

## **Current Trends and Issues from 2012-2022 on Corporal Punishment in U.S. Public School Systems: Examining the Southern States**

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### **Abstract**

Corporal punishment is a debated issue among school officials. This form of discipline has proven ineffective in preventing undesirable behaviors in students due to the negative physical and psychological effects on individuals throughout their lives. Often, progressing repercussions of aggressive behavior and increasing negative mental-emotional behaviors are influenced by the students' receipt of corporal punishment. While the adverse outcomes of corporal punishment are apparent, this method of discipline remains current in close to half of the states in the U.S., predominantly in the southern region of the country. In fact, corporal punishment is still being used on children with disabilities for their behaviors that stem from their disability. Data revealed that corporal punishment is declining in the U.S. Advocates are still at work, attempting to ban this ineffective method of discipline from all school children. This examination analyzes statistical data in the Southern U.S. from 2012-2022 among the overall student population and children with disabilities. Alternative positive ways to discipline children are the best option and are also discussed in this study.

Imagine walking down a quiet hallway in a school building, and instantly the quietness has ended with a loud cracking sound of a wooden paddle being thrashed upon a buttock, followed by a scream of desperation. The child was punished for exhibiting a specific behavior, which is called corporal punishment. Corporal punishment is "any physical punishment against a child in response to misbehavior" (Skaine, 2015, p. 78). Many U.S. states have banned the practice of corporal punishment, but there remain many states that choose this method of discipline. This discussion will address the prevalence of corporal punishment among all U.S. students over the last ten years, the adverse short and long-term effects it can have on students, and generalized alternative methods to discipline students. The primary focus will present a statistical analysis of the southern states comparing corporal punishment of the overall student population

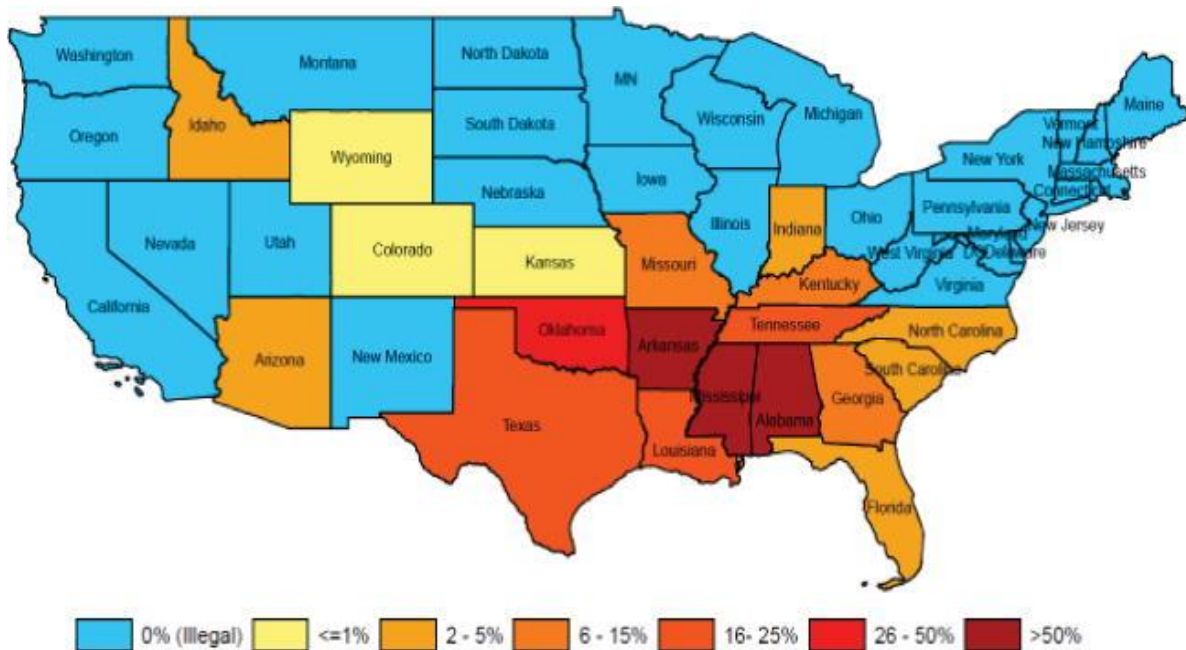
and corporal punishment of students with disabilities. Additionally, the governmental response to the statistical data will be reviewed.

**Prevalence of Corporal Punishment in U.S. Schools (2012-2022)**

When examining corporal punishment in schools, one should consider its origin. According to Thomas (2022), corporal punishment has existed in United States schools since the colonial period of our nation. It has continued in the schools despite James Ingram and Roosevelt Andrews attempt to end corporal punishment in 1977. *Ingram vs. Wright* was the only Supreme Court case in U.S. history in which Ingram and Andrews argued that their Eighth and Fourteenth Amendments were violated through corporal punishment. The court found no violations in either amendment, allowing individual states to determine regulations on corporal punishment within their state (Thomas, 2022). This was a valid turning point in history, setting the stage for what corporal punishment is today.

Gershoff and Font (2016) cited the 2011-2012 data collection from the Office for Civil Rights, which indicated that 19 U.S. states and the District of Columbia allowed corporal punishment while 31 states have banned it (see Figure 1 to identify the states and the percentages of their use of corporal punishment [Reprinted, Gershoff & Font, 2016]). A majority of the states that still use corporal punishment consist mainly of the southern states. In fact, during the 2011-2012 school year, a total of 163,333 students were corporally punished in the Southern U.S. During this time frame, Mississippi was ranked as the leading state with 7% of all students being subject to this type of discipline. In addition to Mississippi being the leader in corporal punishment, the adjoining states of Alabama and Arkansas are the second and third states, respectively with the high rate of 4% of the total student population endangered by corporal punishment (U.S. Department of Education, Office for Civil Rights, 2014b, as cited in Gershoff & Font, 2016).

**Figure 1** Legality of corporal punishment and percentage of public schools reporting any corporal punishment by the state



*Note.* States that banned and not banned corporal punishment and the percentages of the discipline used in each state. From "Corporal Punishment in U.S. Public Schools: Prevalence, Disparities in Use, and Status in State and Federal Policy," by Elizabeth T. Gershoff and Sarah A. Font, 2016, Social Policy Report: Society for Research in Child Development. Volume 30, Issue 1, p.6 [Corporal Punishment in U.S. Public Schools: Prevalence, Disparities in Use, and Status in State and Federal Policy \(wiley.com\)](https://onlinelibrary.wiley.com/doi/10.1111/spr.12281)

In the following six years (2017-2018), the Office for Civil Rights Data Collection (OCRDC, n.d.) reported that the same 19 pro-corporal punishment states of 2011-2012 corporally punished over 69,000 students. While this number is large, the data does indicate a substantial decrease of 57.5% of students receiving corporal punishment since the 2011-2012 school year. Despite the noted decrease, one aspect that remained

stagnant was that Mississippi continued as the state with the severest corporal punishment acts, totaling 20,309. Texas ranked second with 13,892 students and Alabama ranked third with 9,168 students. These three states comprised a shocking 62.4% of students corporally punished among all 19 pro-corporal punishment states (OCRDC, n.d.).

### ***Children with Disabilities***

According to Gershoff and Font (2016), there are disproportionate results of corporal punishment on students with disabilities. In the 2011-2012 Office for Civil Right data collection, the information included students with disabilities through the *Individuals with Disabilities Education Act* and students through Section 504 of the *Rehabilitation Act*. According to the results of this study, students with disabilities are at higher risk of more than a 50% probability of enduring corporal punishment than their nondisabled peers (Gershoff & Font, 2016). Four years later, 2015-2016 data collection was studied by MacSuga-Gage et al. (2021), finding that students with disabilities were twice as likely to receive corporal punishment than nondisabled children. OCR (n.d.) 2017-2018 data shows that out of the 69,457 students that received corporal punishment, 13,225 have a disability. When comparing that number to data of 2011-2012, there was a significant decrease from over 50% down to 19% of disabled students that received corporal punishment. On the other hand, the southern state of Mississippi, again, ranked first in corporally punishing 3,348 disabled students, while Texas remained second with 2,032 disabled students receiving such discipline. When calculating the percentage of all students being corporally punished in the top four southern states (Mississippi, Texas, Alabama, and Arkansas) a substantial 19% of them are disabled (OCRDC, n.d.).

### ***Governmental Response to Corporal Punishment***

Although Mississippi did have the highest number of all states to corporally punish disabled students, in 2019, Mississippi banned the use of corporal punishment on any student that has a diagnosed disability and those who received an Individual Education Program (Salter, 2020). Furthermore, the southern state of Louisiana was a step ahead of Mississippi, passing a bill to protect students with disabilities in June of 2017 (Fossey & Foil, 2017). Additionally, the Tennessee General Assembly (TGA, 2018) passed Senate Bill 2330 on April 17, 2018, prohibiting corporal punishment of students with disabilities unless the Local Education Agency and written permission from the parent permits it (TGA, 2018). On the other hand, according to Arkansas State Legislature (ASL, 2021), it was found that Senator Missy Irvin issued Senate Bill 501 on March 17, 2021, which was intended to ban corporal punishment without parental permission concerning students that require special education services. Unfortunately, this bill died in the House on October 15, 2021 (ASL, 2021). Regrettably, too, neither Texas (National Center on Safe Supportive Learning Environments Texas, 2022) nor Alabama (National Center on Safe Supportive Learning Environments Alabama, 2022) has passed a bill banning corporal punishment on disabled students. However, there have been strides to banish corporal punishment in public schools for all students. According to Congress.gov (2021), "Ending Corporal Punishment in Schools Act of 2021," the first stages of legislative action have been introduced in the U.S. House of Representatives. This bill, if passed, will prohibit the Department of Education from federally funding any public educational entity that allows corporal punishment as a means to improve behavior (Congress.gov, 2021).

### ***Adverse Effects of Corporal Punishment on Students***

As long as corporal punishment is legal in certain states, there will always be a concern about corporal punishment's physical, social-emotional, and academic effects on the student. Gershoff's and Grogan-Kaylor's (2016) meta-analysis of research on parents' use of disciplining by spanking has proven that corporal punishment is not linked with an outcome of positive behaviors. Skaine (2015) mentioned corporal punishment can include the following: "Spanking and smacking are the most common forms, but it also includes slapping, pinching, pulling hair, twisting ears, or hitting with an object" (p. 78). Striking a child on the buttocks with a wooden board or paddle seems to be the most common object used in schools (Gershoff & Font, 2016). Striking a student with any object could lead to serious physical injuries such as bruises, actual broken bones or skin that can cause bleeding, and tissue or muscle damage. If the infliction is forceful enough, it could result in the child needing medical attention (Gershoff & Font, 2016). To

illustrate, Trey Clayton, a former student in Mississippi, received corporal punishment and woke up on the floor with a broken jaw. Due to Trey's injury, he had a lapse in school attendance, even being unable to finish his nine weeks of tests. As a result, he was retained in the 8<sup>th</sup> grade. In this event, Trey eventually dropped out of school (PBS, 2016). Another case mentioned by Johnson (2019) indicated that a female student was paddled twice in one year, once for being late for gym and the second time for a dress code violation. Her mother reported that she had purple bruises from both paddlings (Johnson, 2019). Gershoff and Font (2016) mention in their research that the offenses that warrant this punishment can vary drastically from severe to mild behaviors. For example, a student can receive corporal punishment for severe fighting behaviors, showing aggression towards others, or getting intoxicated on school grounds or at a school activity. On the other hand, a student could also receive this punishment for less serious infractions such as bus referrals, using their cell phone, dress code violation, running in the school, sleeping in class, or receiving bad grades (Gershoff and Font, 2016, as cited in Human Rights Watch & the ACLU, 2008 and North Carolina Department of Public Instruction, 2015). When examining adverse effects on students with disabilities, Johnson (2019) importantly noted that special education students are more likely punished for their behaviors related to their disabilities. For example, Johnson mentioned a case that occurred in the south in which two sisters with Autism, ADHD, and other disabilities, were the recipients of paddlings that were ineffective according to their grandmother that reared them. In this case, one of the girls was paddled five times during the school year. The fourth and fifth paddlings were so close together that the child had bruises on her that had not healed from her previous paddling.

Kang (2022) conducted a study using longitudinal data from kindergarten classrooms. She found a significant relationship between corporal punishment and increased degrees of externalizing behaviors, lowering self-discipline, and decreasing social skills. Visser et al. (2022) studied if there was a correlation between school corporal punishment and externalizing behaviors, internalizing behaviors, and lower school performance. Compared to Kang's study, Visser et al. (2022) found a significant relationship between externalizing behaviors. This research also determined a significant relationship between internalization and lowered school performance (Visser et al., 2022).

Ferguson (2013) also found that there are small but significant adverse outcomes of the same internalizing and externalizing behaviors and cognitive abilities linked to corporal punishment. Gershoff (2017) substantiated this through her research in which impaired achievement and lower vocabulary are associated with corporal punishment globally. Furthermore, Capili (2022) revealed (as cited by Society for Adolescent Medicine, 2003) that adverse mental health difficulties can be a consequence of corporal punishment, such as high anxiety levels, temper rages, discontent, and externalizing aggression. In addition to all the adverse outcomes found, Gershoff and Font (2016) made an important point that corporal punishment is not teaching children how to behave appropriately. Children cannot learn the appropriate behaviors unless they have been taught the appropriate behaviors.

### ***Positive Alternative Ways to Discipline***

According to the U. S. Department of Education (2014), having a safe and positive climate at school is an effective way to promote appropriate behaviors. It can be conducive to learning academics and social-emotional skills that need to be reinforced in students today. Students need constructive feedback with opportunities to practice the appropriate behaviors, reflect, and set goals to achieve in the areas of behavior (U.S. Department of Education, 2014). To have this nurturing, positive environment, it will need to start with the leaders in the school investing in a school-wide positive behavior support system that includes training for all parties involved (Downs, 2015). The National Association of School Psychologists (NASP, 2021) indicates there are imperative nonviolent alternatives to corporal punishment. NASP takes a strong position on opposing corporal punishment in schools by using positive alternatives through school psychologists and other educators that assist in supporting students, educating school personnel on student behavior, encouraging behavior management in the school and classroom environments, and providing additional training and support to teachers, staff, and families on effective discipline strategies. Also, suppose corporal punishment is allowed in the state of residence. In that case, parents should be educated on exempting their children from corporal punishment in school (NASP, 2021). Johnson (2019) conveyed alternative ways available through positive behavior support systems that benefit students more, especially

with happy relationships between children and adults in authority. It needs to be a whole system approach with the family, the school, and the student to adequately see positive outcomes with behavior modification.

In conclusion, corporal punishment is an undesirable topic that affects many people, schools, organizations, and communities, and this research states in the U.S. many different ways. According to the last ten years of data collected, corporal punishment is declining in U.S. public schools. Because it is still a method of discipline in 19 states, it is doubtful that it will be banned entirely soon (Gershoff & Font, 2016). However, as a result of Mississippi's 2019 abolishment of corporal punishment of students with disabilities, the sister states will hopefully follow suit and ban it as well. Legislators continue to press forward by readmitting bills that congress has previously declined. These advocates give hope to the people who care that someday, corporal punishment will be banned in all schools. Corporal punishment is not an effective discipline procedure that promotes children learning appropriate behavior, children learning their school is safe and conducive to learning, and children having a supportive environment. Corporal punishment has many adverse effects on children in all areas of living, including problems with social behaviors, aggression, and low performance in areas of learning. This can change if schools incorporate alternative and more positive ways to discipline students. There is much literature on positive behavior support systems that are successful. The U.S. Department of Education (2022) also continues to urge states to eliminate this type of discipline and go to more positive, developmentally appropriate ways to constructively teach students proper behaviors. This can only happen with legislators striving to ban corporal punishment and for advocates to continue to supply data on current school trends and issues.

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