediatrician Greenville Health System

Alexis Hernandez, TIPPS

Alice Hiller, Occupational Therapist , Early Steps

Ashleigh Hillier, Associate Professor, University of Massachusetts Lowell

Rachelle Hocking, Crime Victim Advocate, Dane County DA's Office - Victim Witness Unit

George Holden, Professor and Chair, Dept. of Psychology, Southern Methodist University

Ashley Hoover, STD/HIV Perinatal Surveillance Supervisor, Louisiana Department of Health

Kimberly Hopkins, LICSW

Gail Hornor, Pediatric Nurse Practitioner

Dr. Tasneem Ismailji, Pediatrician

Emily K. Ivey, Advocate

Shelley Jacobson, CEO, Minnesota Communities Caring for Children

Tom Johnson, Board Member, Tennesseans for Nonviolent School Discipline

Taylor M. Jones, Advocate

Lisa Jones, Research Associate Professor, Psychology, University of New Hampshire

Katie Jordan, Advocate

Carl Kendall, Professor of Public Health, Tulane University

Kathleen Kendall-Tackett, Editor-in-Chief, Praeclarus Press

Michele Knox, Ph.D., Professor

Dr. Kristen Lathrop, Advocate

David Lathrop, Advocate

Alyssa Lederer, Ph. D., MPH, CHES, Assistant Professor, Tulane University School of Public Health and Tropical Medicine

Shawna J. Lee, Ph. D., MSW, Associate Professor, University of Michigan

Lauren Linsalata, Enrollment Outreach Manager, Berklee College of Music

Lucien X. Lombardo, Ph. D., Professor Emeritus, Old Dominion University / In Support of Children

Joe Lovell, Advocate

Meredith Luke, Advocate

Machelle Madsen Thompson PhD, LCSW, Adjunct Professor & Researcher, Florida State University

Kathryn Maguire Jack, Assistant Professor, The Ohio State University

Rachel Mancuso, Advocate

Melisa Marotta, CPNP, National Association of Pediatric Nurse Practitioners (NAPNAP)
Karen Martinez, Advocate
Elyse Mason, Research Analyst, The Policy & Research Group
Allyssa McCabe, Ph.D., Professor of Developmental Psychology, Department of Psychology
UMass Lowell
Meggie McCoy, Child's Voice Advocate, Sanford Health - Child's Voice
Linda L. McDaniels, Associate Director, Parent Trust for Washington Children
Pamela McKinley, MSW, LISW-S , Children's Resource Center
James McNulty, Advocate
Jane Mendenhall, Advocate
Nancy Mock, Associate Professor, Tulane University
William Montross, Director, University of the District of Columbia David A. Clarke School of
Law Juvenile and Special Education Law Clinic
Kristen Morris, DNP, CPNP, Peyton Manning Children's Hospital @ St. Vincent, Child
Protection Team
Jill C. Morrison, Visiting Professor of Law, Georgetown University Law Center
Brittany Myers, Graduate Student, University of Illinois at Chicago
Jennifer Nahum, DNP, PNP, New York University
Shonna Nelson, Mother , Montessori Peaceful Parent
Jennifer Newman, Parent Advocate
Coralie Ngbichi, Graduate Student, Tulane School of Public Health and Tropical Medicine
Sharon Nolan Dickman,, APRN II, MSN, FNP-C, SANE-P, Nurse Practitioner, UK Healthcare-
Kentucky Children's Hospital
Thomas M. O'Connell, Former Board Chairman, National Child Protection Training Center
Ismael Ozanne, Dane County District Attorney , Dane County District Attorney's Office
Karen Parlin, Social Worker, NPEIV
Pam Patton, State and National Liaison, Oregon Coalition for Equal Access for Girls
Dawn Patzer, Parent Leader
Lauren Patzer, Advocate
Valerie Paz Soldan, Associate Professor , Tulane University School of Public Health and
Tropical Medicine
Cathy J. Pilarczyk, Resident Services Manager, Mercy Housing Lakefront
Marni Port, Advocate
Rita Porter, Counselor, The Association for Individual Development
Jessica Prewett, Advocate
Nicolas Quinones, Advocate
Gary Raney, Associate Professor, University of Illinois at Chicago
Ellen Reddy, Executive Director, Nollie Jenkins Family Center, Inc.
Marcy Richardson, Developmental Therapist, Hand in Hand Therapy Services
Nicole Rinaldo, Advocate

Heather J. Risser, Assistant Professor Northwestern University
Julie Anne Rivnak-McAdam, Administrative Coordinator, Circle of Parents
Jessica Robinson, Advocate
Crystal Roman, Exec. Admin & Partnership Assistant, IVAT/FVSAI/NPEIV
Rocio Rosales, Assistant Professor, University of Massachusetts Lowell
Lily Rubin-Miller, Student, Tulane University
Naomi A. Schapiro, Full Professor of Clinical Family Health Care Nursing University of
California, San Francisco
Samantha Scheutzow, Mental Health Consultant, FrontLine Service
Seth Scholer, Pediatrician
Susan Segal-Wood, Professional Photographer, Susan Segal Photography
Deborah D. Sendek, Community Volunteer, U.S. Alliance to End the Hitting of Children
Andrew Sendek, Advocate
Leonard J. Sendek, Parent Advocate
Alison Shih, Attorney
Rochelle Siegrist, Parent Advocate
Alexis Smith, Parent Advocate
Laura Soforenko, Advocate
David Soleil, Parent Advocate
Lori Solomon, Associate Dean of Community Health Affairs, New York Medical College
Rashade Speed, Advocate
Deborah Squirewell, Preschool and Family Services Specialist, Livonia Public Schools
Sara Stahlman, Advocate
Amy Stellutto, Parent Advocate
Dr. Margaret Stevenson, University of Evansville
Evonne Stewart, Advocate
Lesia L. Stremick, Art Teacher
Leah Taub, Senior Analyst/Technical Project Officer, Abt Associates
Catherine Taylor, Associate Professor, Tulane University School of Public Health and Tropical
Medicine
Scott Thompson, Advocate
Marlyn Tillman, Executive Director/Co-Founder, Gwinnett Parent Coalition to Dismantle the
School to Prison Pipeline (Gwinnett SToPP)
Christine R. Traettino, Advocate
Annie Truelove, Tulane Innovations in Positive Parenting Research Coordinator, Tulane
University
Nicole Tuchinda, Supervisory Attorney, UDC Law School Special Education and Juvenile Law
Clinic
Suzanne Tucker, Founder, Generation Mindful
Maria Usacheva, Advocate

Mark J. VanLandingham, Ph.D., Tulane University

Dr. Carlos Velazquez, Ph.D.

Rachel Waddington, Advocate

Karena Warwick, Parent Advocate

Deena Wassenberg, Teaching Associate Professor, University of Minnesota

Karen Webber, Director of Education and Youth Development, Open Society Institute -
Baltimore

Dr. Eric Thomas Weber, Visiting Associate Professor of Philosophy at the University of
Kentucky

Dr. Yana Weinstein, University of Massachusetts Lowell

Makenzie L. Wesner, Pediatric Nurse Practitioner & Developmental Therapist, UCSF Benioff
Children's Hospital Oakland

Laura Whitaker, Program Manager, Tulane University

Jacquelyn White, Emerita Professor of Psychology, University of North Carolina at Greensboro

Stephanie Williams, Family Advocate, House of Ruth

Shelly L. Worob, Preschool Teacher