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Official Business

Alaska State Legislature

Senate

P.O. BOX V
State Capitol
Juneau, Alaska 99811

April 22, 1987

Kathie Lodholz, Co-Chair
Children's Services Committee
1095 Lowell Drive, # 7
Oconomowoc, Wisconsin 53066

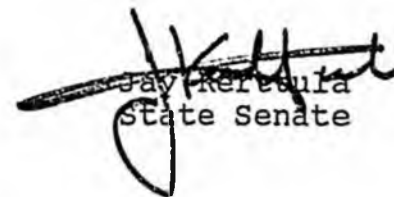
Dear Ms. Lodholz,

Thank you very much for taking the time to write to me in support of SB-69. I appreciate your sending the National Association of School Psychologists' position statement.

~~The~~ bill is in the Health, Education and Social Services Committee and hasn't had a public hearing yet. I am taking the liberty of sharing this information with the Chair of that committee.

Thank you for writing and sending this information.

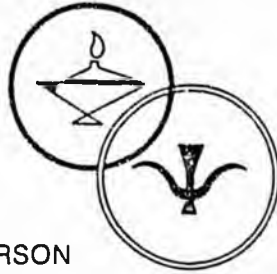
Sincerely,


Jay Kertula
State Senate

JK/jck

✓cc: Hess Committee

NATIONAL
ASSOCIATION OF
SCHOOL
PSYCHOLOGISTS



1095 Lowell Drive, #7
Oconomowoc, Wisconsin 53066

OFFICE OF COMMITTEE CHAIRPERSON

April 15 1987

APR 21 1987

Joyce Kerttula, Assistant
Senator Jay Kerttula
P. O. Box V, State Capitol
Juneau, AK 99811

File

Dear Ms. Kerttula:

I am writing to urge your support for SB 69 relating to the use of corporal punishment in the schools. The National Association of School Psychologists' position on corporal punishment states that corporal punishment negatively affects the social, educational, and psychological development of students, and that a variety of positive and effective alternatives are available to maintain school discipline.

I have enclosed a copy of this position statement for your review. Also enclosed is a copy of the supporting paper for this position. This supporting paper addresses the issue of corporal punishment as documented within professional literature and research and avoids the emotional arguments that often serve to confuse the issue. I am confident that if you can find the time to review this supporting paper you will find it informative and hopefully convincing.

If you have any concerns related to NASP's position on corporal punishment, feel free to contact me. I hope you will support SB 69.

Sincerely,

Kathie A. Lodholz, Co-Chair
Children's Services Committee

KAL/slb
Enclosures
cc: Jordan Riak
Susan Barnes

EXECUTIVE MANAGERS

Convention
Sharon Petty
7047 Pebble Creek
West Bloomfield, Michigan 48033

Governmental Relations
James Eikeland
P.O. Box 20087
Tallahassee, Florida 32316

Membership & Fiscal
Michael Chrin
2953 Silver Lake Blvd.
Cuyahoga Falls, Ohio 44224

Committee Services
Mary St. Cyr
10 Overland Drive
Stratford, Connecticut 06497

NATIONAL
ASSOCIATION OF
SCHOOL
PSYCHOLOGISTS



Position on Corporal Punishment

As the purpose of the National Association of School Psychologists is to serve the mental health and educational needs of all children and youth; and

The use of corporal punishment as a disciplinary procedure in the schools negatively affects the social, educational, and psychological development of students; and

The use of corporal punishment by educators reinforces the misconception that hitting is an appropriate and effective technique to discipline children; and

Corporal punishment as a disciplinary technique can be easily abused and thereby contribute to the cycle of child abuse; and

School psychologists are legally and ethically bound to protect the students they serve; and

Research indicates that punishment is ineffective in teaching new behaviors, that a variety of positive and effective alternatives are available to maintain school discipline, and that children learn more appropriate problem solving behaviors when provided with the necessary models;

Therefore it is resolved that the National Association of School Psychologists joins other organizations in opposing the use of corporal punishment in the schools and in other institutions where children are cared for or educated;

And will work actively with other organizations to influence public opinion and legislative bodies in recognizing the consequences of corporal punishment, in understanding and researching alternatives to corporal punishment, and in prohibiting the continued use of corporal punishment;

And will encourage state affiliate organizations and individual members to adopt positions opposing corporal punishment, to promote understanding of and research on alternatives to corporal punishment including preventive initiatives, and to support abolition of corporal punishment at state and local levels.

NATIONAL
ASSOCIATION OF
SCHOOL
PSYCHOLOGISTS



National Association of School Psychologists
Supporting Paper on
Corporal Punishment Position Statement

Committee Members

Kathie Lodholz, Chair
Irwin Hyman, Ed.D.
Howard Knoff, Ph.D.
Richard Townsend, Ed.D.
Joseph Zins, Ed.D.

April 1986

Definition

Corporal punishment is defined as the intentional infliction of physical pain, physical restraint, and/or discomfort upon a student as a disciplinary technique. Corporal punishment does not include use of reasonable and necessary physical force: (a) to quell a disturbance that threatens physical injury to any person or destruction of property; (b) to obtain possession of a weapon or other dangerous objects within a pupil's control; and (c) for the purpose of self-defense or the defense of others.

Background

Historical: The use of corporal punishment as a disciplinary technique in institutional settings including the family and the school has been widely accepted in the United States. Such support is based on religious belief, "in loco parentis" practice (or schools acting in the place of the parents), and cultural values. However, casual acceptance of the use of corporal punishment has declined as public awareness of its damaging uses and negative impact has increased (Office of Civil Rights, 1982).

Currently, only eight states have eliminated the use of corporal punishment in schools by state legislation or local mandates. These include: Hawaii, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

Of the 42 states that do not prohibit corporal punishment, 13 have no state legislation either prohibiting or authorizing corporal punishment in the schools. These include:

Alabama	Iowa	Mississippi	Utah
Alaska	Kansas	Missouri	Wisconsin
Idaho	Kentucky	Tennessee	Wyoming
Indiana			

The remaining 29 states continue to have legislation that authorizes corporal punishment in the schools. Moreover, two states, Florida and North Carolina, have legislation that disallows individual school boards from prohibiting the practice of corporal punishment.

Internationally, there is a trend toward abolition of corporal punishment in schools. The United States and Great Britain are the only developed, English speaking countries that continue to sanction this practice. A list of countries and the dates when they abolished corporal punishment is included in Appendix A.

Legal: The primary legal justification for the use of corporal punishment is found in Ingraham v. Wright [430 U.S. 651 (1977)]. The case involved the use of corporal punishment in a Florida Junior High School. When the U.S. Supreme Court agreed to hear the case, it accepted the reports of abuse and injury as accurate and did not challenge the Florida corporal punishment statute. The Court said it would decide the case on two points of constitutionality: (a) Are public school students afforded protection under the Eighth Amendment which prohibits cruel and unusual punishment? and (b) Do public school students have the right to a due process hearing before corporal punishment is administered? On April 19, 1977, by a 5 to 4 vote the U.S. Supreme Court answered "No" to both questions.

With respect to the first question, the Supreme Court historically has held that punishment violates the Eighth Amendment if it is either inhuman or disproportionate to the offense. In the Ingraham case, the Court stated that the Eighth Amendment was restricted to protecting those convicted of crimes. Thus, students accused of minor infractions are not guaranteed the same constitutional rights or protections as convicted felons even though the punishment may be inhumane or disproportionate to the offense.

With respect to the second question, the Court decided that the due process clause of the Fourteenth Amendment was not violated. "It reasoned that even without them (procedural protections urged by NEA before the infliction of corporal punishment), students are given due process because, if the punishment is later found to be unjustified, school officials may be held liable for damages or subject to criminal penalties" (National Education Association, 1983, p. 3). Justice White suggested in his minority opinion that this after-the-fact protection was inadequate because (a) it does "nothing to protect the student from...the risk of reasonable, good faith mistake in school disciplinary process," and (b) "the infliction of physical pain is final and irreparable...." In essence, the Ingraham v. Wright decision said that the use or abuse of corporal punishment is not a Federal offense.

Current Use: There are several indicators of the extent to which corporal punishment continues to be used in the schools. Nearly a decade after the U.S. Supreme Court Ingraham v. Wright decision, the American Association of School Administrators conducted a national survey and asked a representative sample of school districts if corporal punishment was used as a disciplinary measure. Of the 667 responses, 360 districts reported that they used corporal punishment for disciplinary reasons (American Association of School Administrators, 1980).

The Office of Civil Rights (OCR), U.S. Department of Education, reported over 1 million paddings for the 1979-80 school year. Projecting for the unreported schools, the OCR 1980 Elementary and Secondary Schools Survey estimates that 77,544 U.S. schools inflicted corporal punishment 1,408,206 times during that school year. Based on these figures and additional relevant information, the National Center for the Study of Corporal Punishment and Alternatives in the Schools estimates that from two to three million incidents of corporal punishment took place in public schools in 1982. This number involved more than 90,000 physically or mentally handicapped children (I. Hyman, personal communication, 10/25/85).

The American Bar Association (ABA) estimated that in 1982, an average of 3.5% of all children nationally received physical punishment (ABA, 1985). Appendix B includes ABA estimates by state of the incidence of corporal punishment.

Use and Effectiveness of Corporal Punishment

There have been numerous scientific investigations regarding the administration of corporal punishment as a disciplinary measure. These studies have found that corporal punishment often is administered in a haphazard fashion rather than being used as a "last resort." The severity of the punishment has been found to be inconsistent with the severity of the infraction. Further, even when specific limitations are set on the use of corporal punishment, they frequently are ignored (Clark, Erdlin, Hyman, 1984).

Corporal punishment also often appears to be administered in a discriminatory manner. The most frequent recipients have been students with emotional or behavioral problems, as well as Black, Hispanic, and lower socioeconomic status white students (Hyman & McDowell, 1977). In addition, corporal punishment most frequently is administered to male students by male staff (Clark et al., 1984).

The use of corporal punishment has not been found to significantly reduce school discipline problems nor to promote a positive learning environment for students or teachers. Moreover, its use is often a symptom of frustration, lack of knowledge about effective alternatives, and a generally punitive atmosphere (Farley, 1983). In fact, the availability of corporal punishment may discourage teachers and others from seeking better means of discipline (Hyman & Wise, 1979).

The use of corporal punishment has been associated with a broad range of undesirable consequences which potentially affect students, teachers, families and the community. Corporal punishment in the educational setting may increase anxiety for both recipients and observers, and thus may decrease all students' learning (Bongiovanni, 1979). Additionally, punishment negatively reinforces any behavior which is successful in avoiding or eliminating the punishment. Thus, if the student learns that social withdrawal, truancy, dropping-out, or aggression will decrease the likelihood of punishment, these behaviors may increase (Bongiovanni, 1979).

Corporal punishment also can increase alienation and anxiety as well as retaliation with more aggressive actions (Hyman & McDowell, 1977). Retaliatory aggressive behaviors can be directed toward the source of the punishment, toward others in the environment, or toward inanimate objects (Bongiovanni, 1979). Thus, as a consequence of employing corporal punishment, school personnel must attend to the safety of other students and school property.

Children learn many behaviors through modelling. Thus, corporal punishment not only models violent solutions to problems, but it fails to demonstrate more positive techniques for the student to learn. It does not promote self-discipline and legitimizes violence and aggression as acceptable methods of problem solving by those adults from whom the student is expected to learn. As a result, corporal punishment promotes a form of behavior that is inconsistent with the values of the school, and it may increase the likelihood of violence and aggression as means to solve problems (Bellak & Antell, 1979).

Alternatives to Corporal Punishment

The intent of this section is not to provide an indepth discussion and explanation of alternative classroom management procedures, but rather to provide examples of important factors which influence school discipline.

The National Association of School Psychologists advocates a positive, preventive approach to classroom management and school discipline. In order to accomplish this goal, both immediate and long term alternatives must be considered (see Appendix C). Schools must first make firm commitments not to resort to corporal punishment as part of their disciplinary procedures. School personnel, parents, and students should be involved in discussing and establishing disciplinary policies. These policies should be based on the school's stated philosophy of education, and need to be consistently applied. Such policies should first attempt to prevent problems. Next, they should specify outcomes for various behaviors: rewards for appropriate behaviors and consequences for offenses. A planned sequence of disciplinary alternatives is necessary in the event that students defy the initial consequence. In addition, individual behavioral programs may be required to meet the needs of some students. The availability of alternatives and adequate support services have been shown to be important factors influencing classroom disciplinary procedures (Hyman, 1979). There is also convincing evidence that principals can develop a climate of fairness and justice which can significantly reduce misbehavior (Hyman & D'Alesandro, 1984).

Individual teachers also need to establish consistent discipline approaches in their classrooms. A variety of materials and approaches to classroom discipline are available. Research conducted for the National Institute of Education and follow-up studies indicate a variety of effective disciplinary procedures; while no one technique has been adequately demonstrated to be superior, most well recognized approaches are effective if used appropriately and consistently (Hyman & Lally, 1982).

Research on effective teaching and classroom management techniques, however, indicates the importance of several factors which will help to prevent the occurrence of disciplinary problems (e.g., Berliner, 1984; Brophy, 1983; Brophy & Good, 1986; Doyle, 1986; Good & Brophy, 1984; Sulzer-Azaroff & Mayer, 1986). Indeed, Doyle's (1986) review of the literature suggests that "classroom management is fundamentally a process of solving the problems of order in classrooms rather than the problems of misbehavior or student (on task) engagement," and that "high engagement and low levels of inappropriate and disruptive behavior are by-products of an effective program of classroom organization and management" (p. 423). However, he also notes the importance of other teaching practices. While these practices have been described in various manners, they generally include:

(a) Structured daily and weekly activities, often with student input. However, some flexibility is permitted so that it is possible to capitalize on special learning opportunities which may arise.

(b) Clearly specifying rules at the beginning of the year and revising them as necessary. Students need to understand classroom rules as well as be involved in establishing them. Rules need to be announced, demonstrated, enforced, and routinized. In general, the fewer the rules the better.

(c) Involving students in their educational experiences rather than placing them in the role of passive receiver of knowledge. Students also need to be involved with one another in an interesting learning environment.

(d) Communication should be fostered among students and between students and school personnel so that mutual respect is developed.

(e) Tasks are assigned to individual students at appropriate curricula and developmental levels so that they are sufficiently challenged but not overwhelmed. A wide range of student skills and needs are met within a warm and accepting environment.

(f) Students are made responsible for their actions and for resolving their problems (with assistance as necessary). There is a demand for self-discipline.

(g) Appropriate consequences are provided to accentuate accomplishments so that a positive learning environment is created and maintained. Good behaviors are noted and reinforced. Natural consequences are used to correct negative behaviors when possible.

Various resources and support personnel are available within most schools and communities to help teachers and administrators address discipline and classroom management issues. Professional assistance may be necessary for severely disruptive or violent students.

Conclusions and Recommendations

There is no medical, social, educational, or psychological evidence that supports the efficacy of maintaining corporal punishment in schools. The practice has not been found to be an effective means of influencing long-term behavioral changes in

most students. At this time, it is particularly important to insure protection for students against the use and abuse of corporal punishment at state and local levels. School psychologists have both an ethical and legal responsibility to act as advocates for the rights and welfare of students (NASP, 1984). As both psychologists and educators, they are in unique positions to influence schools to abolish the practice of corporal punishment and to help them develop more appropriate alternatives. Therefore, NASP will:

1. join other organizations in actively opposing the use of corporal punishment in schools and in other institutions where children are cared for or educated (see Appendix D for listing of organizations opposing corporal punishment);
2. actively work with other organizations to reduce the use of corporal punishment in schools and to encourage the use of alternatives;
3. encourage state affiliate organizations to adopt positions opposing corporal punishment and to work actively to reduce its use in schools, and to promote the implementation of alternatives;
4. promote understanding and research on the effects of corporal punishment and alternatives to its use;
5. support state initiatives to abolish corporal punishment through provision of materials, resources, and technical assistance; and
6. encourage association members to discuss the issue of school discipline within their local school districts and communities, work to reduce the use of corporal punishment in their schools, and assist in implementing alternatives.

References

- American Association of School Administrators. (1980). AASA critical issues report: Student discipline, problems and solutions. Arlington, VA: Author.
- American Bar Association. (1985). Resolution of the house of delegates of the American Bar Association. Washington, DC: Author.
- Bellak, L., & Antell, M. (1979). An intercultural study of aggressive behaviors on children's playgrounds. In I. Hyman & J. Wise (Eds.), Corporal punishment in American education (pp. 143-154). Philadelphia: Temple University Press.
- Berliner, D. C. (1984). The half-full glass: A review of research on teaching. In P. L. Hosford (Ed.), Using what we know about teaching (pp. 51-77). Alexandria, VA: Association for Supervision and Curriculum Development.
- Brophy, J.E. (1983). Classroom organization and management. The Elementary School Journal, 83(4), 265-286.
- Brophy, J.E. & Good, T.L. (1986). Teacher behavior and student achievement. In M.C. Wittrock (Ed.), Handbook of research on teaching (3rd ed.). (pp. 328-375). New York: Macmillan.
- Bongiovani, A.F. (1979). A review of the effects of punishment: Implications for corporal punishment in the schools. In I. Hyman & J. Wise (Eds.), Corporal Punishment in American Education (pp. 351-372). Philadelphia: Temple University Press.
- Clark, J., Erdlen, R.J., Jr., & Hyman, I. (1984, April). Analysis of recent corporal punishment cases reported in national newspapers. Paper presented at the annual meeting of the National Association of School Psychologists, Philadelphia, PA.
- Doyle, W. (1986). Classroom organization and management. In M.C. Wittrock (Ed.), Handbook of research on teaching (3rd ed.). (pp. 392-431). New York: Macmillan.
- Farley, A.C. (1983). National survey of the use and nonuse of corporal punishment as a disciplinary technique within United States public schools. (Doctoral dissertations, Temple University, 1983). Dissertation Abstracts International, 44, 1385.

- Good, T.L., & Brophy, J.E. (1984). Looking in classrooms (3rd ed.). New York: Harper & Row.
- Hyman, I. (1979). Is the hickory stick out of tune? In I. Hyman & J. Wise (Eds.), Corporal Punishment in American Education (pp. 407-412). Philadelphia: Temple University Press.
- Hyman, I., & D'Alesandro, J. (1984). Good old fashioned discipline: The politics of punitiveness. Phi Delta Kappa, 66(1), 39-45.
- Hyman, I., & Lally, D. (1982). A study of staff development programs for improving school discipline. The Urban Review, 14(3), 181-196.
- Hyman, I., & McDowell, E. (1977, March). The social costs of the maltreatment of children in the schools: Mental health considerations. Paper presented at the conference on the conference on the Social Costs of Maltreatment of Children sponsored by the Protective Service Resource Institute, Rutgers Medical School, New Brunswick, NJ.
- Hyman, I., & Wise, J. (1979). (Eds.). Corporal punishment in American education. Philadelphia: Temple University Press.
- Ingraham v. Wright, 430 U.S. 651 (1977).
- National Association of School Psychologists. (1984). Standards for the provision of school psychological services. Washington, DC: Author.
- National Education Association. (1972). Report of the task force on corporal punishment. Washington, DC: Author.
- National Education Association. (1983). Ingraham v. Wright (The school corporal punishment case). Washington, DC: Author.
- Office for Civil Rights, U.S. Department of Education. (1982). 1980 elementary and secondary schools civil rights survey, national summary of projected data. Washington, DC: Author.
- Sulzer-Azaroff, B., & Mayer, G.R. (1986). Achieving educational excellence: Using behavioral strategies. New York: Holt, Rinehart, & Winston.

APPENDIX A

International Abolition of Corporal Punishment*

Greece	Never condoned	Norway	1936
Iceland	Never condoned	Romania	1948
Poland	1783	Portugal	1950
Luxembourg	1845	Sweden	1958
Netherlands	1820s	Cyprus	1967
Italy	1860	Denmark	1967
Belguim	1867	Spain	1967
Austria	1870	Germany	1970s
France	1881	Switzerland	1970s
Finland	1890s	Republic of	
USSR	1917	Ireland	1982
Turkey	1923		

Corporal punishment is also legally prohibited in all Eastern European, Communist bloc countries.

*From: Parents and Teachers Against Violence in Education (1982). Facts and quotes - physical punishment in schools. Danville, CA: Author.

APPENDIX B

American Bar Association (1985) estimates of the incidence of corporal punishment by state during 1982 based on the OCR figures.

Arkansas	12.55%	Arizona	3.06%	California	.35%
Florida	11.87	Delaware	2.92	Iowa	.30
Mississippi	10.92	Nevada	2.19	Nebraska	.19
Tennessee	10.64	Virginia	1.84	Wisconsin	.09
Georgia	9.60	Washington	1.89	N. Dakota	.06
Texas	9.51	Alaska	1.58	New York	.06
Alabama	9.34	Pennsylvania	1.30	S. Dakota	.06
Oklahoma	9.30	Kansas	1.27	Connecticut	.05
Kentucky	6.62	Illinois	1.25	Utah	.05
S. Carolina	6.39	Wyoming	1.12	Vermont	.04
N. Carolina	5.99	Michigan	.91	Dist. Col.	.00
New Mexico	5.73	Idaho	.76	Hawaii	.00
W. Virginia	5.35	Colorado	.59	Maine	.00
Louisiana	5.07	Maryland	.55	Mass.	.00
Ohio	4.71	Oregon	.53	New Hamp.	.00
Indiana	4.10	Minnesota	.39	New Jersey	.00
Missouri	4.05	Montana	.38	Rhode Isl.	.00

Appendix C

Alternatives to Corporal Punishment

The National Education Association (1972), Report of the Task Force on Corporal Punishment, suggests this list of techniques for maintaining discipline without using physical pain on students and suggests that the list is far from exhaustive.

Short-Range Solutions

The first step that must be taken is the elimination of the use of punishment as a means of maintaining discipline. Then, the ideas below can be used as temporary measures to maintain discipline while longer-range programs are being put into effect.

1. Quiet places (corners, small rooms, retreats)
2. Student-teacher agreement on immediate alternatives
3. Teaming of adults-teachers, administrators, aides, volunteers (parents and others)-to take students aside when they are disruptive and listen to them, talk to them, and counsel them until periods of instability subside.
4. Similar services for educators whose stamina is exhausted
5. Social workers, psychologists, and psychiatrists to work on a one-to-one basis with disruptive students or distraught teachers
6. Provision of alternate experiences for students who are bored, turned off, or otherwise unreceptive to particular educational experiences:
 - a. independent projects
 - b. listening and viewing experiences with technological learning devices
 - c. library research
 - d. work-study experience

7. In-service programs to help teachers and other school staff learn a variety of techniques for building better interpersonal relations between themselves and students and among students:
 - a. class meetings (Glasser technique)
 - b. role playing
 - c. case study-what would you do?
 - d. student-teacher human relations retreats and outings
 - e. teacher (or other staff)-student-parent conferences
8. Class discussion-of natural consequences of good and bad behavior (not threats or promises); of what behavior is right; of what behavior achieves desired results; of causes of "bad day" for the class
9. Privileges to bestow or withdraw
10. Approval or disapproval
11. Other staff members to work with a class whose teacher needs a break.

Intermediate-Range Solutions

1. Staff-student jointly developed discipline policy and procedures
2. Staff-student committee to implement discipline policy
3. Parent education program in interpersonal relations
4. Staff in-service program on interpersonal relations, on understanding emotions, and on dealing with children when they are disruptive
5. Student human relations councils and grievance procedures
6. Training for students and teachers in crisis intervention
7. Training for students on student advocacy

8. Training for teachers in dealing with fear of physical violence
9. Regular opportunities for principals to experience classroom situations.

Long-Range Solutions in Schools

1. Full involvement of students in the decision-making process in the school
2. Curriculum content revision and expansion by students and staff to motivate student interest
3. Teacher in-service programs on new teaching strategies to maintain student interest
4. Alternate programs for students
5. Work-study programs
6. Drop-out-drop-back-in programs
7. Alternative schools within the public school system
8. Early entrance to college
9. Alternatives to formal program during last two years of high school
10. Few enough students per staff member that staff can really get to know students
11. Adequate professional specialists-psychiatrists, psychologists, social workers
12. Aides and technicians to carry out paraprofessional, clerical, and technical duties so that professional staff are free to work directly with students more of the time
13. A wide variety of learning materials and technological devices
14. Full implementation of the Code of Student Rights
15. Full implementation of NEA Resolution 71.12; "Student involvement"-The National Education Association

believes that genuine student involvement requires responsible student action which is possible if students are guaranteed certain basic rights, among which are the following: the right to free inquiry and expression; the right to due process; the right to freedom of association; the right to freedom of peaceful assembly and petition; the right to participate in the governance of the school, college, and university; the right to freedom from discrimination; and the right to equal educational opportunity.

Long-Range Solutions with Other Agencies

1. Staff help from local and regional mental health and human relations agencies
2. More consultant staff to work with individual problem students
3. Long-range intensive in-service programs to prepare all staff to become counselors
4. Mass media presentations directed to both the public and the profession on the place of children in contemporary American society
5. Some education experiences relocated in business, industry, and social agencies
6. Increased human relations training in preservice teacher education and specific preparation in constructive disciplinary procedures.

APPENDIX D

National organizations which have gone on record as opposing corporal punishment.

American Academy of Pediatrics
American Association for Counseling and Development
American Bar Association
American Civil Liberties Union
American Medical Association
American Orthopsychiatric Association
American Psychological Association
American Public Health Association
Association for Humanistic Education
Council for Exceptional Children
Friends Committee on Legislation
Mental Health Association
National Committee for Prevention of Child Abuse
National Association for the Advancement of Colored People
National Association of Social Workers
National Education Association
National Parent Teachers Association
Society for Adolescent Medicine
Unitarian Universalist General Assembly
U.S. Department of Defense Dependents Schools
U.S. Student Association
Young Democrats of America

Mt. View Baptist Church

302 N. Bragaw
Anchorage, Alaska 99508
907-279-4316

April 2, 1987

Senator Paul Fischer, Chairman
Post Office Box V
Juneau, AK 99811

Dear Sir,

Our church, Mountain View Baptist, has just received a copy of Senate Bill 69, an act relating to corporal punishment of students. After reviewing the bill, I am writing to voice our disapproval of the present proposed bill.

Being a former elementary school teacher in Minnesota with excellent job recommendations, I am cognizant of the difficulties in educating our children today in the public schools. In my opinion, I believe that the lack of discipline in the classroom interferes with the educational process. When a teacher cannot control his/her classroom, it is difficult for learning to take place.

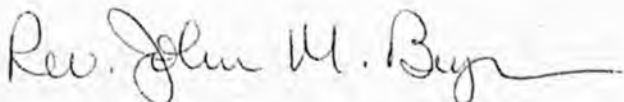
Child abuse is also a problem of which I am aware. I am not advocating child abuse; however, I believe that loving, judical corporal punishment can an effective way of maintaining discipline and an atmosphere for learning. It must be a last result but not outlawed.

As the bill now stands, it would outlaw corporal punishment both in public, private and in home school situations. The boundaries of the church and the state are being overstepped. The Bible, our basis for lifestyle and the raising of children, approves the use at times of that form of discipline. You may be able to outlaw corporal punishment in public school, but you have no authority to do outlaw corporal punishment in private schools or at home.

My wife teaches at a private Christian School in the Anchorage area. In talking with several Christian principals, I have found that very few of the private schools in Alaska have administrators who discipline a child. Most administrators will call the parents to come to the school and discipline their child; this bill would also make this against the law. This is offensive to me that a State could tell the parent that they couldn't spank their child at school or at home (home school).

At this time, I believe that the legislature should reconsider the direction of this bill; as this bill will be challenged in the courts if passed.

Sincerely,



Rev. John M. Beyers

ANCHORAGE NATIVE ASSEMBLY

P.O. BOX 201889
916 EAST ELEVENTH AVENUE
ANCHORAGE, ALASKA 99520
(907) 276-1781



FAR NORTH BIBLE COLLEGE

REACHING THE ALASKA
NATIVE COMMUNITY
FOR CHRIST

March 30, 1987

Chairman
Senator Paul Fischer
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Fischer:

Senate Bill No. 69 seems inappropriate at a time when public schools are having trouble educating children and enforcing discipline. I am not aware of any misconduct by teachers or staff in application of corporate punishment that would justify the legislative effort to correct it.

Sincerely,

Ben Galindo, Pastor
ANCHORAGE NATIVE ASSEMBLY

BG:mls



LIBERTY FEDERATION OF ALASKA

P.O. Box 211767

Anchorage, Alaska 99521

Dr. Jerry Prevo - Chairman

March 18, 1987

MAR 19 1987

Senator Paul Fischer
Alaska State Legislature
Box V
Juneau, AK 99811

Dear Senator Fischer:

I am writing in regards to Senate Bill 69, which was introduced by Senator Kerttula. As you know, this bill concerns the use of corporal punishment in private, as well as public schools.

The Liberty Federation represents hundreds of pastors (with many thousands of people) who oppose this bill. Many of these pastors operate private schools which may be directly affected by the intent of this legislation.

The clause in line 12, "cause to be inflicted," seems to be broad enough to include any action which may result in the spanking of a child, even if it is accomplished through the parent.

I do not know of any private school whose administration continues to practice corporal punishment, (although there may be). But, many schools do rely upon the parents to administer the needed discipline. We have lost the discipline necessary to educate children in the public schools. We do not need the state involving themselves in the affairs of the private schools, and messing things up for them as well.

I understand that you are opposed to this bill. Senator Kerttula's office informed me that you probably will not hear it in the HESS committee.

I do believe I could prevent unnecessary concern on the part of many pastors if they knew this bill would not be heard. I would request from you a letter of opposition to SB69 and if it is possible a committment not to schedule this bill for debate.

Anything you can do to reassure me that this bill will not become law would be very helpful. If I may be of any assistance to you, please let me know.

Sincerely,

Rick Carmickle
Executive Director

Mrs. Renamary Rauchenstein
P.O. Box 65
Talkeetna, Alaska 99676

MAR 28 1987

Dear Senator Fischer,

I have before me SB69 and am
extremely concerned by it.

Corporal punishment as defined in
SB69 could be construed as anything
from swatting to beating children sense-
less.

The definition of a "person employed
by or contracting with a public or private
school" is equally vague. Parents are the
first teachers of a child and by its loose
definition this bill could include the
parent/child relationship.

Another point; private schools do not
usually ~~include~~ receive public funding
and should not be legislated to.

I believe that SB69 is potentially
dangerous and could be used for far
more harm than good.

Please reconsider SB69 carefully. Thank you
Renamary Rauchenstein

Darrell helton
328 Boniface 2593
Anchorage, Ak. 99504
4-6-87

APR 10 1987

Senator Paul Fischer
P.O.Box V
Juneau, Ak. 99811

Dear Sir

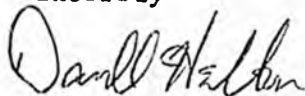
I am opposed to Senate Bill 69 amending Article 9: Corporal Punishment.

To enact this bill is a violation of my rights as a parent and a violation of every teacher. Many young people need a little "corporal punishment". A quick look at our Juvenile Court system will make that fact evident.

This bill is unfounded, unwarranted and unwanted. The rights of parents are given by God as responsibilities and shall not be infringed.

Abuse? Absolutely not. Necessary "corporal punishment"? Most certainly yes.

Sincerely



Darrell Helton

April 7, 1987

Dear Senator Fisher,

Thank you for all your hard work and I appreciate your efforts trying to make Alaska a well governed state.

I feel I must express my views against senate bill no. 69. I feel it would be detrimental to our society not to use corporal punishment on the students in our public and private schools. As you probably know a good "swat" or "spanking" can often times be very beneficial and hurts no more than a child's pride. The bible states very clearly that a rod of discipline will keep a child far from evil. After all we are a God fearing country and for the good of our children let's keep it that way.

Sincerely,

Diane M. Metcalf

Diane M. Metcalf
Anchorage

2900 Bass St.

APR 10 1987

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: TAMMY JONES

TITLE:

ADDRESS: 708 EAST 75TH

CITY: ANCHORAGE

ZIP: 99508

PHONE: 344-5477

BILL NO: SB 69

SUBJECT: CORPORAL PUNISHMENT OF STUDENTS

MESSAGE: I AM OPPOSED TO THIS BILL, PLEASE VOTE NO.

POMID: 03121557

DATE: 03/16/87

TIME: 12:15:57

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

HALFORD

JONES

JOSEPHSON

KERTTULA

*file
with bill*

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: JULIE DUARTE
TITLE:
ADDRESS: 708 E. 75TH
CITY: ANCHORAGE ZIP: 99518
PHONE: 344-5477
BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: BILL NUMBER 69 IS OVER-RULING MY RIGHT OF CHOICE IN THE PRIVATE OR
PUBLIC SCHOOL. I ASK YOU TO VOTE NO ON SB 69. THANK YOU.

File with Bill

POMID: 03113052
DATE: 03/16/87
TIME: 11:30:52
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ABOOD
BENNETT
BINKLEY
COGHILL
DUNCAN
ELIASON
FAHRENKAMP
FAIKS
HALFORD
HENSLEY
JONES
JOSEPHSON
KELLY
KERTTULA
RODEY
STURGULEWSKI
SZYMANSKI
UEHLING
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: TAMMY SCHMIDT
TITLE:
ADDRESS: 919 E. 9TH
CITY: ANCHORAGE ZIP: 99501
PHONE: 274-7616
BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: PLEASE VOTE NO ON SB 69. IT INTERFERES WITH PARENTAL RIGHTS OVER CHILDREN.

File with Bill

POMID: 03110040
DATE: 03/16/87
TIME: 11:00:40
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ABOOD
BENNETT
BINKLEY
COGHILL
DUNCAN
ELIASON
FAHRENKAMP
FAIKS
HALFORD
HENSLEY
JONES
JOSEPHSON
KELLY
KERTTULA
RODEY
STURGULEWSKI
SZYMANSKI
UEHLING
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: PATRICIA RIMBUY

TITLE:

ADDRESS: 6311 WOODED CIRCLE

CITY: ANCHORAGE

ZIP: 99502

PHONE: 243-4003

BILL NO: SB 69

SUBJECT: CORPORAL PUNISHMENT OF STUDENTS

MESSAGE: I WANT TO ENCOURAGE ANYONE WHO HAS A SAY ON SB 69 TO VOTE NO BECAUSE THE LACK OF DISCIPLINE CREATES A LACK OF CONTROL AND THAT'S PART OF THE PROBLEM WITH THE SCHOOLS TODAY, ESPECIALLY THE PRIVATE SCHOOLS.

POMID: 03103635

DATE: 03/18/87

TIME: 10:36:35

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

HALFORD

JONES

KERTTULA

JOSEPHSON

File with bill

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: EVELYN HADFIELD
TITLE:
ADDRESS: 9499 BRAYTON DRIVE #199
CITY: ANCHORAGE
PHONE: 349-7252
BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: SB 69 IMPOSES LEGISLATION ON PRIVATE SCHOOLS OVERRIDING PARENTAL CHOICE. PLEASE VOTE NO ON SB 69.

File w/bill

POMID: 03122750
DATE: 03/18/87
TIME: 12:27:50
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BENNETT
BROWN	CATO	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS	DUNCAN
DONLEY	ELLIS	ELIASON
FRANK	FURNACE	FAHRENKAMP
GOLL	GRUENBERG	FAIKS
GRUSSENDORF	HANLEY	HALFORD
HERRMANN	HOFFMAN	HENSLEY
HUDSON	KOPONEN	JONES
LARSON	MARTIN	JOSEPHSON
MENARD	MILLER	KELLY
NAVARRE	PEARCE	KERTTULA
PETTYJOHN	PHILLIPS	RODEY
POURCHOT	RIEGER	STURGULEWSKI
SHULTZ	SPRINGER	SZYMSANSKI
SUND	SWACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROFF
WALLIS	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: DANIEL KURKA
TITLE:
ADDRESS: 10131 COLVILLE
CITY: EAGLE RIVER
PHONE: 694-2791

ZSP: 99577

BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: I AM AGAINST THIS BILL, AS IT READS. THE DISCIPLINE IN THE PUBLIC SCHOOL SYSTEM, AS WELL AS THE PRIVATE SCHOOLS, HAS CONTINUALLY DECLINED OVER THE LAST FEW YEARS. AS FAR AS I CAN SEE, THIS BILL WILL INCREASE THIS DECLI GREATLY. I AM ESPECIALLY AGAINST THIS BILL WHEN T COMES TO PRIVATE SCHOOLS. ALOT OF PEOPLE ARE PUTTING THEIR CHILDREN IN PRIVATE SCHOOLS FOR THE PURPOSE OF GOOD DISCIPLINE IN THE CLASSROOM.

POMID: 03125109
DATE: 03/18/87
TIME: 12:51:09
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

HALFORD
JONES
JOSEPHSON

File with bill

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: CHARLES SCHMIDT
TITLE:
ADDRESS: 919 EAST 9TH AVENUE
CITY: ANCHORAGE, ALASKA ZIP: 99501
PHONE: 274-7616
BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: I CHOSE TO SEND MY CHILDREN TO A SCHOOL WHERE THERE IS CORPORAL
PUNISHMENT. PLEASE DON'T TAKE THIS RIGHT FROM ME. VOTE NO ON SB 69.

POMID: 03165640
DATE: 03/17/87
TIME: 16:56:40
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

*File a
Bill*

ABOOD
BENNETT
BINKLEY
COGHILL
DUNCAN
ELIASON
FAHRENKAMP
FAIKS
HALFORD
HENSLEY
JONES
JOSEPHSON
KELLY
KERTTULA
RODEY
STURGULEWSKI
SZYMANSKI
UEHLING
ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: SENATOR FISCHER

NAME: KATHELEEN ENGE
TITLE:
ADDRESS: 9501 MORNINGSIDE LOOP #4
CITY: ANCHORAGE ZIP: 99515
PHONE: 349-1832
BILL NO: SB 69
SUBJECT: CORPORAL PUNISHMENT OF STUDENTS
MESSAGE: SB 69 IMPOSES LEGISLATION OF PRIVATE SCHOOLS, THUS OVER-RULING PARENTAL CHOICE. I AM MY CHILD'S MOTHER, NOT THE STATE. VOTE NO, PLEASE, ON SB 69. THANK YOU.

File with bill

POMID: 03142911
DATE: 03/16/87
TIME: 14:29:11
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

ABOOD
BENNETT
BINKLEY
COGHILL
DUNCAN
ELIASON
FAHRENKAMP
FAIKS
HALLFORD
HENSLEY
JONES
JOSEPHSON
KELLY
KERTTULA
RODEY
STURGULEWSKI
SZYMANSKI
UEHLING
ZHAROFF



Senate Health, Education and
Social Services Committee

Senator Paul Fischer, Chairman

Corpuscularism.

69 - Against

Private School

Ralph Miller - Bus. 562-2247
H. 344-4823
211 Tasha Drive
Anch 99502

PHONE CALL

FOR ^{Pastor} Kim Holt DATE 4/8 TIME _____ A.M.
P.M.

M Box 230050

OF Anch, AK 99523 TELEPHONED

PHONE 563-6853 RETURNED YOUR CALL
AREA CODE NUMBER EXTENSION

MESSAGE Pastor of a Church School PLEASE CALL

SB69 → Corporal WILL CALL AGAIN

Punishment like is against CAME TO SEE YOU

Alie Belle WANTS TO SEE YOU

SIGNED (Signature) TOPS FORM 4003

PHONE CALL

FOR Senator DATE 4/7 TIME _____ A.M.
P.M.

M Flanne McIlung

OF 324 Lynwood Dr. #4 TELEPHONED

PHONE Anch. 99518 / 561-4301 RETURNED YOUR CALL
AREA CODE NUMBER EXTENSION

MESSAGE SB69 - PLEASE CALL

Their family is WILL CALL AGAIN

against this bill - CAME TO SEE YOU

WANTS TO SEE YOU

SIGNED (Signature) TOPS FORM 4003

Introduced: 1/20/87
Referred: Health, Education and
Social Services

5-0384A

1 IN THE SENATE

BY KERTTULA

2 SENATE BILL NO. 69

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to corporal punishment of students."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 14.30 is amended by adding a new section to read:

9 ARTICLE 9. CORPORAL PUNISHMENT.

10 Sec. 14.30.700. CORPORAL PUNISHMENT. (a) Except as provided in
11 (b) of this section, a person employed by or contracting with a public
12 or private school may not inflict or cause to be inflicted corporal
13 punishment or bodily pain on a student.

14 (b) A person employed by or contracting with a public or private
15 school may, within the scope of the person's employment, use reason-
16 able and necessary physical restraint on a student to

17 (1) protect the person, a student, or others from physical
18 injury;

19 (2) obtain possession of a weapon or other dangerous object
20 from a student; or

21 (3) protect property from serious harm.