

Original: 2367

IRRC

From: Fred de Long [FdeLong@TheLincolnCenter.com]

Sent: Tuesday, October 04, 2005 3:01 PM

To: IRRC

Subject: STOP CORPORAL PUNISHMENT

EMBARGOED MATERIAL

As a Psychologist and educator, I fully support the need to end all corporal punishment in schools. It's not easy to be a teacher or school administrator. Stopping corporal punishment is not as easy as saying that "I don't approve of it." When tensions are high and anger builds, one sometimes needs strict guidelines to enforce boundaries. This is particularly true for the younger children and more defenseless children. Please stop the legitimacy of corporal punishment.

Fred de Long, Ph.D.
Licensed Psychologist
Wayne, PA

RECEIVED
2005 OCT -4 PM 3:33
THE LINCOLN CENTER
CORPORAL PUNISHMENT

Original: 2367

IRRC

From: Richard Small [rsmall@springpsychological.com]

Sent: Monday, October 03, 2005 12:36 PM

To: IRRC

Subject: Corporal Punishment

To Whom It May Concern:

It is my understanding that the iIRRC will be considering a change to the School Code to abolish corporal punishment. I URGE YOU TO APPROVE THIS CHANGE.

I will not repeat all of the arguments against corporal punishment which include its poor use, ease of abuse and general ineffectiveness. Many organizations oppose the use of corporal punishment, and allowing it in schools invites its abuse.

Please take seriously the well reasoned arguments of medical, educational and psychological organization in rejecting use by school of this ineffective and psychologically damaging practice.

Richard F. Small, Ph.D., ABPP
8 Cardinal Place
Wyomissing, PA 19610
610 678-3730

10/11/05 11:01

IRRC

From: Anne Marie Buck [annemarieb@mindspring.com]
Sent: Tuesday, October 04, 2005 12:26 AM
To: IRRC
Subject: School Code

2005 OCT -4 AM 7:00

Dear Independent Regulatory Review Commission Members
C/O John R. McGinley Jr., Chairman,

I am contacting you to support an end to corporal punishment as a means for disciplining children in the Pennsylvania School system.

Well trained teachers are able to make use of much better and less traumatizing and destructive forms of discipline of children in the classroom. As a society we have learned so much about how to support, nurture and guide children we simply do not need this type of intervention. Corporal punishment, can easily be over used and resorted to in the heat of emotion which is exactly the conditions under which it is most destructive. There unfortunately well documented cases of the abusive/excessive use of corporal punishment in the schools. I see no value to its use and urge you to eliminate it from the school code.

Thank you for your important work in this area. Our children need your support and wisdom to act on behalf of protecting them throughout our state.

Anne Marie Buck
1532 Naudain Street
Philadelphia, Pennsylvania 19146
215 732 3289

Anne Marie Buck
annemarieb@mindspring.com
Why Wait? Move to EarthLink.

Original: 2367

IRRC

From: Elizabeth Reitz [elizabethreitz@yahoo.com]
Sent: Monday, October 03, 2005 2:18 PM
To: IRRC
Subject: corporal punishment

Dear IRRC,

Please choose to abolish corporal punishment in the public schools of Pennsylvania. Our children deserve as much respect and rights that we give to other adults. Just because they are smaller than we are can be abused more easily, does not mean they should be. Having corporal punishment legal in this day in age is an outrage and is barbaric. Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment. I have worked with children for years and have never had to resort to physical restraint, even in special populations.

No matter how well meaning the law original was, the option of corporal punishment has been abused. There are well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner. However, in the worst cases the proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.

Please rise to the occasion for the sake of our country's children.

Sincerely,
Elizabeth Reitz
Child Psychologist
Penn State University

Yahoo! Mail - PC Magazine Editors' Choice 2005
<http://mail.yahoo.com>

Original: 2367

IRRC

From: KSheneman@aol.com
Sent: Monday, October 03, 2005 11:07 PM
To: IRRC
Subject: corporal punishment

RECEIVED
OCT 04 11:07 AM '05

Dear IRRC,

I urge you to approve the regulation abolishing corporal punishment in our schools. I am a psychologist and a lawyer specializing in juvenile delinquency and adult criminal work.

There is a plethora of evidence demonstrating that a variety of other interventions are effective in setting limits and interrupting patterns of misconduct in youth.

There is also a great deal of evidence suggesting that any license to use corporal punishment creates a slippery slope in which individuals become vulnerable using it in an abusive manner that only builds resentment and engenders more in the way of maladaptive patterns in our youth.

Research such as the Stanford Experiment demonstrate that when it comes to corporal punishment, abuses are not isolated incidents but all too commonplace. The findings of the Stanford Experiment and other research need to be taken into consideration when making policies.

Please work to improve civility in our schools and our lives by abolishing corporal punishment.
Kathryn Sheneman, J.D., Psy.D

Original: 2367

IRRC

From: Elpoling@cs.com
Sent: Monday, October 03, 2005 5:04 PM
To: IRRC
Subject: Chapter 12

2005 OCT 03 PM 5:08

Members of IRRC:

I understand you are considering a change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools. As a mother who has raised two sons to adulthood and as a licensed psychologist in PA, I support the change totally. There are more effective methods of dealing with misbehavior that do not have a risk of hurting a child either physically or emotionally. I trust that your group will make a decision that will lead to a better future for our children.

Marjorie E. Poling, M.S.

Original: 2367

IRRC

From: PMcKelvie@woods.org
Sent: Monday, October 03, 2005 2:46 PM
To: IRRC
Subject: Chapter 12

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101

October 3, 2005

Dear Mr. McGinley:

I am contacting you to express strong support for Chapter 12 and urging the end of corporal punishment in the schools in Pennsylvania. As a certified school psychologist and a licensed psychologist in Pennsylvania for over 25 years I urge your commission to make the ethically sound decision and end corporal punishment.

Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment. The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner. The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or

students. Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Thank you for your consideration of this extremely important matter.

Paul McKelvie M.Ed.
Certified School Psychologist
PA Licensed Psychologist
Woods Services
Langhorne, PA

pmckelvie@woods.org



**PENNSYLVANIA
NEWSPAPER
ASSOCIATION**



2005 OCT -3 AM 9:09

RECEIVED
REGULATORY
REVIEW COMMISSION

Mr. John R. McGinley, Jr., Esq.
Chairman, Independent Regulatory Review Commission
333 Market Street, 14th floor
Harrisburg, PA 17101

October 3, 2005

Dear Commissioner McGinley:

The Pennsylvania Newspaper Association appreciates the time and effort devoted by the State Board of Education, the legislative oversight committees, and the Independent Regulatory Review Commission to the review of the Board's final form regulatory package to revise its Ch. 12 regulations, in regulation #6-280, [IRRC number 2367]. We understand that the work product addresses numerous topics of concern in our schools and communities. Nevertheless, our Association must oppose the changes to provisions that address student self-expression in the schools that the Board intends to make.

The concerns of the Pennsylvania Newspaper Association have been presented in testimony to the House Education Committee, and a copy of that previous testimony is attached. We continue to have the same concerns. In its final rulemaking proposal, the Board deletes the word "immediate" from Sec. 12.9 of the regulation, replacing it with "serious." We believe that change will result in greater restrictions on student expression without any actual evidence of the need for change.

We also oppose the removal of the reference to the Tinker decision. For almost 30 years, the standard set forth in Tinker has provided strong protections to student expression in Pennsylvania high schools. Removing the Tinker reference would significantly change that standard and have the effect of adopting the more restrictive standard permitted by the Supreme Court in more recent case law, most notably Hazelwood. Removal of the reference to Hazelwood does not remove the weight of that decision, because it was handed down after Tinker.

In the 1969 Tinker case, the Supreme Court held that school officials could only limit student free expression when they could demonstrate that the expression at issue would cause a "material and substantial disruption" of school activities or an invasion of the rights of others. Pennsylvania's current standards on student expression were adopted in 1976 and are consistent with the standards adopted by the Tinker Court.

In subsequent cases (most notably Hazelwood), the Supreme Court permitted a less restrictive standard for censorship by school officials of a school-sponsored activity or publication, such as a school newspaper. After Hazelwood, schools are permitted more

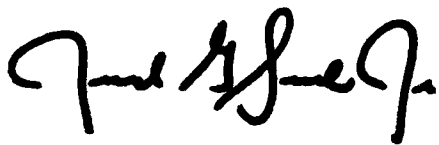
leeway in censoring school sponsored student publications, and can censor student speech as long as the school has a "reasonable" educational justification.

In adopting and maintaining the Tinker standard, Pennsylvania has provided greater protection for student expression than required under the Supreme Court precedent. If the Tinker reference is removed, the greater protection provided in that case would likewise be removed and the standard revert to the more restrictive Hazelwood standard.

The standards set forth in 12.9 have successfully struck the necessary balance between student expression and the interests of school officials in protecting the learning environment. Although we would all agree that many problems face our schools and students today, we do not believe that placing additional limits on student expression is the answer. Schools must continue to provide opportunities for students to consider and discuss alternate views, even ones that make some people uncomfortable. Where better to address and discuss "controversial" issues and thoughts than at school, where educated and thoughtful adults can help students understand and appreciate the issues. Trying to exert too much control over student expression at school only increases the risk that they will find other outlets for their expression, such as websites, chatrooms, etc., with no role models to guide them.

The students of today are our future leaders and decision makers. If we want them to develop into responsive, thoughtful adults, we have to allow them to express themselves and to develop their own thoughts and opinions about the important issues of the day. We also have to show them that we have confidence in their ability to think, to express themselves, and to form their own conclusions. For these reasons, we believe that placing additional limitations on student expression in Pennsylvania would do a real disservice to the public school students in our state, and to the school environment more generally and the community as a whole. We urge the IRRC to disapprove final-form regulation #6-280 from the State Board of Education. Thank you for considering our views in this important matter.

Sincerely,



Joseph D. Sukle, Jr.
Chairman, Pennsylvania Newspaper Assoc.
Middletown Press and Journal



Timothy Williams, President
Pennsylvania Newspaper Assoc.

Encl.



**PENNSYLVANIA
NEWSPAPER
ASSOCIATION**

Hon. Jess Stairs, Chairman
House Education Committee
43 A East Wing
Harrisburg, PA 17120

Hon. James Roebuck, Minority Chairman
House Education Committee
208 Irvis Office Building
Harrisburg, PA 17120

September 27, 2005

Dear Rep. Stairs and Rep. Roebuck:

The Pennsylvania Newspaper Association appreciates the time and effort the House Education Committee has devoted to its review of the final form regulatory package submitted by the State Board of Education to revise its Ch. 12 regulations. Nonetheless, we must continue to oppose the Board's changes to provisions that address student self-expression in the schools.

In Section 12.9 of the regulation, the Board deletes the word "immediate," replacing it with "serious." We believe that change will result in greater restrictions on student expression without any actual evidence of the need for change.

We also oppose the removal of the reference to the Tinker decision. For almost 30 years, the standard set forth in Tinker has provided strong protections to student expression in Pennsylvania high schools. Removing the Tinker reference would significantly change that standard and have the effect of adopting the more restrictive standard permitted by the Supreme Court in more recent case law, most notably Hazelwood. Removal of the reference to Hazelwood does not remove the weight of that decision, because it was handed down after Tinker.

In the 1969 Tinker case, the Supreme Court held that school officials could only limit student free expression when they could demonstrate that the expression at issue would cause a "material and substantial disruption" of school activities or an invasion of the rights of others. Pennsylvania's current standards on student expression were adopted in 1976 and are consistent with the standards adopted by the Tinker Court.

In subsequent cases (most notably Hazelwood), the Supreme Court permitted a less restrictive standard for censorship by school officials of a school-sponsored activity or publication, such as a school newspaper. After Hazelwood, schools are permitted more leeway in censoring school sponsored student publications, and can censor student speech as long as the school has a "reasonable" educational justification.

In adopting and maintaining the Tinker standard, Pennsylvania has provided greater protection for student expression than required under the Supreme Court precedent. If the Tinker reference is removed, the greater protection provided in that case would likewise be removed and the standard revert to the more restrictive Hazelwood standard.

The standards set forth in 12.9 have successfully struck the necessary balance between student expression and the interests of school officials in protecting the learning environment. Although we would all agree that many problems face our schools and students today, we do not believe that placing additional limits on student expression is the answer. Schools must continue to provide opportunities for students to consider and discuss alternate views, even ones that make some people uncomfortable. Where better to address and discuss "controversial" issues and thoughts than at school, where educated and thoughtful adults can help students understand and appreciate the issues. Trying to exert too much control over student expression at school only increases the risk that they will find other outlets for their expression, such as websites, chatrooms, etc., with no role models to guide them.

The students of today are our future leaders and decision makers. If we want them to develop into responsive, thoughtful adults, we have to allow them to express themselves and to develop their own thoughts and opinions about the important issues of the day. We also have to show them that we have confidence in their ability to think, to express themselves, and to form their own conclusions. For these reasons, we believe that placing additional limitations on student expression in Pennsylvania would do a real disservice to the public school students in our state, and to the school environment more generally and the community as a whole, and we request disapproval of this regulatory proposal. Thank you for considering our views in this important matter.

Sincerely,



Joseph D. Sukle, Jr.
Chairman, Pennsylvania Newspaper Assoc.
Middletown Press and Journal



Timothy Williams, President
Pennsylvania Newspaper Assoc.



**PENNSYLVANIA
NEWSPAPER
ASSOCIATION**

**TESTIMONY
Deborah Musselman,
Director of Government Affairs**

**Regulation 6-280
State Board of Education
22 PA Code, Ch. 12**

**House of Representatives Education Committee,
Feb. 23, 2005**

Good morning Chairman Stairs, Chairman Roebuck, and members of the Education Committee. On behalf of the Pennsylvania Newspaper Association I appreciate the opportunity to present our objections to the final rulemaking regulatory proposal entitled Students and Student Services, submitted for your approval by the State Board of Education.

As you are aware, newspaper editorial boards, free speech advocates, educators, and student journalists have conveyed serious concerns about revisions made in this package to current language at Sec. 12.9, entitled "*Freedom of expression*." The PNA shares those concerns. My remarks today, however, focus on our objection to the manner in which the Board modified the phrase "immediate threat" with the addition of a brief phrase, "or serious," in the body of section 12.9(b). This word was added after the close of the public comment period on Dec. 30, 2003; it was not responsive to any suggestion or comment from the public, from either legislative committee, or from the IRRC.

Because this phrase significantly modifies the meaning of the sentence in which it appears, it recasts this section of the final-form package as a new proposal to modify the existing rules. Current language now reads as follows: "*Students have the right to express themselves unless such expression materially and substantially interferes with the educational process, threatens immediate harm to the welfare of the school or community, encourages unlawful activity or interferes with another individual's rights.*"

“Serious” is a word that carries a much broader interpretive range than “immediate” – something is either immediate or it’s not, but one person’s “serious” is another’s “worrisome” or even “minor.” We could even argue that threatening “serious harm” is already covered by the prohibition against encouraging unlawful activity. The language creates the potential for a wide range of censorship of school newspapers across Pennsylvania school districts and offers no concrete guidance from the Department.

The steps the Department has taken on this issue run counter to the intent of the Regulatory Review Act. As you know, that law was created because the General Assembly became aware of the need for it to monitor and help refine the development of executive branch regulations promulgated to administer and implement new statutes. The original 1982 legislation established a process under which the legislative committees had the opportunity to review and approve proposed regulations submitted by executive agencies under their oversight authority. In succeeding years, lawmakers became aware that the final rulemaking implemented by some executive agencies did not reflect the language that the oversight committee had approved weeks or months earlier.

As a result, legislation was sent to Governor Casey in 1988 amending the Regulatory Review Act to avoid instances in which language was approved by the oversight committees after which new language might be inserted by the executive branch upon publication of final rulemaking. It is worth noting that Governor Casey did veto two bills, in 1988 and again in 1989, that gave the General Assembly what was referred to as “two bites at the apple,” – review of proposed rulemaking, followed by review of the final-form proposal. Only after significant negotiation was Senate Bill 1093 signed into law in June 1989, as Act 19. This format of the act continues through the present.

Many questions about the potentially broad interpretive latitude given to school administrators weighing “serious” threats were first voiced when this package was unveiled on the Department’s website last spring, three months after the close of the public comment period. It has been argued that because the language was discussed in public during the Department’s “stakeholder” meetings, our objections are moot if not cured. The stakeholder process is indeed a valuable tool to all parties, one with which I assisted in my tenure as legislative liaison at the Department of Health, however, it is only valuable to the parties that are aware of its existence. It is not even recognized as part of the regulatory review process under the Commonwealth Documents Law or the Regulatory Review Act, and cannot take the place of adequate public notice.

Publication as proposed, by definition, puts the population of potentially interested parties on notice as to an agency’s intent – whereas an individual’s failure to sign up for a stakeholder mailing list leaves him out of the loop, thus reversing the directional flow of public notice. This is contrary to our democratic system and dilutes the role of the legislative oversight committees to that of rubber-stamping a *fait accompli*.

The State Board of Education did not publicly disclose the changes they intended to make in Sec. 12.9 of their regulations to permit an open and public review and the submission of formal, on-the-record comments by persons affected, depriving the House and Senate

April 15, 2004

To Whom It May Concern:

I am currently a junior in high school and extremely active in the student newspaper. As our staff anticipates next year's publications, I am alarmed to hear that the Pennsylvania School Board Association wishes to convolute and shorten the state regulations of Chapter 12 (Section 12.9) which outlines students' freedom of expression. While the decision to reinstate the Supreme Court ruling in *Tinker v. Des Moines Community School District* does strengthen students' case to obtain amendment rights, the admission of the Hazelwood decision and the addition of the word "serious" to the subsection, 12.9 (b) make the law for a student's freedom of expression ambiguous.

A student journalist should be able to use their moral and ethical judgment to freely express their thoughts or feelings. While I do not feel that it is appropriate for a student to verbally abuse their school or community, I do feel that it is necessary for a student to be able to state their opinions on political, current, and other issues no matter how controversial they may be. However, with proposed guidelines issued by the PSPA, a student cannot publish these types of articles since someone can claim that they are "harmed" by the issue presented in the article.

In addition to the skewed phrasing, the reference to the Hazelwood decision only adds to the guidelines' ambiguity by giving school boards and administrators extensive, yet vague power over censorship issues. Therefore, any article written by a student that a school board member deems questionable, cannot only be censored, but the school board has justifiable support via the Hazelwood verdict to support their claims and grant them authority over the students. Moreover, the Hazelwood verdict is detrimental to student journalism because it deprives students from being able to freely and openly express their opinions or concerns.

If the School Board Association insists on leaving the Hazelwood judgment and the word "serious" in the state regulations of Chapter 12, they should take the time to lengthen the rule and clearly outline specific guidelines that adequately explain the rights of both student journalists as well as school officials concerning freedom of expression. If an administrator or community member wishes to challenge the ethics of an article, both the accuser and the author of the article should have a vivid rule to relate their complaint to.

Students, like adults, have educated and important opinions on a myriad of issues, even if they are controversial and there is no better place for a student to be able to freely state their educated opinions than the school newspaper. The School Board Association should not attempt to censor students and try to shield teenagers from writing about the vital issues currently taking place. Student journalists are the future writers of America, is it not important to hear what they have to say?

Sincerely,



Jessica Middleton

RECEIVED
2004 APR 22 AM 9:05
REVIEW COMMISSION

Original: 2367

April 14, 2004

To Whom It May Concern:

I am writing in response to the press release that was sent out by the PSPA regarding the proposed changes in state regulations that deal with students' freedom of expression. I find it simply appalling that as a student journalist, my rights are able to be compromised so easily. Do our opinions seem so outrageous to administrators and community members that it would be easier to take away our free speech? I think not. Many student journalists are capable of controlling their opinions and making choices as to what would be proper for a school newspaper. For those of us that cannot handle our own opinions, I feel that it should be the job of the staff advisor to censor them. In fact, if we are so hell bent on making new rules concerning student journalism, perhaps the right path would be to make an adult advisor have the final say in what is printed in their schools' paper. That way, a student still maintains their freedom of expression rights, but all ethical issues can be handled by the advisor instead of looking to the vague guidelines set by the School Board Association.

The changes that the School Board Association has proposed are unnecessary. A student should be trusted to be ethical, responsible, and respectful writers. Most student journalists are able to recognize the differences between their rights as a student journalist and the rights of those who write for other publications. However, if the rights of student journalists keep changing and remain in jeopardy, I believe that the amount of people willing to write for a student-run newspaper will decline. And what will this do to the future of journalistic careers? Think about that.

Sincerely,



Ms. Megan Helfrich

RECEIVED
2001 APR 22 AM 9:05
REVIEW COMMISSION

Original: 2367

IRRC

From: Romeika, Scott [romeika@wharton.upenn.edu]
Sent: Monday, October 03, 2005 2:10 PM
To: IRRC
Subject: Proposal to Abolish Corporal Punishment in Public Schools

As a member of the Pennsylvania Psychological Association, a certificate holder as a school psychologist, and an educator of teachers, I strongly support the State Board of Education's proposed regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania. I reiterate the professional research and literature as summarized below:

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Please support the proposed regulation change and, in doing so, promote best practices when it comes to our children's education and welfare.

Scott J. Romeika, Psy.D.
Senior Associate Director
The Wharton School
Undergraduate Division

University of Pennsylvania
Gordon B. Hattersley Suite
G95 Jon M. Huntsman Hall
3730 Walnut Street
Philadelphia, PA 19104
(215) 898-7599 phone
(215) 573-2070 fax
<http://undergrad.wharton.upenn.edu>

10/3/2005

Original: 2367

IRRC

From: douglas johnson [salgoud1@prodigy.net]

Sent: Tuesday, October 04, 2005 8:45 AM

To: IRRC

Subject: Corporal Punishment

I am opposed to any action that would end corporal punishment in the public school. Despite what the experts say, it is an effective tool in maintaining good order and discipline. It enhances the learning environment and minimizes disruptive behavior among students. Corporal Punishment is used as the last resort and is an option for behavioral compliance. I believe that in having a strict policy and monitoring of that policy we will improve the behavioral expectations of our students.

6740 10 4 8:45 AM
6740 10 4 8:45 AM
6740 10 4 8:45 AM

Original: 2367



RECEIVED

From: Gail Post [gkpost@verizon.net]
Sent: Monday, October 03, 2005 6:25 PM
To: IRRC
Subject: Corporal Punishment

2005 OCT -3 PM 6:26

RECEIVED
OCT 3 2005

I am writing in support of Chapter 12 to abolish corporal punishment in schools. As a psychologist, I treat the aftereffects of children who have been hit or assaulted. If schools are promoting anti-violence and no tolerance for physical assault between children, it is contradictory for faculty to have the option of using physical force as punishment. It is traumatic and can have long-term consequences. It also teaches children that violence is a means to solve problems. There are many behavioral techniques that are not only more appropriate, but more effective in controlling children's behavior.

I strongly urge you to support to abolish corporal punishment in schools.

Thank you.

Gail Post, Ph.D.
Licensed Psychologist

Original: 2367

IRRC

From: Susan Edgar-Smith [Susan@Edgar-Smith.com]

Sent: Tuesday, October 04, 2005 9:34 AM

To: IRRC

Subject: corporal punishment

To Whom It May Concern:

It is hard to believe that corporal punishment is still legal in Pennsylvania after everything that has been learned about the negative impact of punishment and its traumatizing effects. It is our job to protect the weakest members of society, not traumatize them further. Violence begets violence – so indeed, to support corporal punishment is to create violence within our schools. How are we to implement successful bullying programs when school personnel are condoning the use of violence to curb negative behaviors? This is, quite simply, not ethical. Please heed the sound research that has been completed in this area, especially the research showing a relationship between corporal punishment and subsequent traumatization to students. Corporal punishment is mostly used by inexperienced professionals who feel out of control and lack expertise in other forms of behavior management. Your job is to increase the training of teachers/administrators so that they understand and can implement more successful and less harmful behavior management techniques rather than using the easy, harmful procedures of corporal punishment.

Please do not mistake this attempt to abolish corporal punishment in our schools as a show of permissiveness and leniency – I do believe that behavior management is necessary and imperative – but it needs to be empirically substantiated as valid and helpful.

Susan Edgar-Smith, Ph.D.
Eastern University
1300 Eagle RD
St. Davids, PA 19087

10/4/2005

IRRC

From: jjubala@aol.com
Sent: Tuesday, October 04, 2005 10:12 AM
To: IRRC
Subject: Chapter 12

Dear Sir or Madam,

I was startled recently to learn that corporal punishment was still allowed in Pennsylvania! I cannot imagine why this is still true. The scientific evidence that proves the harm of corporal punishment, and the trauma it inflicts on children, is overwhelming. Also, as a Clinical Psychologist for the past 28 years, I cannot tell you how many adults with Post Traumatic Stress Disorder I have treated who had corporal punishment as part of their initial stressor. Please, this is a completely barbaric and unnecessary trauma we are inflicting on our children. Please do your best to put a stop to this immediately.

Thank you for your attention in this matter.

John A. Jubala, Ph.D.
Clinical Psychologist
RD3 Box 128
Altoona, PA 16601

IRRC

From: Roger Shouse [rcs8@psu.edu]
Sent: Tuesday, October 04, 2005 9:39 AM
To: IRRC
Subject: I oppose a ban on corporal punishment
Original: 2367

Dear Chairman McGinley,

I am an Associate Professor of Educational Leadership at Penn State with 13 years of public school teaching experience. While I believe that corporal punishment should be used only in rare instances, I strongly oppose any statewide ban on the practice for the following reasons:

1. Despite claims to the contrary, it is not necessarily the case that a "properly trained" teacher would never need to use some form of corporal punishment. Maintaining student discipline can be a very complex problem, and teachers may not always have time for complex solutions.
2. Having the authority to use corporal punishment may be just as important, maybe more important, than actually using it.
3. There is a problem defining what "corporal punishment" actually is. For example, I've heard some administrators call it "corporal" to punish a student by having him or her stand at his/her desk. I've even heard it called "corporal" to punish a student by having them write an extra assignment, do extra math problems, or write "I will listen in class" 50 times. Would a coach who demands that a player late to practice run 5 laps be guilty of violating the corporal punishment policy?
4. The use of corporal punishment has been upheld by the United States Supreme Court. It thus makes some sense to allow local school districts (influenced by local voters and local values) the right to decide whether or not to allow the practice.

Thank you very much for considering my opinion in this matter.

Sincerely,

Roger C. Shouse
Associate Professor of Education
College of Education
The Pennsylvania State University
302 Rackley Bld.
University Park, PA 16802

(814) 865-1487

rcs8@psu.edu

<http://www.personal.psu.edu/faculty/r/c/rcs8/roger2.htm>

Original: 2367

Independent Regulatory Review Commission
Remarks on State Board of Education Regulations
22 Pa Code Chapter 12
Student and Student Services
October 6, 2005

Chairman McGinley, Commissioners Bush, Coccodrilli, Ufberg and Mizner. My name is Edith Isacke; I am a member of the State Board of Education and chair the committee responsible for the Chapter 12 regulations now before you. Joining me are Greg Dunlap, counsel to the State Board and Jim Buckheit, the Board's Executive Director.

Thank you for the opportunity to provide comments on the final form regulations that address student rights and responsibilities and student services in our public schools. The State Board of Education has worked to revise these regulations and to address stakeholder issues since early 2001. This is the third time that the Board has worked to revise these regulations since I became a member of the State Board of Education in 1991.

Since 2001 the State Board has held numerous public committee meetings and public roundtables on these regulations. We also accepted testimony at formal public hearings. Where possible we have sought to find middle ground that appropriately balances the interests of students, parents, schools and taxpayers on the various issues. Given the nature of these issues this was not always possible. As you are aware two issues remain the focus of vigorous debate: student freedom of expression and corporal punishment.

I will briefly comment on the freedom of expression issue. We have two major stakeholder organizations, the Pennsylvania Newspaper Association and the Pennsylvania School Boards Association, that hold opposing positions on this issue. Since neither is completely satisfied with the result we feel the State Board has achieved a reasonable balance between their two positions. We believe the regulation properly balances a student's right to free expression with the school's authority to maintain a safe and orderly educational environment.

The State Board's regulation would ban the use of corporal punishment by our public schools. The overwhelming majority of school districts in the state have long ago imposed their own bans on the use of corporal punishment.

The Board conducted extensive research on this issue. Research shows that paddling is not effective and is often used as a first disciplinary action not as discipline of last resort. Current and new teachers are trained in more effective classroom management strategies that have been demonstrated to be effective in improving student behavior. When these efforts are not successful the Commonwealth now provides nearly \$50 million each year to support alternative education programs for disruptive students that are designed to improve behavior so the student can successfully be returned to the regular classroom setting. Every other public institution in our state long ago banned corporal punishment. We believe it is in the best interest of the Commonwealth to once and for all ban the use of corporal punishment in our public schools.

Some members of the House Education committee and the Pennsylvania School Board's Association also suggest that the State Board would overstep its statutory authority in banning corporal punishment – even as it is now more explicitly and narrowly defined in the final-form regulation. The Board believes that it does have authority under Article XXVI-B of the Public School Code of 1949 to define and prohibit the use of corporal punishment in the public schools.

In *Girard School District v. Pittenger*, decided in 1978, the Supreme Court of Pennsylvania ruled that the State Board has broad authority to regulate on matters of student discipline. The court held that, "in issuing the regulations on 'Student Rights and Responsibilities' the State Board was acting within the field of education and, as such, was not exceeding the authority of the General Assembly's grant of legislative rule-making power... ." Inasmuch as there is no provision in the Public School Code expressly empowering school districts or school personnel to inflict corporal punishment as part of its policy of disciplining students, the Board believes that it has the statutory authority to ban the practice of corporal punishment, as that term is defined in the newly revised Section 12.16.

For these reasons we believe the regulation is in the best interest of the Commonwealth and respectfully request your favorable action.

We would be pleased to answer your questions.

Original: 2367

From: Jerry Trusty [jgt3@psu.edu]
Sent: Monday, October 03, 2005 5:38 PM
To: IRRC
Subject: corporal punishment in schools

>Independent Regulatory Review Commission
>John R. McGinley Jr., Chairman
>333 Market Street, 14th floor
>Harrisburg, PA 17101

Dear Sirs:

I write this letter as a father, citizen, and education professional.

I strongly urge you to support Chapter 12 and end the use of corporal punishment in schools in Pennsylvania. Teachers and other school personnel are trained to effectively manage classrooms and schools without the use of corporal punishment. Schools are the only institutions in our society that sanction one person physically punishing another. Saturday suspensions, in-school suspensions, and alternative school settings are much more mature, rational, and moral responses to gross misbehavior than physical punishment.

Jerry Trusty

Jerry Trusty, Ph D, LPC, NCC
Professor, Department of Counselor Education, Counseling Psychology
and Rehabilitation Services
327 CEDAR Building
Penn State University
University Park, PA 16802-3110

<http://www.ed.psu.edu/cned/Trusty/homepage.asp>

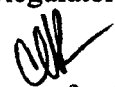
Original: 2367



Leadership for Public Education

400 North Third Street
PO Box 1724
Harrisburg, PA 17105-1724
(717) 255-7000 • (800) 944-PSEA (7732)
Fax: (717) 255-7128 • (717) 255-7124
www.psea.org
James R. Weaver, *President*
James P. Testerman, *Vice President*
Grace E. Bekaert, *Treasurer*
Carolyn C. Dumaresq, *Executive Director*

October 3, 2005

TO: Independent Regulatory Review Commission
FROM: Carol L. Karl 
Assistant Director for Government Relations
RE: **Final Form Regulation #6-280**

Enclosed are PSEA's comments regarding Final Form Regulation #6-280.

If you have any questions or would like further information, please contact me at 255-7094 or ckarl@psea.org.

RECEIVED - 9/11/05
10/3/05 11:41:52

The PSEA Mission

To advance quality public education for all students while fostering the dignity and worth of members through collective action.

Affiliated with the National Education Association



**Comments of the Pennsylvania State Education Association
to the Independent Regulatory Review Commission
Regarding
Final Form Regulation #6-280
22 Pa.Code, Ch. 12, State Board of Education**

The Pennsylvania State Education Association (PSEA), on behalf of more than 170,000 public school teachers, educational support personnel, school counselors, administrators, curriculum specialists, librarians, school dental hygienists, school nurses, school psychologists, and school social workers, supports the Final Form Regulation #6-280 submitted to IRRC by the State Board of Education. PSEA and the many education professionals who comprise our membership commend the State Board of Education and the many organizations and individuals which provided input into these 22 Pa.Code, Chapter 12 regulations.

We submit these Comments specifically in support of one provision of Ch. 12 that is under consideration, the Section 12.5 ban on the use of corporal punishment in public schools.

PSEA opposes the use of corporal punishment in schools. In May 2005, the elected representative body of PSEA's members, the PSEA House of Delegates, adopted the following Resolution D-41:

The Association supports the use of non-violent strategies to promote appropriate student behavior. The Association further believes that corporal punishment should not be used as a means of disciplining students.

For the most part, teachers are not using corporal punishment in public schools, and they should not be doing so. PSEA for many years has advised its members NOT to use corporal punishment on students. This advice is necessary to protect our members from the legal risks entailed in striking a student.

A regulatory ban on the corporal punishment of students is consistent with the common law rights that students have to be free from the tort of battery, which is an unlawful intrusion of one's body. Indeed, it is the potential tortious liability that confronts a school employer if it allows corporal punishment that has caused more than four hundred (400) of the five hundred and one (501) school districts to establish a ban on corporal punishment already.

In this regard, a regulatory ban on corporal punishment is also consistent with many of the other regulations that have been previously included in Chapter 12, including, for example, Section 12.2 of Chapter 12, which institutes a ban on the discrimination of students in furtherance of statutory laws prohibiting discrimination (22 Pa. Code § 12.2). Likewise, Section 12.9 and 12.11 of Chapter 12 reiterate a student's constitutional right to freedom of expression, both in terms of speech and their manners of expressing themselves.

As a result, the State Board of Education's action in proposing a regulation banning corporal punishment is not an effort that imposes a new restriction upon school employers and employees, but rather, is a re-articulation of a common law right already owed to students. This, again, is just as the State Board's regulations banning discrimination or providing for

freedom of expression are not new restrictions placed upon school employers, but rather are reiterations of the statutory and constitutional rights owed to students.

While it is true that a ban on corporal punishment is already addressed in common law and, similarly, a ban on discrimination and a provision for freedom of expression is already provided for in statutory and constitutional law, the advantage of addressing these constitutional, statutory, and now common law rights in Chapter 12 is that they provide for an additional proactive enforcement mechanism with which to address violations. School employers are subject to audit by the Commonwealth's Auditor General's office. These audits include a review of whether schools are comporting with statutory and regulatory provisions. If an audit can identify violations of the corporal punishment or discrimination ban, for example, in advance of a lawsuit filed by students whose rights have allegedly been violated, the school employers—and ultimately, the taxpayers—can avoid significant litigation and public relations costs.

Advances in disciplinary techniques and behavioral psychology have made corporal punishment unnecessary and, in fact, have shown it to be counterproductive and potentially harmful to students.

Discipline is critical to the learning environment. Schools have an important role in developing student self-discipline. Educational and social research provides overwhelming evidence that corporal punishment is harmful to the longitudinal development of children, and that it promulgates children's beliefs that violence (hitting) is an acceptable method of dealing

with undesirable behavior. Research also indicates that physical punishment and punitive methods of discipline lead to increased lying among students, while reparation or apology (particularly when combined with pro-social education such as social skills training) leads to increased self-discipline. Effective school discipline techniques promote internal controls, and include proactive classroom management, instruction and counseling to build pro-social behaviors, character education, and teaching alternate behaviors that promote non-violent means of reacting and coping with problems. Effective discipline is a matter of instruction rather than punishment. Even among behavioral psychologists who understand the power of punishment as a tool to teaching children about appropriate behavior, there is consensus that school corporal punishment is rarely administered in a scientific and effective manner.

In addition, corporal punishment is often applied in emotionally charged situations, and has been documented in some cases to lead to an abuse of authority. Corporal punishment has been ineffective in changing the subsequent behavioral choices of students who are the most likely to be the recipients of its use. Both nationally and within Pennsylvania, reports of its use indicate that corporal punishment is used disproportionately against African American and disabled students. It is applied more frequently to students of lower socioeconomic means than to students of middle or upper socioeconomic status. Regardless of age, gender, economic status, or race/ethnicity, the use of even “ordinary” physical retribution for behavior leads less to future appropriate behaviors and more to the deleterious effects of increased student resentment, depression, low academic achievement, disregard for authority, and emotional bruising that shapes and impacts their future endeavors. Most of Pennsylvania’s

school districts recognize this, with one study in our commonwealth citing that some 400+ of the 501 school districts have local policies banning the use of corporal punishment.

At the national level, over the last decade Pennsylvania has been a respected leader among regular and special education professionals for developing models of positive behavioral support to address student behavior. Pennsylvania was recognized for the data kept, models generated, and interventions developed for school-wide behavioral support and individual behavioral interventions. Much of the language and ideology embraced by professional educators is now reflected in the current Individuals with Disabilities Education Act, and is also supported by the mental health community. Our state's previous lack of movement to enact an official policy prohibiting the use of corporal punishment seems to be in direct opposition to those documented positive interventions shown to be effective in building appropriate student behaviors.

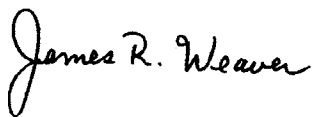
Approving the currently proposed Chapter 12 language would mean that Pennsylvania would join the 28 other states which have already enacted such policies. It would align us more consistently with the position statements of numerous respected professional child service organizations that advocate against the use of corporal punishment, including the American Medical Association (AMA), National Association of School Psychologists (NASP), Parent/Teacher Association (PTA), American Academy of Pediatrics, National Mental Health Association, American Psychological Association (APA), National Education Association (NEA), and the American Bar Association.

PSEA understands that some feel that the decision to use corporal punishment should be made at a local level. However, those local choices should be within the range of scientifically-based practices. The use of corporal punishment is not an empirically-based method of discipline. Chapter 12 establishes a consistent educational standard on this subject.

For this Committee to support and approve the proposed Chapter 12 would be to convey a unified commitment to evidence-based educational practice and to positive behavioral supports for students. It would be a clear punctuation on Pennsylvania's commitment to the use of pro-social and nonviolent disciplinary methods, validating the many school districts who have determined that corporal punishment should never be the method of choice for discipline. To adults and students alike, approval of this language would reinforce our Commonwealth's commitment to providing safe and nonviolent havens for learning and social development.

PSEA thanks you for your consideration of the proposed Chapter 12, and of our position on this matter.

Respectfully submitted,



James Weaver, President
Pennsylvania State Education Assn.



Rene Fetchkan, M.Ed, NCSP, President
School Psychologists Section
Pennsylvania State Education Assn.

Original: 2367

IRRC**From:** Robert Petruzzi [rpetruzzi@covad.net]**Sent:** Monday, October 03, 2005 11:06 AM**To:** IRRC**Subject:** corporal punishment

Dear Mr. McGinley,

I am writing to express my concern over the continued use of corporal punishment in public schools. Having worked as a school psychologist for 25 years and as a psychologist in private practice for 20 years, I have seen corporal punishment abused. Please remember that violence only creates more violence. Well trained staff, a school behavior and emergency plan, and ongoing contact with the local police are all avenues to avoid the need for corporal punishment. Lastly, please keep in mind that those who administer corporal punishment usually do so in anger. In addition to an increase in force, their behavior exemplifies what educators are trying to end (i.e., violence) in schools. Please support an end to all corporal punishment and an initiative to find creative ways to stem violence in all schools. Thank you. Robert Petruzzi, Ph.D.

Licensed psychologist/Certified school psychologist

Robert P. Petruzzi, Ph.D.

Associates of Springfield Psychological
Springfield-- Havertown-- West Chester

610-544-2110

springfieldpsychological.com

10/3/2005

Original: 2367

From: robertreed@adelphia.net
Sent: Monday, October 03, 2005 5:55 PM
To: IRRC
Subject: Corporal punishment

20051003 PM 5:55
20051003 PM 5:26

Dear Chairperson,

As a Child Psychologist (licensed and certified school psychologist) I would like to urge you and your commission to rule to discontinue corporal punishment in the schools. I am sure you must be aware of the facts, but they are as follows:

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Simply put, corporal punishment is not necessary, and when it is used, it carries with it the potential to do much harm. Please move to discontinue its use in the public schools!

Thank you for your attention,

Robert A. Reed, Psy.D.
Licensed Psychologist (License #: PS 006921-L)
Certified School Psychologist
202 Woodhaven Drive
Pittsburgh, PA 15228
E-mail: robertreed@adelphia.net

Original: 2367

IRRC

From: jeffbryer@comcast.net
Sent: Tuesday, October 04, 2005 5:53 AM
To: IRRC
Subject: Abolish Corporal Punishment!!

RECEIVED
2005 OCT -4 AM 7:03
INDEPENDENT REGULATORY REVIEW COMMISSION

John R. McGinley Jr., Chairman
Independent Regulatory Review Commission
333 Market Street, 14th floor
Harrisburg, PA 17101

Dear Mr. McGinley,

As a licensed psychologist practicing in Pennsylvania, I strongly urge the Independent Regulatory Review Commission to support Chapter 12 of the School Code and to abolish corporal punishment in the public schools of Pennsylvania.

Corporal punishment is antiquated, ineffective, damaging, and outmoded.

Thank you.

--Jeffrey Bryer, EdD ABPP, West Chester Psychiatric Associates, 1515 WC Pike, Unit B-4, West Chester, PA 19382

Original; 2367

IRRC

From: carol schramke [cschramke@yahoo.com]
Sent: Monday, October 03, 2005 3:00 PM
To: IRRC
Subject: Corporal Punishment

I understand that the State Board of Education has proposed a regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania. As a psychologist I know that corporal punishment is unnecessary and that properly trained teachers can manage classrooms without the use of corporal punishment. I also believe that the option of corporal punishment has been abused and that there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner. The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students. Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

As a parent and a psychologist this issue is important to me and I believe Pennsylvania should make the recommended changes to Chapter 12 in order to abolish corporal punishment. Thank you for your attention into this matter.

Yahoo! for Good
Donate to the Hurricane Katrina relief effort.
<http://store.yahoo.com/redcross-donate3/>

RECEIVED
2005 OCT -3 PM 4:59

Original: 2367

IRRC

From: ericgs1@aol.com
Sent: Monday, October 03, 2005 10:17 PM
To: IRRC
Subject: Re: Abolish corporal punishment in the public schools

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101
e-mail: IRRC@irrc.state.pa.us

Please support the regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania.

Corporal punishment is unnecessary.

Most parents and professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Sincerely,
Eric Griffin-Shelley, Ph.D.
Lafayette Hill, PA

Original: 2367

IRRC

From: Christine Ware [christine.ware@villanova.edu]
Sent: Monday, October 03, 2005 3:34 PM
To: IRRC
Subject: Re: Proposal to Abolish Corporal Punishment in Public Schools

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101

October 3, 2005

To Whom It May Concern:

I am writing to express support of the State Board of Education's proposed regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania. Corporal punishment is unnecessary. As a professional with a doctoral degree in child clinical psychology, I know that properly trained teachers can manage classrooms without the use of corporal punishment. Moreover, the option of corporal punishment has been abused. There have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner. The current proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students. Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools. I strongly urge you to support this proposed regulation to abolish corporal punishment in Pennsylvania public schools.

Thank you,
Christine J. Ware, Ph.D.

--

Christine J. Ware, Ph.D.
University Counseling Center
Villanova University
206 Health Services Building
Villanova PA 19085
Phone 610-519-4050
Email christine.ware@villanova.edu

IRRC

From: DH0414@aol.com
Sent: Tuesday, October 04, 2005 8:59 AM
To: IRRC
Subject: Proposal to Abolish Corporal Punishment in Public Schools

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101
e-mail: IRRC@irrc.state.pa.us

10/4/2005

Dear Mr. McGinley:

As a psychologist, I strongly urge you to act to end corporal punishment in schools for the reasons listed below. I believe that violence begets violence: if we teach children to be violent by using corporal punishment, then we are acting to increase the level of violence in an already highly violent culture.

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Sincerely,

David H. Herman, MEd, MA,
Psychologist
313 S 16th St
Phila., PA 19103
TEL 215 732 8244 x 422
TEL 215 714 4302
FAX 215 635 9303
e mail dh0414@aol.com

10/4/2005

Original: 2367

October 3, 2005

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101

Dear Mr. McGinley:

As a Pennsylvania State Certified School Psychologist and Licensed Psychologist, I am writing to voice my strong opposition to the continuation of corporal punishment in Pennsylvania's public schools. I write this not only as a psychologist, but also as a parent of children who attend Pennsylvania public schools. Here in the Philadelphia area, parents are unaware that corporal punishment is practiced in parts of the Commonwealth. When I speak with parents about this, they typically react with incredulity of how such a practice can be allowed to be practiced in today's world. They comment on the life-long scars that such actions can impart, scars that adult victims of corporal punishment have shared with me on both a personal and professional level.

In addition to my work as a psychologist, I also am a public school administrator. Currently, I serve as a commissioned Assistant Superintendent of Schools for the Upper Moreland School District, in Montgomery County. Thirteen years ago, I began my administrative career as an assistant principal in central Pennsylvania. On my first day on the job, a teacher brought a child to my office. He also brought a paddle, and informed me that the child needed "to be whacked." Behind closed doors with the teacher, I at first laughed, assuming that the teacher was joking that I, as an adult, should strike a child for a perceived action of disrespect. I was quickly informed by the teacher that this was not a joke, and that my predecessor had, in fact, paddled children with great gusto and regularity. At this point in time, I quickly realized that I had two problems facing me. One was a student who had been disrespectful with his words to an adult. The second was a community where some of the most respected professionals felt that the most effective manner to change the behavior of a child was to swat his bottom with a piece of wood.

Please tell me how the practice of striking a child on the bottom with a piece of wood is effective at changing behavior. Once done, does the child have a new understanding of how he or she should behave? In my years of experience as a school administrator, I have learned that students need to be led to new behaviors through actions that are preventive and proactive, and not reactive and punitive. Certainly, beating a child for his behaviors is reactive and punitive. Rather than strike a child (who in some communities may go home only to be struck again), haven't we learned something over the last, say seventy-five years? My experience lets me know that when professionals, parents, and children sit together, together they can develop new strategies and new appropriate behaviors for children to follow. With compassion and with careful attention, children can be taught to behave in new ways. Taking the "out" of striking a child in an attempt to

change behaviors is not only morally wrong, but is also empirically wrong. It does not work.

I was lucky in my first administrative position. Lucky in that the vast majority of teachers and administrators with whom I worked thought like I did, and were willing to work to try new things. Together, we required that parents and children meet with us when children misbehaved, so that we could help that child find new behavioral paths. At the school where I was a beginning administrator, our new way of thinking led to clear results. Over time, student referrals to the office for inappropriate behavior dropped significantly. We reduced behavioral infractions without yelling, without belittling, and without beating children. We reduced behavioral infractions with didactic example, with ongoing communication between parent, child, and school, and with compassion.

There is absolutely no justification for beating children. It is ineffective in practice, and remains with that child for life.

Robert J. Milrod, Ph.D.
Pennsylvania Licensed Psychologist
Upper Moreland School District Assistant Superintendent

IRRC

From: Robert Milrod [RJM@umtsd.org]
Sent: Monday, October 03, 2005 3:44 PM
To: IRRC
Subject: e-mail message regarding corporal punishment



corporal
punishment.doc

Please see attached

IRRC

Original: 2367

From: Marolyn Morford PhD [childdevelopmentconsulting@msn.com]
Sent: Monday, October 03, 2005 2:22 PM
To: IRRC
Cc: 'Tom DeWall'
Subject: Regarding legislation to ban corporal punishment in the schools

To whom it may concern:

I am a child psychologist who works with children, families, and schools when there are problems, helping adults to manage children's behavior in positive ways, based on the child's needs and the school or home needs. I work with minor problems and with very disturbed children starting from preschool up to college age. I am writing to encourage you to support legislation that bans corporal punishment in the school setting as this is an ineffective method of behavior management and, in fact, can cause more harm than good, as when one of our Pennsylvania Psychological Association member psychologists observed in Louisiana when school officials used physical punishment on children who had already been traumatized and displaced from their homes and families. I hope that you will consider the following points:

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Marolyn Morford, Ph.D.
Center for Child & Adult Development
1315 West College Avenue, Suite 303
State College, PA 16801
814-861-3300; FAX 814-861-5163

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10/3/2005

Original: 2367

IRRC**EMBARGOED MATERIAL**

From: Dan Kanouse [dkanouse@takechargeinc.com]
Sent: Tuesday, October 04, 2005 4:43 PM
To: IRRC
Subject: Support for Chapter 12 and urging the end of corporal punishment.

RECEIVED
 2005 OCT -4 PM 4:57
 INDEPENDENT REGULATORY
 REVIEW COMMISSION

TO:

Independent Regulatory Review Commission John R. McGinley Jr., Chairman

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Please support the initiative to end Corporal Punishment in Pennsylvania schools. In addition to the above reasons it is barbaric and is akin to treating human beings as animals, for which laws exist barring mistreatment of them! How'd you like to have your child beaten by a teacher?

Dr. Daniel N. Kanouse, Ph.D., CPC
 Executive Vice President and COO
 Diplomat in Professional Counseling
dkanouse@takechargeinc.com
 103 Garris Road, Downingtown, PA 19335
 Phone 610-269-9590
www.takechargeinc.com

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10/4/2005

Original: 2367

IRRC

From: Emily Stevick [estevick@adelphia.net]
Sent: Monday, October 03, 2005 3:09 PM
To: IRRC
Subject: Corporal punishment

Corporal punishment in schools is unnecessary and ineffective. It models from adults that violent behavior is appropriate from the person in power. Corporal punishment is used on students who are suffering trauma, adding to the distress and the acting out behavior. I urge you to vote to end the use of corporal punishment in schools. Emily L. Stevick, Ph.D., licensed psychologist

RECEIVED

2005 OCT -3 PM 4:59

MEMPHIS, TN 38103

Original: 2367

IRRC

From: Janet M. Slovak [jmslovak@dejazzd.com]
Sent: Tuesday, October 04, 2005 12:01 AM
To: IRRC
Subject: Proposal to Abolish Corporal Punishment in Public Schools

RECEIVED
OCT 04 12:09

John R. McGinley Jr., Chairman
Independent Regulatory Review Commission
333 Market Street, 14th floor
Harrisburg, PA 17101

Dear Mr. McGinley,

I am writing to support the proposed regulation change to Chapter 12 of the School Code and the abolition of corporal punishment in the public school system. I am the parent of four adult children and a licensed psychologist in the state of Pennsylvania.

- Reward is a more effective and efficient shaper of behavior than punishment.
- Corporal punishment is denigrating to students and instills fear and shame.
- Corporal punishment teaches children that "might makes right" (or, "Do as I say or I'll hurt you")
- Can you imagine if corporal punishment was used in the workplace? Can you imagine how quickly one would lose their employees? And yet, it would be fairer in the workplace as adults would be hitting other adults, rather than children.
- Properly trained teachers who understand child development and classroom management do not have to resort to corporal punishment.

Thank you for considering my expression of support for removal of capital punishment.

Janet M. Slovak, Psy.D.
Lancaster Medical Center, Suite 201
Lancaster PA 17603

Original: 2367

IRRC

From: Gregory B. Milbourne, Psy.D. [gregmilbourne@earthlink.net]
Sent: Monday, October 03, 2005 10:25 AM
To: IRRC
Subject: Opposition to Corporal Punishment

As a licensed psychologist and certified school psychologist, I hope that you will oppose the use of corporal punishment in our schools:

- Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.
- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Sincerely,

Greg Milbourne, Psy.D.

Gregory B. Milbourne, Psy.D.

Original: 2367

IRRC

From: chershey@verizon.net
Sent: Monday, October 03, 2005 9:43 AM
To: IRRC
Subject: Proposal to Abolish Corporal Punishment

I am amazed and appalled to realize that corporal punishment still exists in public schools. I am writing to urge you to vote for the regulation to abolish this harmful and potentially abusive practice. As a parent and a psychologist, I can strongly say that corporal punishment is unnecessary. Properly trained teachers can manage a classroom effectively without teaching violence to the students.

Carol Hershey MacBain, Psy.D.

2005 OCT -3 PM 12:15

Original: 2367

IRRC

From: Betty McCoy [gmabetty@access995.com]

Sent: Monday, October 03, 2005 6:43 PM

To: IRRC

Subject: corporal punishment

This is in support for the proposal to abolish corporal punishment in public schools. Betty McCoy

10/3/2005

IRRC

From: jmanhard@brynmawr.edu
Sent: Monday, October 03, 2005 2:20 PM
To: IRRC
Subject: please abolish physical punishment in our schools

As a PA Certified School Psychologist, I am writing to urge you to abolish physical punishment in our schools.

Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.

- The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.
- The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.
- Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

Joan Manhardt, Ph.D.
Certified School Psychologist
Child Study Institute
Bryn Mawr College
101 North Merion Avenue
Bryn Mawr, PA 19010

Joan Manhardt, Ph.D.

IRRC

From: Lillenstein,David [DLillenstein@hershey.k12.pa.us]
Sent: Monday, October 03, 2005 4:13 PM
To: IRRC
Subject: Proposal to Abolish Corporal Punishment in Public Schools

To whom it may concern:

It is my understanding that The State Board of Education has proposed a regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania. This regulation was disapproved by members of the House Education Committee on September 28 by a vote of 14-10, but that does not automatically kill the regulation.

I also understand that on Thursday, October 6, the Independent Regulatory Review Commission (IRRC) will consider this regulation and that the IRRC has the power to approve it or reject it.

As you consider this regulation, I ask that you consider the following:

* Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.

* The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.

* The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.

* Most parents and most professional organizations (such as the American Medical Association, National Education Association, National Association of School Psychologists, and the American Psychological Association) oppose corporal punishment in schools.

Thank you for you consideration.

Dr. David J. Lillenstein, NCSP
Director of Psychological Services
Derry Township School District
Homestead Road
PO Box 898
Hershey, PA 17033
Phone: (717) 531-2277 x5436
Fax: (717) 508-2266
Email: dlillenstein@hershey.k12.pa.us

IRRC

From: Dorothy Lyons [dorothy@uplink.net]
Sent: Monday, October 03, 2005 11:57 AM
To: IRRC
Subject: Proposal to abolish corporal punishment

Dear Mr McGinley:

As a psychologist working with children and as a former teacher of elementary school children, and as a parent myself, I oppose the use of corporal punishment.

The field of psychology has much to offer teachers in the management of disruptive behavior. Hopefully, school superintendents require behavior management training of all faculty as well as competency minimum standards in this area. School guidance counselors, student assistance teams and local mental health organizations and private practitioners in all local communities represent enormous resources to assist in training and consultation to teachers.

It is well recognized that corporal punishment is merely a temporary solution, fear-based, that can further engender violence. And, it does not address underlying issues nor does it teach self-control, a behavioral skill for life.

Physical restraint, in order to protect the safety of others, is a separate matter and requires specific training so that the individual being restrained is still treated with dignity and respect until control is regained. Faculty and other support staff in schools would benefit from "Non-violent crisis intervention" training (much like that which is given to staff on psychiatric hospital units and prisons).

In conclusion, I am recommending the committee reject corporal punishment and instead, propose school staff receive mandatory training in 1) psychosocial behavior management 2) non-violent crisis intervention.

Sincerely,
Dorothy L. Lyons, Licensed Psychologist

Original: 2367

IRRC

From: Yaacov Kravitz, Ed.D. [yaacov@spiritualintelligence.com]
Sent: Monday, October 03, 2005 3:21 PM
To: IRRC
Subject: Corporal punishment

Dear sir,

I strongly urge you to vote to stop the use of corporal punishment in schools. There is overwhelming evidence that this method is ineffective. It can traumatize children. As a psychologist who has also taught students at temple University studying to be teachers about classroom discipline, I would say that any teacher who resorts to physical punishment is admitting failure and has not learned basic principles of classroom management.

Yaacov Jeffrey Kravitz, Ed.D.
Licensed psychologist
Collaborative Care of Abington
1369 Old York Road
Abington, PA 19001

Original: 2367

IRRC

From: Jim Nolan [jimnolan@psu.edu]
Sent: Monday, October 03, 2005 5:01 PM
To: IRRC
Subject: Ban on Corporal Punishment

I am writing to express my support for a ban on corporal punishment. As an educator for more than 30 years, and an author of a textbook on classroom management, I am strongly in favor of such a ban. Corporal punishment is typically less effective than other alternative types of consequences and teaches children that they should behave out of fear. It also promotes bullying by suggesting that might make right. IN addition, most national organizations such as the American Medical Association, the American Psychological Association , and the national Education Association all support a ban on corporal punishment. I hope the IRRC will uphold the proposed ban on corporal punishment.

Sincerely, James Nolan

--

204G Rackley Bldg.
University Park, PA. 16802
814-865-2243
814-865-0070 (Fax)
Henry J. Hermanowicz Professor of Education
Director, Elementary Professional Development Schools

2005 OCT -4 PM 8:37
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10/03/05

Original: 2367

IRRC

From: Karen Bierman [kb2@psu.edu]
Sent: Monday, October 03, 2005 3:43 PM
To: IRRC
Subject: Proposal to abolish corporal punishment in public schools

Dear Commission Members:

The purpose of this email is to voice my very strong support for the regulation to abolish corporal punishment in public schools. As an educator who works with high risk youth, I have experienced the way that this sort of physical violence against children begets aggressive behavior in return. Children who behave badly in school typically have anger management problems, and often other concurrent learning difficulties. While a spanking or beating in school may cause a temporary inhibition of their aggressive behavior, the larger lesson these children learn is that "might makes right" and aggressive actions are the proper way to deal with their problems. If we are to help these children become participating members of our society, it is critical that we as educators, show them the alternative ways to manage anger and to solve problems. Certainly, teachers and schools have many other kinds of incentives they can use to encourage positive behavior and many consequences they can use to sanction problem behavior without resorting to physical attacks on children. Teachers who have been trained in proper classroom management techniques know how to use these strategies to maintain proper order in their classrooms. The research base is quite clear in indicating that the capacity to maintain classroom order effectively and establish positive working relationships with high risk students are teaching skills that can be learned. Teachers who act out their anger by physically hitting children do not have proper training, and are engaging in behavior that is harmful to the children who are beaten, as well as the children who observe this trusted adult hitting others. We should not allow corporal punishment in our schools, and should make training available to all teachers in those alternative positive discipline strategies that would enhance peaceful order in our schools and foster positive citizenship. -- Karen Bierman

Karen L. Bierman, Ph.D.
Director, Social Science Research Institute
Director, Children, Youth, and Families Consortium
Distinguished Professor of Psychology
The Pennsylvania State University
106 Health and Human Development East
University Park, PA. 16802-6504
SSRI Office: 814-865-5500; CYFC Office: 814-865-3879
SSRI Fax: 814-863-8342; CYFC Fax: 814-865-3246
email: kb2@psu.edu
please visit our web sites: www.cyfc.psu.edu, www.ssri.psu.edu

IRRC

From: Joe Kovaleski [jkov@iup.edu]
Sent: Monday, October 03, 2005 7:54 PM
To: IRRC
Subject: Corporal Punishment

Original: 2367

To whom it may concern:

Please excuse this cut and paste message, but I understand that fast action is critical. I fully support the sentiments below. This change is long overdue in our state.

>
> It is my understanding that The State Board of Education has proposed a regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the
> public schools of Pennsylvania. This regulation was disapproved by
> members of the House Education Committee on September 28 by a vote of
> 14-10, but that does not automatically kill the regulation.

>
> I also understand that on Thursday, October 6, the Independent Regulatory Review Commission
> (IRRC) will consider this regulation and that the IRRC has the power to approve it
> or reject it.

>
> As you consider this regulation, I ask that you consider the following:

> *> Corporal punishment is unnecessary. Properly trained teachers
> understand how to manage classrooms without the use of corporal punishment.

> *> The option of corporal punishment has been abused. Regrettably, there
> have been well documented cases when some school personnel have abused
> the option of corporal punishment and used it in an extreme and harmful
> manner.

> *> The proposal still allows corporal punishment in very limited
> circumstances such as when necessary to protect the safety of staff or
> students.

> *> Most parents and most professional organizations (such as the American
> Medical Association, National Education Association, National Association of School Psychologists, and the American
> Psychological Association) oppose corporal punishment in schools.

> Thank you for you consideration.

Joseph F. Kovaleski, D.Ed.
Director, Program in School Psychology
Department of Educational and School Psychology
Indiana University of Pennsylvania
246B Stouffer Hall
Indiana, PA 15705
724/357-3785
jkov@iup.edu

Original: 2367

IRRC

From: Jan Schaeffer [jrsphd@earthlink.net]
Sent: Monday, October 03, 2005 9:21 AM
To: IRRC
Subject: Corporeal Punishment in Schools

To whom it may concern:

As a psychologist with an expertise in understanding human behavior, I want to register my opposition to the continuation of the regulation making it acceptable and lawful for teachers to use physical punishment with their students. This method of shaping behavior does not work and teaches children that physical aggression is how adults solve problems. Teachers can be powerful role models for the children they work with on a daily basis and have the opportunity to demonstrate that words can be utilized to teach and change behavior. School needs to be thought of as a place where children can learn and be safe, especially if their own homes are not safe. If children think of school as another potentially abusive environment, how can they possibly learn?

While there may be some teachers who would use physical punishment with restraint, there are undoubtedly others who would not because of their own histories of victimization as children and/or because, like other human beings, they are vulnerable to losing control in a heated situation.

It is imperative that children learn that ANY physical means of problem solving is wrong. It is also imperative that teachers be aware that corporeal punishment only reinforces physically aggressive means of handling difficult situations, something we do not want our children to imitate.

Please consider this issue very carefully. Isn't there enough violence in the world?

Respectfully submitted,

Janet Schaeffer, PhD

10-03-05 09:21 AM
IRRC

IRRC

From: Neal Hemmelstein [nah11@scasd.org]
Sent: Monday, October 03, 2005 10:53 PM
To: IRRC
Subject: corporal punishment is an error

To Whomever Will Listen:

Corporal punishment is an error and unnecessary. Trained properly, teachers can manage classrooms without any type of physical punishment.

Corporal punishment is easily abused and misunderstood. Hitting someone or hurting someone physically provides the wrong model and promotes the wrong behavior. The model it presents is that of-physical punishment provides a solution to a problem. As well, punishment does not help someone know what to do. It simply communicates in front of whom not to do whatever it is that results in that punishment.

Many studies have found that children physically punished at home tend to be more aggressive than those not.

The American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools. There is no good reason to allow corporal punishment in schools. There are many reasons not to allow it.

Sincerely,

--

Neal Hemmelstein
P.O. Box 426
Lemont, PA 16851
814-867-2802

email: nah11@scasd.org

Original: 2367

IRRC



RECEIVED

2005 OCT -3 AM 8:53

INDEPENDENT REGULATORY
REVIEW COMMISSION

From: Valone, Dennis [dennis_valone@iu5.org]
Sent: Monday, October 03, 2005 8:24 AM
To: IRRC
Cc: Iva@papsy.org
Subject: Chapter 12 and corporal punishment

Independent Regulatory Review Commission**John R. McGinley Jr., Chairman****333 Market Street, 14th floor****Harrisburg, PA 17101****Dear Mr. McGinley-**

This is to recommend that the provision in Chapter 12 to curtail the use of corporal punishment be approved. Based upon my 33 years of work with children, families and the public schools, and my training and education, I see no value for society or for the individual from the use of this discipline procedure. Indeed, the use of physical punishment usually has counterproductive effects. Furthermore, I think the IRRC and other rule-making authorities need to consider the following:

- 1. Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.**
- 2. The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.**
- 3. The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.**
- 4. Most parents and most professional organizations (such as the American Medical Association, National Education Association, and**

10/3/2005

American Psychological Association) oppose corporal punishment in schools.

Dennis Valone, Ed.D.

Director of Early Childhood Intervention and Mental Health Services

I.U. 5

252 Waterford Street

Edinboro, PA 16412

814-734-8462

dennis_valone@iu5.org

Original: 2367

IRRC

From: bucell@verizon.net
Sent: Monday, October 03, 2005 2:32 PM
To: IRRC
Subject: Abolishing Corporal Punishment

I strongly urge you to support the State Board of Education proposed regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania. I am a licensed psychologist focusing on developmental issues with over 25 years of experience. Over the years, I have consistently found that adults who resort to corporal punishment rarely achieve the results they desired. Instead, a bad situation tends to become much worse. Teachers and parents who understand the importance of discipline are able to effectively deal with inappropriate behavior without physical harm. The goal is self-disciplined children, not fearful children or children who learn to misbehave in ways and areas where they won't get caught. Corporal punishment teaches might makes right. It also reinforces coercive approaches which are ineffective and if anything, it teaches children with behavior problems how to behave even more poorly. Properly trained teachers understand that children need to acquire self-discipline. The research is clear that corporal punishment does not achieve that end.

I urge you to please support this measure. If you believe in strong schools and disciplined students, corporal punishment will not achieve that goal.

Thank you for considering my concerns.

Sincerely,
Cynthia Legin-Bucell, Ph.D.

IRRC Original: 2367

From: Janet Bliss [JBLISS@f-cr.com]
Sent: Monday, October 03, 2005 2:57 PM
To: IRRC
Subject: Corporal Punishment

I support Chapter 12 and am opposed to corporal punishment in schools. I have had to treat children who have been abused by those in authority and they typically become either victims for life or bullies for life depending on their response to this unnecessary punishment. Teachers and others in authority must be trained to adequately deal with problems at school.

Janet Bliss, M.S., Licensed Psychologist
Program Director, Counseling Services
Family-Child Resources
3995 East Market Street
York, PA 17402
Phone: (717) 757-1227
Fax: (717) 757-1353
www.f-cr.com

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2005 OCT -3 PM 4: 59
COMMISSION ON JUDICIAL
REVIEW COMMISSION

Original: 2367

IRRC

From: Davis, Beth A [bdavis6@wellspan.org]
Sent: Monday, October 03, 2005 3:11 PM
To: IRRC
Subject: Changes to Chapter 12 of the School Code

John R. McGinley, Jr.
Chairman
Independent Regulatory Review Commission
Harrisburg, PA

Dear Mr. McGinley:

As research literature has shown for years, and as most of us who have worked with children know, corporal punishment does not eliminate bad behavior, it merely suppresses it. Indeed, children who are physically punished are at significantly greater risk for becoming physically aggressive than children who are not.

Since competent teachers are able to manage their classrooms without resorting to physical punishment, and since corporal punishment does not eliminate bad behavior, and when administered it only serves to increase physical aggression, this type of behavior "management" should not be permitted in our public schools.

Thanks to you and your commission for reviewing this issue.

Sincerely,

Beth A. Davis, Psy.D.

Beth A. Davis, Psy.D.
Post-doctoral Intern
Wellspan Behavioral Health
Offices: Hanover, Gettysburg, York Hospital

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Original: 2367

IRRC

From: mhandakas@pa.net
Sent: Monday, October 03, 2005 11:01 AM
To: IRRC
Subject: corporal punishment in schools

As a parent, I vehemently oppose the use of corporal punishment in the public school arena. My child has never and will never be smacked or beaten by his mother or father. Other methods of discipline are more effective.

As a university professor, I teach my students that children learn that violence solves problems when they experience violence as "discipline" at the hands of authority figures who should model self-regulation.

As a voter, I will never cast my vote for someone who supports corporal punishment in the public school system.

Marika Handakas
Psychology Department
Bloomsburg University of PA
400 E. Second St.
Bloomsburg, PA 17815

10

10/03/05 11:01 AM
IRRC

Original: 2367

IRRC

From: Gowen Roper [jgr4@psu.edu]
Sent: Monday, October 03, 2005 4:13 PM
To: IRRC
Subject: Chapter 12

Independent Regulatory Review Commission
John R. McGinley Jr., Chairman
333 Market Street, 14th floor
Harrisburg, PA 17101

Dear John R. McGinley and Members of the Independent Regulatory Review Commission:

I am writing to urge you strongly to overturn the decision of the House Education Committee to disregard the proposal by The State Board of Education to change Chapter 12 of the School Code to abolish corporal punishment in the public schools of Pennsylvania.

. Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment.

. The option of corporal punishment has been abused. Regrettably, there have been well documented cases when some school personnel have abused the option of corporal punishment and used it in an extreme and harmful manner.

. The proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff or students.

. Most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools.

As the Director of a licensed outpatient psychiatric facility in PA, we unfortunately too often have to deal with the consequences of the practice of corporal punishment, both in the schools and at home. Our schools should be setting an example for the best practices in behavioral interventions, not the worst. Please reconsider the recommendations by the experts in the area, The State Board of Education.

Thank you.

Sincerely,

J. Gowen Roper, Ph.D.
Director, The Psychological Clinic
Associate Clinical Professor of Psychology
Penn State University
318 Moore Building, University Park, Pa 16802-3103
Phone: 814-865-2191 Fax: 814-863-1331
jgr4@psu.edu

10/3/2005

Original: 2367

IRRC

From: MKGeagle@aol.com
Sent: Monday, October 03, 2005 11:14 AM
To: IRRC; iva@PAPSY.ORG
Subject: How a Healthy Diet Can Reduce Violence and Rudeness, and Increase Your Child's

**How a Healthy Diet Can Reduce Violence and Rudeness,
 and Increase Your Child's IQ
 by SixWise.com**

Like a taunting teenager, a nosy mother-in-law or a meddling neighbor, food messes with our emotions. A bowl of ice cream can make you happy. An entire carton of ice cream can make you sad. Just the smell of a home-cooked meal when you can't have one can make you lonesome and a bowl of chicken noodle soup can make you feel better.

It's no stretch, then, to think that food can also influence our behaviors -- and it does. According to cutting-edge research, eating a healthy diet affects much more than your weight and health. It's been linked to decreases in violence, rudeness and antisocial behavior and increases in IQs, test scores and grades among students.

From Student Terrors to the Head of the Class

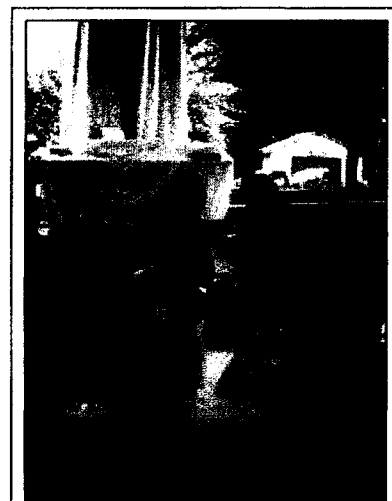
Prior to 1997, the Central Alternative High School in Appleton, Wisconsin used to be filled with troublemakers, kids carrying weapons and police officers patrolling the halls. School counselor Greg Bretthauer turned down a job there, saying, "I found the students to be rude, obnoxious and ill-mannered."

The school then implemented a healthy food program, one that added fresh fruits and vegetables, a salad bar and whole-grain bread to the cafeteria in lieu of hamburgers and fries, and replaced vending machines with water coolers.

By 2002, one teacher, Mary Bruyette, said, "I don't have to deal with daily discipline issues ... I don't have disruptions in class or the difficulties with student behavior I experienced before we started the food program. One student asserted, 'Now that I can concentrate I think it's easier to get along with people.'"

Since 1997, the school has reported no drop-outs, expelled students, students with drugs or weapons and no student suicides. The school's principal, LuAnn Coenen, was understandably impressed:

"I can't buy the argument that it's too costly for schools to provide good nutrition for their students. I have found that one cost will reduce another. I don't have the vandalism. I don't have the litter. I don't have the need for high security."



Healthy school lunches translate to calmer, more behaved, smarter kids.

Bad Diets Equal Bad Behavior

A study by University of Southern California researchers, published in the American Journal of Psychiatry, found similar results. After studying more than 1,000 children for 14 years, they found that children who had a poor diet, one that lacked zinc, iron, vitamin B and protein, during their first three years of life were more likely to become aggressive and anti-social.

By the age of 8, the poorly fed children were more irritable and picked more fights than the healthy children. By age 11, they cheated and got into fights and by age 17 they stole, took drugs and were bullies.

Said Adrian Raine, co-author of the study, "Poor nutrition leads to low IQ, which leads to later anti-social behavior. At a societal level, should parents be thinking more about what kids are eating? There's more to anti-social behavior than nutrition, but we argue that it is an important missing link."

Other research by Stephen Schoenthaler, a criminal-justice professor at California State University in Stanislaus, echoed these

10/3/2005

findings. After 803 New York City schools in low-income neighborhoods were provided better meals, the number of students who received passing scores on final exams increased 16 percent. And violations of house rules at one youth detention center fell by 37 percent after fresh fruits and vegetables were added to the cafeteria.

Says Schoenthaler, "Having a bad diet right now is a better predictor of future violence than past violent behavior."

Adults, This Applies to You, Too

Kids aren't the only ones affected. In one prison in England, 231 inmates between the ages of 18 and 21 were divided into two groups. One group received nutrition supplements with their meals while the other group got placebos. After four months, here's what happened:

- Prisoners given supplements committed, on average, 26 percent fewer violations, and 37 percent fewer violent violations, compared to the preceding period.
- No behavioral change occurred in those given placebos.

Said the study's researcher Bernard Gesch, physiologist at the University of Oxford:

"Most criminal-justice systems assume that criminal behavior is entirely a matter of free will. But how exactly can you exercise free will without involving your brain? How exactly can the brain function without an adequate nutrient supply? Nutrition in fact could be a major player and, for sure, we have seriously underestimated its importance. I think nutrition may actually be one of the most straightforward factors to change antisocial behavior. And we know that it's not only highly effective, it's also cheap and humane."

And, according to Food and Behavior Research, a charitable organization trying to advance scientific research into the links between nutrition and human behavior, diet can play a role in preventing and managing the following conditions:

- Attention Deficit Hyperactivity Disorder (ADHD)
- Dyslexia
- Dyspraxia
- Autistic spectrum disorders
- Anxiety
- Depression
- Bipolar (manic-depressive) disorder
- Schizophrenia

If you're interested in trying some simple dietary changes of your own to see if you notice any changes in mood or behavior, here are some tips to try out for you and your family.

- Sit down to a regular, family mealtime everyday (or as often as possible).
- Make an effort to eat lots of different fruits and vegetables.
- Opt for fresh whole foods over processed and packaged ones.
- Drink water as your primary beverage.

Recommended Reading

10/3/2005



Only purchase healthy foods at the supermarket, and you'll have an easier time getting your family to eat healthy.

The 6 Most Unhealthy Foods You Should Avoid at All Costs

How to Talk to a Teenager (and Know That They're Listening)

Sources

Ode Magazine: You Do What You Eat

Path to Health: A Miracle in Wisconsin

BBC News: Poor Diet Linked to Bad Behavior

Food and Behavior Research