

Corporal Punishment

CORPORAL PUNISHMENT IN SCHOOLS

By

Sommer B. Hunt

A Master's Thesis  
Submitted in Partial Fulfillment  
Of the Requirements for the Degree of  
Master of Science in Education  
Curriculum and Instruction  
Department of Education  
At the State University of New York University at Fredonia  
Fredonia, New York

May 2014

Corporal Punishment

State University of New York at Fredonia  
Department of Education

CERTIFICATION OF PROJECT WORK

We, the undersigned, certify that this project entitled Corporal Punishment in Schools by Sommer Hunt, Candidate for the Degree of Master of Science in Education, Curriculum and Instruction is acceptable in form and content and demonstrates a satisfactory knowledge of the field covered by this project.

  
\_\_\_\_\_  
Master's Project Advisor  
EDU 691 Dr. Dahlgren  
Department of Education

Date May 14, 2014

  
\_\_\_\_\_  
Department Chair Dr. Berkley  
Department of Education

Date 5.16.14

  
\_\_\_\_\_  
Dean Christine Givner  
College of Education  
At SUNY Fredonia

Date 5-20-14

# Corporal Punishment

## Abstract

This study was done on corporal punishment in US schools because it has been a continuous controversy in education. Corporal punishment in schools is meant to inflict pain as a consequence of bad behavior. There are many different methods used but the most common is using a wooden paddle to swat or give licks to the student's buttocks. Corporal punishment is still legal in 19 states. I thoroughly compared six different elementary school discipline policies that I randomly selected in six different counties in Mississippi and in Florida. I wanted to investigate how corporal punishment differs in a waiver state verses a non-waiver state. The counties in Mississippi include Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The Florida counties include Baker, Bay, Marion, Hamilton, Holmes and Levy.

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## **Introduction**

Corporal punishment in US schools has been a continuous controversy in education. Corporal punishment is meant to inflict pain as a consequence of bad behavior (David, 2008). There are many different methods used to intentionally inflict pain upon a child which include paddling, shocking, hitting, punching, shoving, extensive exercise, and making students use postures which are painful. Schools use switches, paddles, hands and leather straps to inflict pain on students. Students sometimes get injuries from corporal punishment which include blood clots, bruises, blisters, and welts. (David, 2008). A majority of researchers believe that corporal punishment may temporarily stop behaviors. In the long run it shows that is not effective, can lead to abuse, aggression, low self-esteem and severe anger. The positive approach which most states are now focused on is said to be more effective. Some states allow reasonable corporal punishment but what may be reasonable in one state may not be in another (Irwin, 2002).

The issues that arise of corporal punishment in public schools are the issues of morality, legality, efficacy and ethics. Corporal punishment was thought to be easy, effective, and quick which would eliminate bad behavior fast (Rose, 1984). Studies throughout the years have shown that corporal punishment is more likely to occur with boys in rural areas with lower income children. African American children are shown to be hit more. Corporal punishment is damaging to children lowering performance levels and making children more aggressive, angry, violent and have hostility towards others and their surroundings. Students who have experience corporal punishment are more likely to commit crimes and seek revenge. Social workers stand strong against the use of corporal punishment and come together to stop it (David, 2008). Corporal Punishment is still legal in 19 states which include: Alabama, Arizona, Arkansas,

Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Wyoming (Frosch, 2013).

“Some supporters of corporal punishment claim that school administrators and teachers use corporal punishment when they have urgent needs to promptly control students’ risky problem behaviors, and these proponents believe it is effective. Furthermore, the supporters believe that using corporal punishment has some advantages for school practitioners: There is no cost involved, it is easy to administer, and there is no organization or training needed” (Han, 2011).

Research showed that African Americans were twice as likely to receive corporal punishment over white students. Boys also are shown to receive corporal punishment over girls. Teachers and administrators argue that they are taking the place of the parents only in school (Northington, 2007). Some thought that by hitting students it would “beat the devil out of them” (Ratliff, p.474). This was thought to teach self-discipline, morals and is good for development. Research shows that those who have received corporal punishment became aggressive adults, displayed violent behavior and harbored hostility toward the school. A survey of 116 schools in the states of Virginia, West Virginia, Delaware, Maryland and Pennsylvania African American and minority males were punished the most (Ratliff, 1980). Students that were poor were four to five times more likely to get punished than those who were not poor (Ratliff). This hurt student’s self-image, singled out students and damaged them mentally and physically (Ratliff).

Many corporal punishment cases were brought to court because of severe punishment which caused students to be hospitalized. Education would be different without the decisions of the Supreme Court. It was difficult to win corporal punishment cases in the court but it did open the door to assault and battery although courts didn’t rule in their favor (Zirkel, 2001). The legal

aspects and implications of corporal punishment must be shown as well. In 1977 there was a court case of *Ingraham v. Wright* where two students at Florida junior high received severe paddling. The students needed medical care because of the pain and bruising (Hinchey, 2004). One student couldn't use his arm for a week. In this case they argued that they were protected under the 8th amendment against cruel and unusual punishment and the 14th amendment the guarantee of due process. The court rejected both saying that the 8th amendment was to protect criminals not school children. However it was ruled that officials can be charged with assault and battery. These charges rarely ever won in court, favoring schools most of the time. Schools have been favored over paddling a 9 year old seven times in a half hour, sticking children in the arm with a pin, putting them in small, dark closets, slamming them into walls and stuffing or taping their mouths closed (Hinchey, 2004). "Sometimes the offenses against children are so egregious that it seems unbelievable that courts would find for schools and against the family, but it routinely happens" (Hinchey, 2004). "The united States retains its dubious distinction of being one of very few developed countries whose national policy allows corporal punishment in schools" (Hinchey, 2004). History and the Bible said to approve of the threat and force of disciplining children. Children were said to be born with devil in them so beating them drove the devil out of them. Teachers and the public looked at corporal punishment as taking the role of the parent to maintain order in the classroom. Children shouldn't be disrupting others learning so corporal punishment was a way to teach them to be respectful and mind. Some states gave parents the right to choose if they wanted corporal punishment used on their children. In 1975 the case of *Baker v. Owen* a child was hit twice with a divider after the parents said they did not want their child being punished. The Supreme Court said that parental approval is not required

(Imbrogno, 2000). Some appellate courts recognized the excessiveness of some of the corporate punishments in schools and students 14th amendment rights. For example,

the case of *Garcia v. Miera* in 1987. The nine year old girl was held upside down while another teacher paddled her giving her bruises, scaring and cuts. In the case of *Neal v. Fulton* County in 2000 a coach knocked a student's eye out of its socket with a metal lock. Teachers that still use corporal punishment should have a co-worker present and shouldn't take extreme measures when punishing a student. In the court case *Ingraham v. Wright* opened the door to see that children have rights too and started to make some progress in eventually some states eliminating corporal punishment (McCarthy, 2005). "There are mounting criticisms of the efficacy of corporal punishment, and research is mixed at best regarding its effectiveness in modifying behavior" (McCarthy, 2005). Teachers in Florida were using excessive corporal punishment. Students weren't being punished fairly for their actions. One child was hit 20 times with a paddle while being held over the table because he was too slow while responding to instructions. He was absent ten days because of his injuries. Another child was late and was beat on the back, neck and arm (Roy, 2001).

Surprisingly in 1990 the U.S. Department of Education stated that 613,514 students were paddled in schools. If corporal punishment were effective students would not misbehave and there would not be repeated behavioral problems by the same student. Instead some students fear teachers and going to school, have anxiety and or depression, feel helpless, have lower grades, are absent or late a lot, are violent, aggressive, destructive, humiliated and are cruel to animals (Robinson, 2005). Procedural safeguards should be put in place when using corporal punishment. This is not to encourage corporal punishment but to minimize inhumane practices

and or abuse. Some teachers administer corporal punishment and some send students to the principal and will receive it there. There should be a committee to monitor, evaluate and train teachers how to administer corporal punishment. The committee would also be in charge of getting consent from parents for teachers to use corporal punishment (Sachs, 1992).

The main purpose of my project was to investigate corporal punishment in US schools and compare discipline policies of six school districts in Mississippi and Florida that practices corporal punishment either by waiver or without the need for a waiver. The counties and elementary schools in Mississippi included: Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The counties and elementary schools in Florida included: Baker, Bay, Marion, Hamilton, Holmes and Levy. The categories for analysis are the choice for parents to opt out, grade level, who can administer corporal punishment, if there are procedural safeguards put in place and for what offenses corporal punishment is given.

Ethics meaning the system of moral principles dealing with values relating to human conduct, with the respect to the rightness and wrongness of certain actions. Corporal punishment has not been proven effective and the court cases have shown that teachers use excessive corporal punishment causing harm to students. The challenge, however, is that there are 19 states that corporal punishment is still legal.

The research question that drove this project are:

- How would the discipline policies of school districts that practices corporal punishment in a waiver state differ from one in a non-waiver state?

In the following chapter I will provide a complete literature review.

### **Literature Review**

Corporal punishment in schools is meant to inflict pain as a consequence of bad behavior. There are many different methods used to intentionally inflict pain upon a child which include paddling, shocking, hitting, punching, shoving, extensive exercise, and making students use postures which are painful. Schools use switches, paddles, hands and leather straps to inflict pain on students. Students sometimes get injuries from corporal punishment which include blood clots, bruises, blisters, and welts. In the following chapter, I will review the literature related to corporal punishment.

Studies have shown that corporal punishment is more likely to occur with boys in rural areas with lower income children. African American children are shown to be hit more (David, 2008). Corporal punishment is damaging to children lowering performance levels and making children more aggressive, angry, violent and have hostility towards others and their surroundings (David, 2008). Students who have experience corporal punishment are more likely to commit crimes and seek revenge. Social workers stand strong against the use of corporal punishment and come together to stop it (David, 2008). There has been a continuous battle with corporal punishment. “More than 100 countries prohibit corporal punishment in school, including Canada and almost all of Europe” (Frosch, 2013). Corporal punishment is still legal in 19 states, most in the south. Some states parents can opt out of the corporal punishment and some it doesn’t matter what the parents say says Frosch, 2013. Last year in Texas a child skipped detention so the principal hit him three times with a paddle leaving deep bruising and he had to go to the hospital (Frosch, 2013). Han (2011) looks at 362 public schools during the 2005-2006 school year in the U.S. where corporal punishment is available. There was less corporal punishment used in

schools with a variety of violence prevention programs for students and those who had training for the teachers (Han, 2011). “Based on school disciplinary records researchers also found such unequal corporal punishment practices says Han (2011). Corporal punishment was used the most with students who live in poverty, males, those in special education, and the ethnic minorities. For these students corporal punishment was frequent and unequally administered (Han, 2011). The advantages that were thought to come from corporal punishment are no cost, easy to administer, no training needed and is good for student development (Han, 2011).

It is important to look at the legal aspects and implications of corporal punishment. In 1977 there was a court case of *Ingraham v. Wright* where two students at Florida junior high received severe paddling. The students needed medical care because of the pain and bruising. One student couldn't use his arm for a week. In this case they argued that they were protected under the 8th Amendment against cruel and unusual punishment and the 14th amendment the guarantee of due process. The court rejected both saying that the 8th Amendment was to protect criminals not school children (Hinchey, 2004). However it was ruled that officials can be charged with assault and battery. “Although many parents and students have indeed sought legal redress for severe beatings, they rarely win in court-making it especially difficult to understand why President Bush has supported a legislative effort to prohibit lawsuits against educators” says Hinchey (2004). These charges rarely ever won in court, favoring schools most of the time. Schools have been favored over paddling a 9 year old seven times in a half hour, sticking children in the arm with a pin, putting them in small, dark closets, slamming them into walls and stuffing or taping their mouths closed (Hinchey, 2004).

History and the bible long said to approve of the threat and force of disciplining children (Imbrogno, 2000). “Based upon religious authority, many believed that children were inherently evil and that beating was an effective method of driving the devil from them” (Imbrogno, 2000). Teachers and the public looked at corporal punishment as taking the role of the parent to maintain order in the classroom (Imbrogno, 2000). Children shouldn’t be disrupting others learning so corporal punishment was a way to teach them to be respectful and mind.

Some states gave parents the right to choose if they wanted corporal punishment used on their children. In 1975 the case of *Baker v. Owen* a child was hit twice with a divider after the parents said they did not want their child being punished. In the case of *Baker v. Owen* the Supreme Court said that parental approval is not required (Imbrogno, 2000). A majority of researchers believe that corporal punishment may temporarily stop behaviors. In the long run it shows that is not effective, can lead to abuse, aggression, low self-esteem and severe anger. The positive approach that most states are now focused on is said to be more effective.

Some states allow reasonable corporal punishment but what may be reasonable in one state may not be in another (Irwin, 2002). Lenta (2012) has noted that human rights didn’t extend to children as seen in many of the court cases. Corporal punishment cases were often not in favor because the 8th Amendment was meant to protect criminals not school children. Supporters thought corporal punishment was convenient and believed that there should be a scale of punishment getting more severe as behavior worsens (Lenta, 2012). Some examples include the case of *Garcia v. Miera* in 1987. The 9 year old girl was held upside down while another teacher paddled her giving her bruises, scaring and cuts. In the case of *Neal v. Fulton County* in 2000 a coach knocked a student’s eye out of its socket with a metal lock.

For schools that use corporal punishment guidelines and safeguards should be put into place. “Teachers electing to use corporal punishment must be certain it is never administered with malice, and they should have another staff member present as a witness in case their actions are later challenged as unreasonable” (McCarthy, 238). Corporal punishment is a form of punishment legal in some states. “According to the National Research Council Institute of Medicine (2004), African American students are twice as likely as White students to be recipients of corporal punishment” (Northington, 240). Boys also are shown to receive corporal punishment over girls. Teachers and administrators argue that they are taking the place of the parents only in school. Children are said to be better behaved and respect authority (Northington, 2007). In Georgia high school students were surveyed, 60% of which were African American and they stated they would rather have corporal punishment rather than detention because they didn’t do that act again. Corporal punishment was implemented if students resorted to violence (Northington, 2007). In the Florida court case of *Ingraham v. Wright* a child was hit 20 times with a paddle while being held over the table because he was too slow while responding to instructions. He was absent ten days because of his injuries. “Alleging that school administrators in the Dade County, Florida school system used excessive corporal punishments violating their rights to bodily integrity” (Roy, 2001). Another child was late and was beat on the back, neck and arm. Teachers have to be accountable for their actions just as they teach the students (Roy, 2001).

Corporal punishment in schools was researched and showed that it is ineffective and inhumane (Ratliff, 1980). Research shows that those who have received corporal punishment became aggressive adults, displayed violent behavior and harbored hostility toward the school

(Ratliff, 1980). “A survey of 116 schools in the states of Delaware, Maryland, Pennsylvania, Virginia, and West Virginia found that black and other minority male students received a significantly higher proportion of punishment than their white peers” (Ratliff, 476). Students that were poor were four to five times more likely to get punished than those who were not poor. This hurt student’s self-image, singled out students and damaged them mentally and physically (Ratliff, 1980). In 1990 the U.S. Department of Education stated that 613,514 students were paddled in schools (Robinson, 2005). Many of the students are punished repeatedly showing that corporal punishment is ineffective (Robinson, 2005). If corporal punishment was effective students would not misbehave and there would not be repeated behavioral problems by the same student. Instead some students fear teachers and going to school, have anxiety and or depression, feel helpless, have lower grades, are absent or late a lot, are violent, aggressive, destructive, humiliated and are cruel to animals (Robinson, 2005).

In conclusion, this literature review investigates the educational controversy of corporal punishment in schools has been talked about for years. Corporal punishment was thought to be easy, effective, and quick which would eliminate bad behavior fast. A school discipline survey was mailed to 324 principals randomly throughout 18 states (Rose, 1984). Surveys showed that there was a widespread of corporal punishment being used in schools. 78% schools used corporal punishment. Corporal punishment was seen in classrooms, hallways and most of all in the principal’s office. Some used paddles, hands and other instruments to spank the children sometimes each spanking was just minutes apart (Rose, 1984). This is not to encourage corporal punishment but to minimize inhumane practices and or abuse. Some teachers administer corporal punishment and some send students to the principal and will receive it there (Sachs,

1992). There should be a committee to monitor, evaluate and train teachers how to administer corporal punishment. The committee would also be in charge of getting consent from parents for teachers to use corporal punishment (Sachs, 1992). Education would be different without the decisions of the Supreme Court (Zirkel, 2001). Many court cases reach the Supreme Court including discipline and school safety in schools. The court case of 1977 *Ingraham vs. Wright* and how difficult it is to win corporal punishment cases in the court but it did open the door to assault and battery although courts didn't rule in their favor (Zirkel, 2001).

The purpose of this study was to investigate corporal punishment in US schools and compare discipline policies of six school districts in Mississippi and Florida that practices corporal punishment either by waiver or without the need for a waiver. The counties and elementary schools in Mississippi included: Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The counties and elementary schools in Florida included: Baker, Bay, Marion, Hamilton, Holmes and Levy. The categories for analysis are the choice for parents to opt out, grade level, who can administer corporal punishment, if there are procedural safeguards put in place and for what offenses corporal punishment is given.

In the following chapter, I will detail the methods of my study.

### **Methodology**

This study reviewed school policies related to corporal punishment in U.S. schools. Corporal punishment is meant to inflict pain as a consequence of bad behavior. There are many different methods used to intentionally inflict pain upon a child which include paddling, shocking, hitting, punching, shoving, extensive exercise, and making students use postures which are painful. Schools use switches, paddles, hands and leather straps to inflict pain on students.

Students sometimes get injuries from corporal punishment which include blood clots, bruises, blisters, and welts. I investigated corporal punishment in school districts without the use of a parental waiver that allows school officials to use corporal punishment versus a school district with a parental waiver policy.

### **Research Frameworks**

I used a qualitative approach to compare six elementary school discipline policies on corporal punishment in six different counties in Florida and Mississippi also looking to see which districts had a parental waiver policy. The qualitative approach allowed me to collect data from court cases, archival research, secondary resources and school discipline policies in order to provide relevant and meaningful non-number data in educational research (Johnson, 2012). I chose to do qualitative research because I knew I would be collecting nonnumeric data consisting mostly of words and pictures. I wanted to research corporal punishment in schools to discover more about what was accepted in schools and what was stated about it in the school discipline policies.

Using a qualitative allowed me to look at the policies to better understand other peoples perspectives and experiences.

### **Research Settings**

I used random selection in choosing six elementary schools in 6 different counties in a wavier state and a non-wavier state which will be Florida and Mississippi who practice corporal punishment in order to analyze the districts discipline policies. I studied respondents at the elementary level. The study included both male and female respondents and compared elementary schools in 6 counties within the state of Florida and Mississippi. I compared school

districts in six counties in Florida: Barker County located in the Northeast, Bay County at the Southern end of South Florida, Marion County in North Central Florida, Hamilton County in North Central Florida, Holmes County in the Northwest and Levy County in the Big Bend area of North Central Florida. I then compared the school policies in these Mississippi districts in six counties in Mississippi: Alcorn County located in the Northeast, Attala County located close to the center, Benton County in the North, Carroll County located in the Delta region, Itawamba County in the Northeast and DeSoto County in the extreme North Eastern Corner bordering both Tennessee and Arkansas.

### **Data Collection**

I collected data by reviewing discipline policies of school districts in one area of one state that practices corporal punishment either by parental waiver or without the need for a parental waiver. I thoroughly compared six different elementary school discipline policies randomly selected on corporal punishment in six different counties in Mississippi and in Florida. The counties in Mississippi include: Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The Florida counties include: Baker, Bay, Marion, Hamilton, Holmes and Levy. Some of the frameworks looked at were the option for parents to opt out, who can administer the corporal punishment, the type of corporal punishment, if there were procedural safeguards put in place and what actions students received corporal punishment for. To gather data on the school discipline policies I went to this website [corpun](http://corpun.com).

### **Data Analysis**

I used a document analysis approach by looking at corporal punishment from the past in order to improve the current and future education process (Johnson, 2012). I gathered all my

relevant data; put my materials together in an organized way to analyze the discipline policies of schools which practice corporal punishment. As a final step in the data collection process, I used primary and secondary sources to investigate facts, dates, figures, people and events relating to corporal punishment in schools. Archival data analysis allowed me to do in depth research on the elementary school policies on corporal punishment, demographics and expected behaviors in schools.

This study allowed me to investigate the policies of school districts to show if students are being treated unfair because of gender, ethnicity, disabilities, and economic status. These students are the ones receiving harsher and more frequent punishments. This investigation will also add to the understanding of the ethical practice of corporal punishment.

### **Results**

I thoroughly compared six different elementary school discipline policies randomly selected on corporal punishment in six different counties in Mississippi and in Florida. I wanted to investigate how corporal punishment differs in a waiver state verses a non-waiver state. The counties in Mississippi include Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The Florida counties include Baker, Bay, Marion, Hamilton, Holmes and Levy. These twelve counties had similarities and differences in the school policies on corporal punishment. Some of the frameworks I investigated were the option for parents to opt out, who can administer the corporal punishment, the type of corporal punishment, if there were procedural safeguards put in place and what actions students received corporal punishment for. Corporal punishment is the reasonable use of physical force or contact to maintain discipline and enforce rules.

### **Actions for which students received corporal punishment**

Corporal punishment is used when students break rules that are stated in the schools policies. Every school has their own rules and codes and consequences; yet some persistent themes emerged from my review of the school policies. The offenses seen in most of the policies that would lead to corporal punishment include but not limited to insubordination, disruption in class, skipping class, disobedience, abusive language, harassment/bullying, bus misconduct, fighting, destroying public property, cheating, theft, dress code violation, attendance, disruption in the lunch room, computer misuse, failing grades, missed assignments, unsafe acts, and defiant behavior. For example, Levy County school policy has levels called a discipline response code. If a student has any infractions listed under the level II discipline response code he/she could receive corporal punishment. Level II states on page 21 “Intermediate acts of misconduct may include minor acts of misconduct previously identified. It may also include repeated acts of misconduct and acts directed against persons or property but which do not seriously endanger the health or safety of others. The misconduct must be reported to the school administrator or designee for disciplinary action.” This means that disciplinary action will be taken once the misconduct is reported after a student has any infractions listed on the level II discipline response code.

### **Procedural Safeguards**

All the public school policies looked at were at the elementary level and all had procedural safeguards in place. Procedural safeguards meaning guidelines, rules and regulations to follow when administering corporal punishment. The twelve counties all had stated in their

policy that there had to be a witness while giving corporal punishment. For example, Levy County Florida's policy states on page 6 that "The student must be informed about the reason(s) for corporal punishment and given an opportunity to explain why discipline should not be given or that form of discipline is inappropriate." Levy County policy also states on page 6 "A student or the student's parent, upon request, must be given a written explanation of the need for the punishment and the name of the adult witness who was present." There are guidelines so that teachers don't administer corporal punishment out of revenge and it is a reasonable punishment. For example Carroll County's school policy states on page 1 "Any corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age and condition of the student, the type of instrument to be used, and the amount of force to be used and the amount of force to be used and the part of the body to be struck shall be considered before administering any corporal punishment." DeSoto County's policy even has a statement to protect employees administering the corporal punishment. On page 1 and 2 of DeSoto's policy it states that

"Corporal punishment administered in a reasonable manner, or any reasonable action to maintain control and discipline of students taken by a licensed employee acting within the scope of his employment or function and in accordance with any state or federal laws or rules or regulations of the State Board of Education or the local school board does not constitute negligence or child abuse. No licensed employee acting shall be held liable in a suit for civil damages alleged to have been suffered by a student as a result of the administration of corporal punishment, or the taking of action to maintain control and discipline of a student, unless the court determines that licensed employee acted in bad

faith or with malicious purpose or in a manner exhibiting a wanton and willful disregard of human rights or safety. For the purposes of this subsection, "corporal punishment" means the reasonable use of physical force or physical contact by a licensed employee as may be necessary to maintain discipline, to enforce a school rule, for self-protection or for the protection of other students from disruptive students.”

This quote is to ensure that teachers will properly administer corporal punishment to students following rules and regulations. It also states that employees will not be held liable for any suffering by the student unless the employee violates human rights or the safety of the student. Corporal punishment is defined as well so everyone is aware of what is meant by it.

### **Parental waiver opt out of corporal punishment**

Out of the six school policies in Mississippi four had the option for parents to opt out of corporal punishment for their child by signing a waiver. Those schools include Alcorn, Attala and Benton. DeSoto policy states on page 1 “Even though parental permission is not required, parents may request in writing that this punishment is prohibited for their child.” Carroll’s district school policy did not specify if parents could opt out. Itawamba was the only school that did not have an opt-out waiver. Out of the six school policies in Florida Baker, Holmes and Levy schools did not specify if there was an opt out option for corporal punishment. In Bay elementary parents must be advised in advanced by administration but doesn’t mention if parents can opt-out. Marion and Hamilton schools both had an opt out policy. Marion County school board allowed padding of elementary students three years after banning corporal punishment.

Corporal punishment was banned in 2010 and brought back in 2013. The principal now must receive permission from the parent and get verbal permission before paddling the student.

### **Which staff can administer corporal punishment**

In the public schools certain staff can administer corporal punishment depending on the school's policy. In the Mississippi county schools districts Alcorn, Itawamba and DeSoto schools allow certified employees to administer corporal punishment. For example, Alcorn County's School policy states on page 20 " When a certified employee uses corporal punishment, a certified employee of the District will be used as a witness. No coach will paddle at a practice. The student(s) will be taken to the principal the next morning to receive punishment." Attala allows teachers or principals and Benton and Carroll allow teachers, principals and assistant principals. The policies in the Florida schools showed that Marion, Hamilton and Holmes allow the principal or a designated person to administer corporal punishment. Baker school allows school administration, Bay school allows the principal, and administrative or instructional staff and Levy schools allow the teacher, principal and principal assistant.

### **The type of corporal punishment used**

In 7 of the 12 schools the type of corporal punishment used was swats or licks of a wooden paddle on the child's buttocks with some guidelines. From the Mississippi schools Alcorn School District has a maximum of five lick and Itawamba has two swats. DeSoto County's policy states on page 1 " Corporal punishment shall consist of no more than 3 licks per incident on the buttocks with an appropriate instrument approved by the principal." Attala, Benton and Carroll did not specify the type of corporal punishment used or the guidelines. In

Florida Baker and Bay schools did not specify the type of corporal punishment used or the guidelines. Marion school's discipline policy states that a child cannot have more than three swats and no more than once a semester. Hamilton's policy states that a student can't receive corporal punishment more than three times in a year. Holmes school only allows three strokes for each infraction. Levy's policy is no more than three licks and no more than once a day.

Corporal punishment in schools may cause conflicts with parents if it is practiced without the consent of a parent. In 2011 a Holmes County teacher was investigated for excessive use of corporal punishment. The teacher paddled more than twelve students in two days. One male student went home with bruising. The mother was outraged and the teacher was revoked of the right to paddle students and the incident and investigation went into her file (Rakow, 2011).

Another corporal punishment incident in 2012 happened in Levy County school when a mother didn't sign the waiver for permission to paddle her son but he was paddled anyways. It was the second week of pre-school when the five year old boy was paddled twice by the principal for hitting a boy on the bus. The boy cried all the way home from school and had welts from the paddling. The mother filed to sue Levy elementary school but the civil rights attorney said the state laws of Florida don't require schools to get parental consent (Gonzalez, 2012).

Corporal punishment in schools has been a controversial issue in education for years. The results I found in the discipline policies show that most county schools allow parents to sign waivers to opt out of corporal punishment for their child. In the next chapter I will prepare a summary statement of the conclusions drawn and provide a critical evaluation of the work I have done.

### **Discussion**

Corporal punishment in schools is meant to inflict pain as a consequence of bad behavior. There are many different methods used to intentionally inflict pain upon a child, which include paddling, shocking, hitting, punching, shoving, extensive exercise, and making students use postures, which are painful. Schools use switches, paddles, hands and leather straps to inflict pain on students. Students sometimes get injuries from corporal punishment, which include blood clots, bruises, blisters, and welts.

### **Significance**

Present findings have shown that out of the six school policies in Mississippi four had the option for parents to opt out of corporal punishment for their child by signing a waiver. Those schools include Alcorn, Attala and Benton and DeSoto. Itawamba was the only school that did not have an opt-out waiver. Carroll school did not specify in their policy if there was an option. Out of the six school policies in Florida Baker, Holmes and Levy schools did not specify if there was an opt out option for corporal punishment. In Bay elementary parents must be advised in advanced by administration but doesn't mention if parents can opt-out. Marion and Hamilton schools both had an opt-out policy. This is significant because it shows that most school districts are allowing parents to opt-out of corporal punishment by signing a waiver if they don't want pain inflicted on their children. Only 1 school district out of 12 did not have an opt-out waiver and that was Itawamba in Mississippi. It was important to investigate which staff can administer corporal punishment to ensure all rules and regulations were followed when administering corporal punishment to students. In the Mississippi county schools districts Alcorn, Itawamba and DeSoto schools allow certified employees to administer corporal

punishment. Attala allows teachers or principals and Benton and Carroll allow teachers, principals and assistant principals. The policies in the Florida schools showed that Marion, Hamilton and Holmes allow the principal or a designated person to administer corporal punishment. Baker school allows school administration, Bay school allows the principal, and administrative or instructional staff and Levy schools allow the teacher, principal and principal assistant. The type of corporal punishment used in 7 out of 12 schools was swats or licks of a wooden paddle on the child's buttocks. Each school had its own guidelines as to how many times a student could receive corporal punishment and how many swats or licks were allowed at one time. This showed that there was a designated paddle that was used on all children in one school and there were limits to the swats or licks. All the school districts had procedural safeguards put into place. Procedural safeguards meaning guidelines, rules and regulations to follow when administering corporal punishment. The twelve counties all had stated in their policy that there had to be a witness while giving corporal punishment. There are guidelines so that teachers don't administer corporal punishment out of revenge and it is a reasonable punishment. Every school had their own rules, codes and consequences for which a student might receive corporal punishment. The offenses seen in most of the policies that would lead to corporal punishment include but not limited to insubordination, disruption in class, skipping class, disobedience, abusive language, harassment/bullying, bus misconduct, fighting, destroying public property, cheating, theft, dress code violation, attendance, disruption in the lunch room, computer misuse, failing grades, missed assignments, unsafe acts, and defiant behavior.

Corporal Punishment is still legal in 19 states which include: Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi,

Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Wyoming (Frosch, 2013). With corporal punishment still being practiced today in 19 states and it being questioned of how ethical it is to inflict harm on students and who is affected the most it was necessary to conduct a qualitative research study to investigate the option for parents to opt out, who can administer the corporal punishment, the type of corporal punishment, if there were procedural safeguards put in place and what actions students received corporal punishment for.

One of the most important areas from this study is for parents to have the option to sign a waiver so that their child doesn't have to be subjected to corporal punishment. Corporal punishment in schools was researched and showed that it is ineffective and inhumane and those who have received corporal punishment became aggressive adults, displayed violent behavior and harbored hostility toward the school. This hurt students' self-image, singled out students and damaged them mentally and physically (Ratliff, 1980).

### **Limitations**

Although present findings show positive and negative aspects of corporal punishment in schools, there are some important study limitations to consider when interpreting these findings. First, the study was conducted with only 6 elementary schools in 6 different Counties in Florida and Mississippi. The study was only researched at the elementary level and the schools were randomly selected. Second, the study was conducted for a relatively short duration of time. It is not appropriate to conclude, therefore, that the same effects would be obtained over a longer time period, with a range of grade levels and more than 6 different county schools in each state being researched. Future research, therefore, should include longer intervention durations, a variety of grade levels and a larger number of school policies researched.

### **Future Research**

Further research should be done on corporal punishment in schools to see if it is an effective practice and if children are affected by it. It would be beneficial for future researchers to conduct a longer study in multiple grade levels and districts to compare the effectiveness and affects on students. The focus should be on if corporal punishment is effective on students and if there are any long term affects on students.

In summary, this study examined corporal punishment in US schools and compare discipline policies of six school districts in Mississippi and Florida that practices corporal punishment either by waiver or without the need for a waiver. The counties and elementary schools in Mississippi included: Alcorn, Attala, Benton, Carroll, Itawamba and DeSoto. The counties and elementary schools in Florida included: Baker, Bay, Marion, Hamilton, Holmes and Levy. The categories for analysis are the choice for parents to opt out by signing a waiver, grade level, who can administer corporal punishment, if there are procedural safeguards put in place and for what offenses corporal punishment is given. Obviously, much more research should be done on corporal punishment in schools to decide if it is an ethical act, to look at long term effects on students, should all parents have an input on if their child receives it, is it used fairly and without prejudice and if it is an effective practice. Corporal punishment in schools has been a controversial topic in education for many years but having waivers for parents to opt out will be beneficial for school districts.

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