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APSAC ALERT

Vol. 14, No. 2

The State of Corporal Punishment in U.S. Public Schools and Trauma-Informed Education Policy

Esaa Mohammad S. Samarah, MSW;
Lisa Schelbe, PhD; Bart Klika, PhD

Special Points of Interest:

- Thirty-two states ban corporal punishment (CP) in public schools.
- All 18 states without laws banning corporal punishment also mandate at least one component of trauma-informed education. The continued allowance of corporal punishment is contradictory to existing trauma-informed education policy.
- In 2017–2018 there were 69,492 reports of corporal punishment being used on children attending K–12th grade public schools.
- In 2017–2018 there were 851 reports of corporal punishment being used on children in PreK where on average children are between 3 and 5 years old.
- Corporal punishment is used disproportionately on boys, African American or Black children, American Indian or Alaskan Native children, and children with disabilities.



Recently, there have been renewed concerns about the use of corporal punishment to discipline children in U.S. public schools. In March 2023, U.S. Secretary of Education Miguel Cardona wrote an open letter to governors, chief state school officers, and school district leaders citing extensive research that corporal punishment is damaging to child development and urging them to end corporal punishment in schools. Following this call to action, the Protecting our Students in Schools Act of 2023 was introduced by U.S. Representative Bonamici of Oregon that would effectively prohibit corporal punishment in all U.S. public schools. At the time of writing, the bill had been referred to the House Committee on Education and the Workforce and had not yet been considered for a vote.

In the absence of federal guidance, state legislatures have been tasked with outlawing or allowing corporal punishment in public schools. In this *Alert* we provide an overview of states that ban corporal punishment, identify states that allow corporal punishment while also mandating trauma-informed education components, and provide a disproportionality assessment on the use of corporal punishment in U.S. public schools. For more in-depth information and details about the methodology, see Samarah et al. (2023).

Corporal Punishment

Corporal punishment is defined as the use of physical force on a child with the intention of causing pain for the purpose of correcting a child's behavior. Corporal punishment is damaging and dangerous. There are no scientific standards guiding the implementation of corporal punishment nor is there any scientific evidence documenting positive developmental outcomes of the practice. A near consensus opinion among child development experts, including the American Professional Society on the Abuse of Children (APSAC), suggests that corporal punishment negatively impacts child development (American Academy of Child and Adolescent Psychiatry & Child Maltreatment and Violence Committee, 2012; APSAC, 2016; Gershoff, 2002; Sege, 2018). Evidence suggests that negative outcomes of corporal punishment are so severe that they are similar in magnitude to negative outcomes associated with physical abuse more broadly (Gershoff & Grogan-Kaylor, 2016). APSAC's (2016) position statement on corporal punishment of children explicitly "calls for the elimination of all forms of corporal punishment and physical discipline of children in all environments including schools and at home" (p. 1).

A Review of State Law

In schools, corporal punishment most often involves teachers, administrators, or other school personnel hitting children with a paddle as a form of punishment. The use of corporal punishment in U.S. public schools remains legal in at least 18 states. Fifteen states, namely Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Oklahoma, Tennessee, and Texas, explicitly permit the use

of corporal punishment within public schools. An additional three states, namely Connecticut, Indiana, and Kansas, do not have any laws banning corporal punishment in public schools.

It is worth noting that disagreements exist on the interpretation of state laws governing corporal punishment. For example, contrary to our findings, the U.S. Department of Education (2023) identified New Hampshire, South Dakota, and Maine as states without laws banning corporal punishment, and Gershoff and Font (2016) concluded that Connecticut does outlaw corporal punishment in public schools. Varying estimates of the number of states that still permit corporal punishment in public schools demonstrates the uncertainty surrounding current legislation on this matter.

Trauma-Informed Education Policy

Trauma-informed education models seek to create school environments that are safe and positive for all students by providing support to students who have experienced trauma specifically (Kataoka et al., 2018). Positive behavioral interventions and supports, social-emotional learning, multi-tiered systems of support, restorative in-school suspensions, de-escalation training for teachers and administrators, mindfulness, and family engagement tools are examples of components found in trauma-informed education models (Eggleston et al., 2021). Although these strategies themselves may not be considered trauma-informed approaches, each component contributes to the establishment of safe school environments following key principles of trauma-informed education (Kataoka et al., 2018). Investments in trauma-informed education have increased following significant evidence documenting the negative impact of trauma on child development and learning (Thomas et al., 2019).

Boards of Education within states that do not have a legal ban on corporal punishment in public schools have passed policies mandating various components of trauma-informed education. Four components of trauma-informed education were included in our review: (1) trauma-informed school training, (2) positive school environment models, (3) multi-tiered positive behavioral systems, and (4) alternatives to exclusionary discipline. All 18 states without laws

banning CP in public schools have also mandated at least one of these four trauma-informed education strategies. School personnel hitting children is at odds with the disciplinary models described in trauma-informed school resources. States without legal bans on corporal punishment that also

mandate components of trauma-informed education have a contradiction in state policy that requires resolution. Trauma-informed educational policies cannot be meaningfully implemented until corporal punishment is outlawed in all states without current bans.

Corporal Punishment in U.S. Public Schools



Disproportionate Use of Corporal Punishment

Failure to outlaw the use of corporal punishment as a disciplinary method in public schools has caused significant harm to students, particularly those with marginalized identities (Finkelhor et al., 2019). Our review both replicates and expands upon previous research that has documented the unequal utilization of corporal punishment in public schools across the United States (Gershoff & Font, 2016; MacSuga-Gage et al., 2021). Consistent with findings from earlier studies, results of our analysis indicate corporal punishment is disproportionately used based on a child’s gender, race, and ability. Boys, Black or African American children, and American Indian or Alaska Native children were nearly 4 times more likely than girls and White students, respectively, to receive corporal punishment while attending K-12th grade public school. Children with learning disabilities as defined by having an active I.D.E.A or Section 504 plan were 1.24 times more likely than their peers without such accommodations to receive corporal punishment while attending public schools.

Conclusion

Creating a safe school environment is crucial for providing equal educational opportunities, yet the allowance of corporal punishment in some U.S. states perpetuates trauma among vulnerable children and contradicts movements toward trauma-informed education. It is imperative to establish laws banning corporal punishment in all identified states to pave the way for the effective implementation of trauma-informed educational policies.

For more information about the study and an expanded analysis, see this recently published report: Samarah et al., 2023.

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