



Corporal Punishment in the Public Schools: A Practice on the Decline

New Legislation Allows for Parental Input

Legislation passed during the 2011 session of the North Carolina General Assembly requires school districts that have not yet banned corporal punishment to send a form to all parents at the beginning of the school year allowing them to opt their children out of corporal punishment. The new law expands legislation passed in 2010 that allowed parents of children with disabilities to opt out of corporal punishment.

The new legislation became effective at the beginning of the 2011-12 school year, and school districts still allowing corporal punishment should have sent the required form to all parents.

Update: More Districts Banning Corporal Punishment

In the wake of the new legislation, a wave of local school districts have eliminated corporal punishment as an accepted form of discipline.

In June 2011, before the passage of Senate Bill 498 (now NC Session Law 2011-270),¹ 70 local school districts had banned corporal punishment, 45 districts still allowed corporal punishment and, of the 45, about half (21 districts) reported hitting children during the 2009-10 or 2010-11 school years.²

As of September 2011, just three months later:

- At least 18 additional districts have banned corporal punishment as a form of discipline in school. Six of those districts were districts that reported hitting students during the 2009-10 or 2010-11 school years.
- At least three more districts are expecting to ban the practice during school board meetings planned for the fall/winter of 2011.

Take Home Points

- More and more school districts are banning the practice of corporal punishment in North Carolina – at least 18 additional districts have banned the practice in just three months.
- Twenty-one school districts reported using corporal punishment during the 2009-10 or 2010-11 school years.³ Six of those districts have since banned the practice.
- **Of the 27 school districts that had not yet banned corporal punishment as of September 2011, only 16 report having sent out the required parent opt-out form at the beginning of the school year.⁴**

History⁵

Nationally, there has been a steady decline in the use of corporal punishment in the schools since the early 1980s. Corporal punishment in the schools has been banned in all developed countries (and most developing countries) except the U.S. Thirty states now ban the practice. In North Carolina, just 27 of the 115 local school districts still allow corporal punishment, and about half of those districts (12) have not used the practice in recent years. In addition, corporal punishment is banned in the U.S. military, in prisons and jails, in child care facilities, and for children in foster care. In fact, the schools are the only place in North Carolina where an adult can strike an unrelated child and not be sued for assault and battery (as long as injury does not occur).

This shift has occurred largely for two reasons:

- A growing body of research has confirmed that hitting students is not an effective form of discipline: long-term behavior is not modified and – most importantly – there is no correlation with improved educational performance. Rather, the research indicates that hitting students negatively affects their social, psychological, and educational development, while promoting pro-violent attitudes in youth and potentially contributing to the cycle of child abuse.⁶
- Neither the State Superintendent of Public Instruction nor the State Board of Education endorses corporal punishment. Both have endorsed Positive Behavior Intervention and Support (PBIS), a system of school discipline which involves both students and parents in setting goals for positive behavior. This system is currently used in over 800 schools across the state, and evaluations indicate that this system results in improvement in academic performance while reducing behavioral problems in the schools. The Joint Legislative Education Oversight Committee has recommended that PBIS be implemented statewide as soon as is practicable.⁷

Use of Corporal Punishment Waning in North Carolina

The use of corporal punishment is waning in North Carolina, even among the school districts that continue to hit students, according to incidence surveys of local school districts conducted by Action for Children in 2008-09 and 2009-10.

Preliminary 2010-11 data collected by the North Carolina Department of Public Instruction show that districts reported hitting students 891 times last school year.⁸

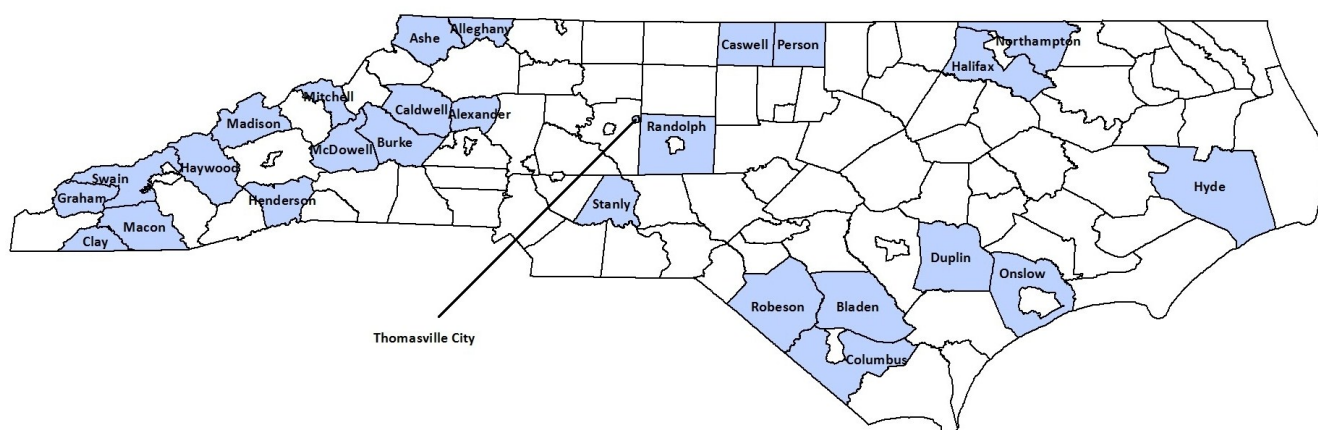
Which School Districts Still Allow Corporal Punishment?

New data collection requirements passed in 2009-10 mean that school districts now, for the first time, must submit detailed data to the North Carolina Department of Public Instruction (DPI) on the incidences of corporal punishment. These data may be released in February 2012 as part of DPI's *2010-11 Consolidated Data Report*.⁹

Since these data are not yet accessible, we cannot report on the number of incidences of corporal punishment by school district in 2010-11.

The map below shows the school districts that have not yet passed a district ban on the use of corporal punishment. It should be noted that about half of these school districts (12) have not used the practice in recent years.

North Carolina School Districts that have not Banned Corporal Punishment (as of September 2011)



Source: Action for Children 2011 internet and telephone survey of local school districts' policies.

District-level data on corporal punishment policies and practices, including whether corporal punishment was used in the district during the past two school years, and whether the required opt-out forms were sent to parents at the beginning of the 2011-12 school year, are available at the end of this report (see Appendix). Due to the new law, many local school boards are currently in the process of reconsidering their policies.

Pressing Questions about the Use of Corporal Punishment in North Carolina

The new corporal punishment reporting law requires that school districts report to DPI annually:

- Number of students who received corporal punishment,
- Number of students with disabilities who received corporal punishment,
- Grade level,
- Race and ethnicity, and
- Reason for the administration of the corporal punishment for each student.¹⁰

These data, which have been reported for the 2010-11 school year, can provide answers to key questions about the use of corporal punishment in North Carolina, including:

- To how many students was corporal punishment administered and in which school districts?
- Nationwide, students with disabilities receive corporal punishment at disproportionately higher rates than their peers without disabilities, often because of behaviors stemming from their disabilities. Do the North Carolina data reflect that trend?
- Are there disparities in the application of corporal punishment, such as grade level or race/ethnicity?
- Why were students hit?
- Characteristics of schools with the highest use of corporal punishment. National research suggests schools that use corporal punishment often have poorer academic achievement, more vandalism, truancy, pupil violence and higher dropout rates.¹¹ Is that observable in N.C. data?

We hope some of these questions will be answered in the *2010-11 N.C. DPI Consolidated Data Report*, due to be released in February 2012. Action for Children has also requested access to the data to conduct a deeper analysis if such is not undertaken by DPI.

Endnotes:

¹ New law available online at: <http://www.ncleg.net/EnactedLegislation/SessionLaws/HTML/2011-2012/SL2011-270.html>.

² Per Action for Children survey and analysis of districts' practices. Some districts did not respond to repeated requests for information, including: Alleghany County, Duplin County, Robeson County and Thomasville City Schools. For these districts, we use data from the last time the districts were surveyed about their corporal punishment policies in 2009-10.

³ Action for Children chose to report two data years because some districts reported hitting students in 2009-10 but not in 2010-11 or vice versa. Corporal punishment is still not banned in some of those districts.

⁴ Per Action for Children survey and analysis of districts' policies and practices. Some of the districts that did not send out the required form are currently reconsidering their corporal punishment policies. See Appendix for full details.

⁵ All national data from the Center for Effective Discipline. Available online at: <http://www.stophitting.com/index.php?page=statesbanning>.

⁶ Gershoff, E. (2002). "Corporal Punishment and Associated Child Behaviors and Experiences." *Psychological Bulletin*, Vol. 128, Number 4, pgs. 539-579. Available online at: <http://www.repeal43.org/docs/Gershoff%20meta-analytic%20review%3A02.pdf> and Hyman, L.A. & Perone, D.C. (1998). "The Other Side of School Violence: Educator Policies and Practices that May Contribute to Student Misbehavior," *Journal of School Psychology*, Vol. 36, pgs. 7-27.

⁷ 2009 Joint Legislative Education Oversight Committee Report to the General Assembly, available online at: <http://www.ncleg.net/documentsites/committees/JLEOC/Report%20to%20the%20General%20Assembly%20Session%202009%20Ed%20Oversight%20Report.pdf>. More information on PBIS is available on the Department of Public Instruction website at: <http://www.dpi.state.nc.us/positivebehavior/>.

⁸ Special data request, N.C. Department of Public Instruction, August 2011.

⁹ The 2010-11 Consolidated Data Report will be available on the Department of Public Instruction website at: <http://www.ncpublicschools.org/research/discipline/reports/>.

¹⁰ NC Session Law 2010-159 on the corporal punishment reporting requirement is available online at: <http://www.ncleg.net/Sessions/2009/Bills/House/PDF/H1682v5.pdf>.

¹¹ Center for Effective Discipline. Available online at: <http://www.stophitting.com/index.php?page=afamlead>.

Appendix: Corporal Punishment Policies and Practices by Local School District

		For those school districts that have not yet banned corporal punishment as a form of discipline:				
District Name	CP Banned as of September 2011	School board considering CP ban	CP not yet banned	CP used during 2009-10 or 2010-11 school years	Distributed required opt-out form to parents	Have not yet reported distributing required opt-out form to parents
Alamance-Burlington						
Alexander County						
Alleghany County						
Anson County						
Ashe County						
Asheboro City						
Asheville City						
Avery County						
Beaufort County						
Bertie County						
Bladen County						
Brunswick County						
Buncombe County						
Burke County		Fall/Winter 2011				
Cabarrus County						
Caldwell County		October 2011				
Camden County						
Carteret County						
Caswell County						
Catawba County						
Chapel Hill-Carrboro						
Chatham County						
Cherokee County						
Clay County		October 2011				
Cleveland County						
Clinton City						
Columbus County (1)		2012				
Craven County						
Cumberland County						
Currituck County						
Dare County						
Davidson County						
Davie County						
Duplin County						

For those school districts that have not yet banned corporal punishment as a form of discipline:

District Name	CP Banned as of September 2011	School board considering CP ban	CP not yet banned	CP used during 2009-10 or 2010-11 school years	Distributed required opt-out form to parents	Have not yet reported distributing required opt-out form to parents
Durham County						
Edenton/Chowan						
Edgecombe County						
Elkin City						
Forsyth County						
Franklin County						
Gaston County						
Gates County						
Graham County						
Granville County						
Greene County						
Guilford County						
Halifax County (2)						
Harnett County						
Haywood County (3)						
Henderson County (4)						
Hertford County						
Hickory City						
Hoke County						
Hyde County (5)						
Iredell-Statesville						
Jackson County						
Johnston County						
Jones County						
Kannapolis City						
Lee County						
Lenoir County						
Lexington City						
Lincoln County						
Macon County						
Madison County						
Martin County						
McDowell County						
Mecklenburg County						
Mitchell County						

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Montgomery County						
Moore County						
Mooresville City						
Mount Airy City						
Nash-Rocky Mount						
New Hanover County						
Newton-Conover						
Northampton County						
Onslow County						
Orange County						
Pamlico County						
Pasquotank County						
Pender County						
Perquimans County						
Person County						
Pitt County						
Polk County						
Randolph County						
Richmond County						
Roanoke Rapids City						
Robeson County						
Rockingham County						
Rowan-Salisbury						
Rutherford County						
Sampson County						
Scotland County						
Stanly County						
Stokes County						
Surry County						
Swain County						
Thomasville City						
Transylvania County						
Tyrrell County						
Union County						
Vance County						

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Wake County						
Warren County						
Washington County						
Watauga County						
Wayne County						
Weldon City						
Whiteville City						
Wilkes County						
Wilson County						
Yadkin County						
Yancey County						

(1) Columbus County: School Board gathering data on corporal punishment in 2011. May consider ban in 2012.

(2) Halifax County: Corporal punishment not used in recent years, per direction from the superintendent. School board may consider banning the practice during October Board meeting.

(3) Haywood County: Student code of conduct policy currently under review by School Board Policy Committee. Schools are not planning to use corporal punishment in 2011-12, so opt-out forms were not distributed to parents.

(4) Henderson County: Corporal punishment no longer used; currently deciding whether to ban or distribute opt-out form to parents.

(5) Hyde County: Corporal punishment not used in recent years; school board attorney working on letter and form to parents.



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