



April 29, 2022

Representative A. Donald McEachin
United States House of Representatives
314 Cannon House Office Building
Washington, DC 20515

Senator Chris Murphy
United States Senate
136 Hart Senate Office Building
Washington, DC 20510

RE: 241 Organizations and Individuals Support the Protecting Our Students in Schools Act (POSSA H.R. 3836/S. 2029) and Urge Co-Sponsorship of this bill to eliminate corporal punishment.

Dear Members of Congress,

The Federal School Discipline and Climate Coalition (FedSDC) and the 241 undersigned organizations and individuals below include local, state, and national advocacy groups advocating an end to corporal punishment in schools. We represent the students, families, educators, and communities that believe there is no place for violence in our schools, especially violence sanctioned by state law. **We urge you to co-sponsor the Protecting our Students in Schools Act (H.R. 3836/S. 2029) to show that you firmly reject corporal punishment in public schools and affirm the rights of all students to attend public schools that are safe, culturally-sustaining, and welcoming.**

Corporal punishment is still legal in 19 states, making federal intervention urgent and necessary. According to the 2017-18 Civil Rights Data Collection, more than 70,000 students across 23 states were hit in their schools that year.¹ The brutal and traumatizing discipline practice involves paddling, hitting, spanking, slapping, or using other methods of physical violence to punish children in schools. Most instances of corporal punishment are concentrated in the U.S. South—children who happen to be born in Mississippi, Texas, Alabama, or Arkansas are more likely to be subject to physical assault in their schools.

A significant and growing body of research shows that corporal punishment is extremely harmful for students and for school climates. Young people who are hit in their schools can experience serious physical trauma, including bruising, cuts, and broken bones.² They can also experience

¹Alabama, Arkansas, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming currently have laws that allow for the use of corporal punishment in public schools. Although they do not have corporal punishment laws, schools in Washington D.C., Nevada, Washington, and New York also reported using corporal punishment in 2017-18.¹⁴

² Gershoff, E. T., Purtell, K. M., & Holas, I. (2015). Corporal punishment in U.S. public schools: Legal precedents, current practices, and future policy. *Advances in Child and Family Policy and Practice* (pp. 1-105). doi: 10.1007/978-3-319-14818-2

emotional and psychological trauma and feel disconnected from their school communities.³ Students who are hit *and* the students who observe their peers being hit are more likely to struggle academically.⁴ And, as long as corporal punishment is legal in public schools, we are sending the message to all students that physical violence is an appropriate form of conflict resolution, rather than relationship building and understanding the root of personal and interpersonal issues.

This research supports the decades-long advocacy and painful lived experiences of the many students and families—particularly in communities of color—who have been advocating an end to school-based corporal punishment in their states and at the federal level.

Corporal punishment is one way that students are funneled into the school-to-prison pipeline.⁵ As with other forms of punitive discipline and policing, Black students and other students of color are disproportionately hit in their classrooms, though they are not more likely to break school rules. In 2017-18, Black students made up 15% of the public-school population but were the victims of 37.3% of corporal punishment instances.⁶ These clear racial disparities reveal corporal punishment as one of the many tools that perpetuates racial discrimination and violence in schools. The historical roots of the practice reveal the connection corporal punishment has to other forms of violence in communities of color. One study of school-based corporal punishment revealed that corporal punishment is used most frequently against students—particularly Black students—in the same counties where the highest numbers of lynching’s of Black people took place in the late 19th and early 20th centuries.⁷ Additionally, the use of corporal punishment against Latinx students for speaking Spanish in schools highlights a history of state-sanctioned cultural- and linguistic-suppression to control communities of color.⁸ In addition to the clear harms corporal punishment causes to students and school climates today, the violent, racist history of the practice demands its immediate prohibition.

³ See Greydanus, D.E., Pratt, H.D., Spates, C.R., Blake-Dreher, A.E., Greydanus-Gearhart, M.A., & Patel, D.R. (2003). Corporal Punishment in Schools. *Journal of Adolescent Health*, 32, 385-393.

⁴ See Dupper, D.R., & Dingus, A.E.M. (2008). Corporal Punishment in U.S. Public Schools: A Continuing Challenge for School Social Workers. *National Association of Social Workers*, 243-250; Hyman, I. (1996). Using Research to Change Public Policy: Reflections on 20 Years of Effort to Eliminate Corporal Punishments in Schools. *Pediatrics*, 98(4), 818-821.

⁵ The school-to-prison pipeline describes the ecosystem of policies and practices that push students out of school through the use of exclusionary discipline and policing, increasing the likelihood of a number of negative consequences, including grade retention, school dropout, and contact with the criminal legal system. In the case of corporal punishment, some students are also pushed out of school in more direct and immediate ways—some make the difficult choice to not return to their classrooms in order to avoid being hit.

⁶ U.S. Department of Education, Office for Civil Rights. (2020). Civil Rights Data Collection, 2017-2018.

<https://ocrdata.ed.gov/estimations/2017-2018>

⁷ Ward, G., Petersen, N., Kupchik, A., & Pratt, J. (2021). Historic Lynching and Corporal Punishment in Contemporary Southern Schools. *Social Problems*. <https://ccsproject.org/2021/05/20/article-historic-lynching-and-corporal-punishment-in-contemporary-southern-schools-social-problems-by-ward-petersen-kupchik-and-pratt/>

⁸ See Ayala, E. Bilingual educators recall when students were shamed, paddled for speaking Spanish. (2019). San Antonio Express News. https://www.expressnews.com/news/news_columnists/elaine_ayala/article/Bilingual-educators-recall-when-students-were-13626010.php

Students with disabilities are also disproportionately hit in their schools. In 2017-18, they accounted for 21% of students hit in schools, though they made up 17% of the student population.⁹ Paddling and hitting students with disabilities, many of whom are particularly vulnerable to various types of abuse in their schools, is clearly inconsistent with best practices for supporting students and violates federal protections like IDEA, with which schools are required to comply. Additionally, many students with intersecting identities—like students of color with disabilities—are positioned to experience the harms of corporal punishment at even higher rates than their peers.¹⁰

The toll of corporal punishment on school climates can be devastating. Millions of young people in this country live in states where their public school district is authorized to adopt “discipline” practices that model violence to punish and address conflict. They see adults in their lives spank, paddle, and slap their peers, often for small infractions.¹¹ The use of corporal punishment creates school conditions that may exacerbate trauma already felt by students and compromises the efficacy of the mental health supports and school climate investments, including those being made in response to the COVID-19 pandemic.

This state-sanctioned violence in our public-school classrooms demands immediate federal intervention. The use of corporal punishment in schools’ harms children and is contrary to the most basic civil rights protections and principles. Hitting children in schools makes the entire school climate unstable, generating fear in students who are forced to be bystanders to the violence, and robbing teachers of tools to safely resolve conflict and address issues.

Nearly two dozen states are failing to protect children from harm, and it is the responsibility of the federal government to come to these students’ aid. The Protecting our Students in Schools Act will:

- Prohibit corporal punishment in schools that receive federal funding;
- Create a private right of action to protect students in schools that continue to use corporal punishment;
- Require more robust data collection to track discipline practices in schools; and
- Create a grant program to support local education agencies to invest in research-based practices that improve school climate and end the reliance on punitive and exclusionary school discipline practices.

The Protecting our Students in Schools Act will end harmful discipline practices in schools and make much-needed investments in the strategies that work to support students, equip teachers, and

⁹ U.S. Department of Education, Office for Civil Rights. (2020). Civil Rights Data Collection, 2017-2018. <https://ocrdata.ed.gov/estimations/2017-2018>.

¹⁰ In Texas, for example, Black children with disabilities are punished at higher rates than Black children without disabilities children of other races with disabilities.

¹¹ See The Center for Civil Rights and Remedies & Southern Poverty Law Center. (2019). *The Striking Outlier: The Persistent, Painful and Problematic Practice of Corporal Punishment in Schools*. https://www.splcenter.org/sites/default/files/com_corporal_punishment_final_web_0.pdf

promote stronger school communities. Members of our advocacy community plan to follow up with you as we urge you and your colleagues to co-sponsor the Protecting our Students in Schools Act. We would be happy to provide you with additional data, research, and information about the harms of corporal punishment and the benefits of investing in research-based alternatives and strategies that protect all students.

We appreciate your consideration. For more information or should you be interested in speaking more, please contact Morgan Craven, Intercultural Development Research Association at morgan.craven@IDRA.ORG or Christopher Scott, Open Society Policy Center at christopher.scott@opensocietyfoundations.org.

ABOUT FEDSDC

FedSDC is a diverse group of local community organizers, national organizations, and directly impacted students, youth, families, and community members committed to advocating for legislative and federal action to protect the interests and educational rights of Black and Brown students and youth through a racial and educational equity lens. Establishing police-free schools while implementing effective, non-punitive, and culturally-sustaining practices in schools and alternatives to school discipline, is a core value for our coalition.

Sincerely,

ORGANIZATIONS

Center for Disability Rights

IDRA

Nollie Jenkins Family Center, Inc.

Open Society Policy Center

The Daniel Initiative

A Little Piece of Light

action communication and education reform

Advancement Project National Office

Advocating 4 Kids, Inc

Alliance for Educational Justice

American Civil Liberties Union (ACLU)

American School Counselor Association

Autistic Self Advocacy Network

Bazon Center for Mental Health Law

Benedictine University Faculty

Benedictine University Faculty Senate

Blacks in Law Enforcement of America
Brighton Park Neighborhood Council
Center for Law and Education
Center for Law and Social Policy (CLASP)
Center for Learner Equity
Center for Popular Democracy
Children's Defense Fund
Church of Scientology National Affairs Office
Clearinghouse on Women's Issues
Coalition for Juvenile Justice
Coalition of Texans with Disabilities (CTD)
Coleman Advocates for Children & Youth
Committee for Children
Communities for Just Schools Fund
Communities United for Restorative Youth Justice
Community Organizing and Family Issues (COFI)
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Council of Parent Attorneys and Advocates
Dallas CORE
Dignity in Schools Campaign
Disability Rights Education & Defense Fund
Disability Rights Nebraska
Education Justice Alliance
Education Law Center
Elite Educational Consulting
End Mass Incarceration Georgia Network
Equal Rights Advocates
Equality California
Faith in New Jersey
Families and Friends of Louisiana's Incarcerated Children
Family Connection of SC
Fannie Lou Hamer Center for Change
Feminist Majority Foundation
First Focus Campaign for Children
Florida Student Power Network
Girls Inc.
GLSEN
Hispanic Federation
Human Rights Campaign

Interfaith Action for Human Rights
Justice for Families
Juvenile Law Center
Kentucky Protection and Advocacy
Lawyers for Good Government (L4GG)
Legal Aid Justice Center
Make the Road Nevada
MEASURE
Mississippi Coalition to End Corporal Punishment
Missouri Parents Act (MPACT)
MomsRising
NAMI Huntington
Narrative Arts
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Counsel for Children
National Association of Social Workers - Texas Chapter
National Black Child Development Institute
National Black Justice Coalition
National Center for Learning Disabilities
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Center for Youth
National Council of Churches
National Educators United
National Juvenile Justice Network
National Parents Union
National PTA
National Women's Law Center
New Hour Li
One Pa
One Voice
Our Revolution Ohio
Parents Across America
Parents Organized for Public Education
Paterson Education Fund
PEAK Parent Center
POWER-PAC IL
Project KnuckleHead
Public Advocacy for Kids (PAK)

RACCE
Racial Justice NOW
Rebuilding Independence My Style
Represent Justice
Show and Tell
Silver State Equality
SPAN Parent Advocacy Network
SPLC Action Fund
Stand for Children
Stand for Children
State Wide Education Organization Committee
State Wide Education Organized Committee
Student Advocacy Center of Michigan
Students for Educational Justice
Sunflower County Parents and Students United
Texas Appleseed
The Advocacy Institute
The Choice Program at UMBC
The Gault Center
The Institute for Compassion in Justice
The Parents' Place of MD
United Women in Faith
Virginia Caucus of Rank & File Educators

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Cc:

U.S. House of Representatives Education and Labor Committee
Senate Health Education, Labor and Pensions Committee (HELP)
U.S. House of Representatives
U.S. Senate

House Leadership
Senate Leadership
U.S. Department of Education
White House Domestic Policy Council