

# Corporal Punishment in North Carolina's Public Schools: Almost Gone and Good Riddance

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In 1985, the NC General Assembly formally affirmed the authority of local boards of education to determine whether corporal punishment would be allowed as a measure of student discipline. At the time all 115 local districts used the practice.

To this day, the legislature has declined to prohibit corporal punishment statewide. Thus, NC Child and a coalition of professional and advocacy organizations have worked locally on the issue. Now, just three districts – Robeson, Graham and Macon – use the practice.

This issue brief is intended to promote awareness of the issue of corporal punishment in our state's public schools by providing background, history, and then a focus on the three remaining districts where teachers and administrators continue to hit students.

## What is the definition?

State law defines corporal punishment in the schools as *the deliberate infliction of pain upon the body of a student to modify behavior*. The method of inflicting pain is left to the discretion of school officials, who also retain immunity from prosecution on condition that *the student does not require medical care beyond first aid* as a result of the punishment. This is perhaps the most grisly state statute regarding children.

## Is it effective in the schools?

In the vast array of education research, there is no evidence that the use of corporal punishment is associated with improved academic outcomes. In fact, looking at North Carolina as an empirical learning lab, there have been significant improvements in graduation rates and end-of-year test scores in the past decade, even as the use of corporal punishment has declined dramatically.

Decades of social science theory and research have raised grave concerns regarding the use of corporal punishment in the schools. In 2002, Elizabeth Gershoff conducted a meta-analysis of 88 research studies regarding corporal punishment. Findings suggested that childhood non-abusive corporal punishment is associated with:

- Increased aggressive and delinquent behavior in students;
- Poorer, and often broken, relationships between students and schools;
- Increased psychological and emotional problems in students;
- And even later mental health and aggressive behavior problems when students become adults.

## Are there effective methods of student discipline?

More than a decade ago, the State Board of Education endorsed the introduction of Positive Behavior Intervention and Support as the primary system of student discipline. PBIS is an instructional approach that focuses on systematically teaching social behavior and intervening as early and as positively as possible when problems are noted.

Evaluations have shown that PBIS improves end-of-grade math and reading scores, while reducing disciplinary referrals, suspensions and expulsions. PBIS has been implemented in more than 1,000 schools in over 100 local school districts. Thus, an effective alternative to corporal punishment is available.

Where is corporal punishment still occurring?

As more is understood about the ramifications of corporal punishment in the schools, its use has declined dramatically.

**Globally**, just one developed country allows corporal punishment in the schools. That is the United States.

A large number of underdeveloped counties – from Mongolia to Malawi and Lebanon to Lesotho - have also banned the practice.

**Nationally**, the legal existence of corporal punishment in the schools is based on a precarious 5-4 vote of the US Supreme Court on a case in 1977 (Ingraham vs Wright). The losing petitioners in Florida had claimed that such punishment was in violation of the "cruel and unusual punishment" clause of the Eighth Amendment to the Constitution.

Though legal, educators have become increasingly convinced that corporal punishment is ineffective, resulting in statewide bans in 31 states. The 19 remaining states include all the southern states, giving credence to the notion that cultural factors, including the cruel history of slavery and Jim Crow, contribute to the continued use of corporal punishment in the region. (Interestingly, both Virginia and West Virginia have banned the practice, making North Carolina a "border state" with regard to this issue.)

In **North Carolina**, the use of corporal punishment in the schools has been diminishing as well. In fact, currently just three local school districts – Robeson, Graham and Macon - use the practice, and there were just 146 occurrences during the 2014-2015 school year. Robeson, with 88 occurrences, was by far the statewide leader in hitting students.

The majority of the corporal punishment is administered on elementary school students. (And the great majority of these occurrences are to students in Grades K-3). Macon and Robeson use corporal punishment only on elementary school students; Graham uses it only on high school students. This is an indication of the whimsical nature of this form of discipline. There seems to be no consistent rationale.

Students with disabilities received about 11% of the corporal punishment. Since this is approximately their share of total enrollment, these students are no longer hit disproportionately. This is good news, since North Carolina has had a history of hitting these students disproportionately. (Our understanding is that other states have not shared in this progress.) Since parents can opt their children out of receiving corporal punishment, it is both curious and disappointing that students with disabilities are being hit in our state.

Notes on the Three Remaining Districts

**Macon** used corporal punishment just 11 times during the 2014-2015 school year, all on elementary school students and virtually all white. The local board is currently reviewing all policies, and has agreed to give serious consideration to the issue of corporal punishment.

**Graham** used corporal punishment 47 times. All occurrences were at the one high school in the district. In response to a survey, the district reported that the parents of 25% of the 393 high school students opted out of corporal punishment. This means that 15% of those eligible to be hit were indeed hit during the year (47 of 296).

On further investigation, it was discovered that the procedure (not written in policy) is to give students (with parental approval) who have received in-school suspension the option of receiving corporal punishment in its stead. Those who choose (or are perhaps manipulated into) corporal punishment are then hit by the male principal, no matter the gender of the recipient.

Since this scenario is so unusual, and since it appears that only the principal of Robbinsville High is a proponent of hitting students, the local board has been asked to do a study of this situation. It remains to be seen whether such a study will actually occur.

**Robeson** continues to lead the state in the use of corporal punishment, with 88 occurrences reported. Traditionally, student members of the Lumbee Tribe have received the bulk of the corporal punishment, but the percentage last year rose to a surprising 90% (76 of 88).

On further investigation, 71 of the 88 occurrences were in Prospect Elementary, where the majority of the student enrollment is Lumbee, as is the principal.

It is often suggested that the disproportional use of corporal punishment on Lumbee students is a cultural phenomenon. Many members of the tribe disagree. No matter the rationale, this curious situation deserves local community study and attention to assure the safety of all Robeson students.

## In The Bible?

"Spare the rod; spoil the child." This phrase is often incorrectly attributed to the Bible. It appears not there but in a poem by Samuel Butler in 1664. However, it is reminiscent of several verses in the Old Testament Book of Proverbs, which references the discipline of children five times. (Proverbs includes many repeat messages.) The consensus is that the sayings in Proverbs were pulled together by King Solomon circa 1000 BCE. It is presumed that the discipline passages reflect Solomon's parenting of his son, Rehoboam.

As an adult, Rehoboam was reported to be vicious, unfeeling, inconsiderate of his subjects, had no regard for human rights, and was widely hated. This is perhaps the earliest indication of what recent studies have concluded: that corporal punishment is often associated with later aggressive and anti-social behavior.

It is unclear why many Christians continue to look to a king three thousand years ago for harsh parenting guidance, when the New Testament message of Jesus of Nazareth was of love and forgiveness.

## The Way Forward

The State Board of Education, the State Superintendent, the NC Association of Educators, the NC PTA and virtually all professional organizations and child advocacy groups are formally opposed to the practice of corporal punishment in the public schools. No groups actively support it.

Though the practice is now rare, North Carolina remains on the list of states that allow corporal punishment, a bit of tarnish on our image that is frequently highlighted in news stories across the nation. The NC General Assembly remains reluctant to prohibit the practice statewide (though it does allow a parental opt-out as well as reporting). The current Administration, so focused on image, has not even expressed an opinion on the issue.

Given the lack of state leadership, advocacy will remain focused on the three districts that still use corporal punishment. As noted above, there are very unusual circumstances in at least two of the districts. Hopefully, it won't be long before all of North Carolina's public school students can go to school without fear of being hit by school personnel.

## Corporal Punishment by the Numbers

679	The number of occurrences in public schools in the 08-09 school year
404	The number in the 11-12 school year
146	The number in the 14-15 school year
0	The number in charter schools that year
79	The percent of occurrences to males in the 14-15 school year
11	The percent of occurrences to students with disabilities that year
100	The percent of occurrences in Macon and Robeson in grades K-8
100	The percent of occurrences in Graham in grades 9-12
90	The percent of occurrences in Robeson on Lumbee students