



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.<sup>1</sup> 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.<sup>2</sup> They can also experience

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<sup>1</sup>Alabama, 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.<sup>14</sup>

<sup>2</sup> 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.<sup>3</sup> Students who are hit *and* the students who observe their peers being hit are more likely to struggle academically.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> 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.

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<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

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

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

<sup>7</sup> 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/>

<sup>8</sup> 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](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.<sup>9</sup> 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.<sup>10</sup>

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.<sup>11</sup> 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

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

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

<sup>11</sup> 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](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](mailto:morgan.craven@IDRA.ORG) or Christopher Scott, Open Society Policy Center at [christopher.scott@opensocietyfoundations.org](mailto: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

### **INDIVIDUALS**

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Bill O'Brien  
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Candice Lowery  
Carol Fly  
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Charlotta Ball  
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K ZEIGENBEIN  
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Matthew Boguske  
Meghan Jones  
Merrill Cole  
Mia Taylor  
Michael Kast  
Michael L. Sileno  
Michael Lawler  
Michele  
Michele Tyler  
Mika Fernandez  
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Onyinye Alheri, LMSW  
Pam Harbin, Pittsburgh Public School Board Director  
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Sharon Baker  
Sherry D. Wright  
Sindy Carballo Garcia  
Sister Joan Agro  
Stacie Charlebois  
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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