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April 13, 2010

U.S. House of Representatives
Committee on Education and Labor
Subcommittee on Healthy Families and Communities
2181 Rayburn House Office Building
Washington, D.C. 20515

RE: Corporal Punishment, School Discipline, and the Reauthorization of the Elementary and Secondary Education Act

Dear Chairwoman McCarthy, Ranking Member Platts, and Subcommittee Members,

We, the undersigned parents, students, educators, researchers, and civil rights and educational organizations, support your effort to address the important issues to be raised in the upcoming hearing, “Corporal Punishment in Schools and its Effect on Academic Success.” We urge the Subcommittee on Healthy Families and Communities, in reauthorizing the Elementary and Secondary Education Act (ESEA), to devote serious attention to the impact that corporal punishment and school discipline have on the health and academic success of our nation’s students and schools.

Maintaining a safe and healthy instructional climate is a critical responsibility of schools in the 21st century. Student behavior and academic achievement are inseparable, and safer schools are higher achieving schools. Unfortunately, many schools rely only on physical punishment and exclusionary practices—suspension, expulsion, and arrest—to maintain discipline and safety. Rather than contribute to a better learning environment, these practices can make matters worse for the health and success of our schools and the students in them.

Currently, twenty states allow corporal punishment in schools (“corporal punishment states”). A comparison of the academic results of these states against the rest of the country suggests that corporal punishment negatively impacts academic success. None of the corporal punishment states scored in the top twenty percent in 8th grade performance on the National Assessment of Educational Progress (NAEP). Yet sixty percent of the corporal punishment states scored below average or worse in 8th grade performance on the NAEP. Two-thirds of states that do not allow corporal punishment in schools had graduation rates above the national average in 2004, while 57% of corporal punishment states had graduation rates below the national average that year.

The use of corporal punishment in schools appears to damage the bonds between students and educators, further harming students’ academic potential. The Society for Adolescent Medicine has found that victims of corporal punishment often develop deteriorating peer relationships, difficulty with concentration, lowered school achievement, antisocial behavior, intense dislike of authority, a tendency for school avoidance and school drop-out, and other evidence of negative high-risk adolescent behavior. In many states, children receive greater protections against the use of corporal punishment in juvenile detention facilities than they do in their schools. The use of corporal punishment in schools is interfering with students’ right to be treated with dignity and, as a result, is interfering with their right to a quality education.

In reviewing the effects of corporal punishment on academic success, we urge the Subcommittee to explore the ties between academic achievement and exclusionary discipline as well. While none question the need to keep schools safe, educators, researchers, and communities are questioning the efficacy of exclusionary practices such as suspensions, expulsions, and school-based arrests. Each year, over three million students are suspended and over 100,000 are expelled nationally. As Secretary Arne Duncan warned in his recent remarks in Selma, Alabama, the overuse of exclusionary practices on students of color and students with disabilities is particularly disconcerting. Media reports abound with stories of even our youngest students being expelled or arrested for what was once considered youthful misbehavior.

According to the American Psychological Association, the use of exclusionary practices does not improve behavior, but can instead increase the likelihood that students will fall behind academically, have future behavior problems, drop out of school, and become involved in the juvenile or criminal justice system. Exclusionary discipline affects not only the student being disciplined, but the health and success of the school as a whole: schools with high suspension rates score lower on state accountability tests, even when adjusting for demographic differences.

We urge the committee to take note that there are proven, cost-effective alternatives to corporal punishment and exclusion. Many US schools are implementing Positive Behavioral Interventions and Supports (PBIS), an approach that – as described in the Positive Behavior for Safe and Effective Schools Act (H.R. 2597) - is linked to greater academic achievement, significantly fewer disciplinary referrals, increased instruction time, and staff perception of a safer learning environment. Similar improvements to school climate result from complementary approaches like restorative practices and school offense protocols.

We applaud the Subcommittee's efforts to better understand the impact of corporal punishment on academic success. We urge the Subcommittee to undertake a similar review of the ties between academic achievement and the use of suspension, expulsion, and school-based arrests (we have attached the Dignity in Schools Campaign's recommendations to the House Committee on Education and Labor to that effect). School discipline should be used to maintain the health and productivity of the learning environment for students and teachers alike. When disciplinary practices interfere with academic success, they interfere with the bold goals this Subcommittee has for the futures of our children. In reauthorizing the ESEA, we urge you to address the harms these practices can cause to the health and academic success of our students and schools.

Sincerely,

The Dignity in Schools Campaign and the following organizations and individuals:

Activists with a Purpose Plus (Grenada, MS)
Alpha Phi Fraternity, Inc., Eta Lambda Chapter (Atlanta, GA)
Alpha Phi Fraternity, Inc., Rho Kappa Lambda Chapter (Gwinnett Co., GA)
Alpha Phi Fraternity, Inc., Rho Sigma Lambda Chapter (Henry Co., GA)
American Civil Liberties Union (ACLU)
Bazelon Center for Mental Health Law
Center for Effective Discipline

Charles Hamilton Houston Institute for Race & Justice at Harvard Law School
Children & Family Justice Center, Bluhm Legal Clinic, Northwestern University School of Law
Coalition for Positive Behavioral Interventions & Supports
Concerned Citizens for a Better Greenville (Greenville, MS)
Connecticut Legal Services, Inc
Disability Law Center of Massachusetts
Education Law Center (Newark, NJ)
Educators for Social Responsibility
Gwinnett Parent Coalition to Dismantle the School to Prison Pipeline (Gwinnett Co., GA)
International Institute for Restorative Practices
Justice4Children
Law Office of Piper A. Paul, LLC (Westport, CT)
Legal Services for Children (San Francisco, CA)
Louisiana Developmental Disabilities Council
Malcolm X Center for Self Determination (Greenville, SC)
Mental Health Advocacy Services, Inc. (Los Angeles, CA)
Mississippi Coalition for Citizens with Disabilities
Mississippi Delta Catalyst Roundtable
Multiethnic Advocates for Cultural Competence
NAACP Legal Defense & Educational Fund, Inc.
National Disability Rights Network
National Economic and Social Rights Initiative (NESRI)
National Women's Law Center
Parents Against Spanking Association
Parents United Together of Mississippi
Physicians for Social Responsibility (Sacramento, Ca)
Public Counsel (Los Angeles, CA)
Public Science Project (New York, NY)
Restorative Schools Vision Project (Sacramento, CA)
RKH Law Office (Los Angeles, CA)
South Carolina Appleseed Justice Center
South Carolina Autism Society
Southern Echo, Inc. (Jackson, MS)
Southern Poverty Law Center
Therapists for Social Responsibility (Sacramento, CA)

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

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