

**IRRC**

---

**From:** Erica Altomare [altomar+@pitt.edu]  
**Sent:** Monday, October 03, 2005 11:34 AM  
**To:** IRRC  
**Subject:** Corporal Punishment in Schools

Dear Mr. McGinley,

I was informed that a proposal to abolish corporal punishment in schools is coming before the Independent Regulatory Review Commission. As a Licensed Psychologist, I am strongly in favor of abolishing this type of disciplinary measure in our schools. Based on research, most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools. In addition, teachers who are properly trained in behavioral management strategies understand how to manage classrooms effectively without the use of corporal punishment. The banning of corporal punishment in conjunction with the training of school personnel in appropriate, alternative behavioral techniques for effective classroom management is imperative in light of well documented cases when the option of corporal punishment was used in an extreme and harmful manner. I strongly urge the Commission to carefully review the literature relating to the use and potential for abuse of corporal punishment in schools; particularly the negative impact on students' safety and mental health. I am confident that after doing so, the Commission will oppose its use. Thank you for your time and consideration.

Sincerely,  
Erica Altomare, Ph.D.  
Licensed Psychologist  
Assistant Professor of Psychology  
University of Pittsburgh at Titusville  
Titusville, PA 16354  
814-827-4430  
altomar@pitt.edu

Original; 2367

**IRRC**

**From:** Jerome S. Bernstein [burro7@cybermesa.com]  
**Sent:** Monday, October 03, 2005 2:54 PM  
**To:** IRRC  
**Subject:** Corporal punishment in schools

**RECEIVED**

2005 OCT -3 PM 4: 59

INDEPENDENT REGULATORY  
REVIEW COMMISSION

- 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.
- I, too, as a parents, a psychologist, a psychoanalyst, a consultant to public school systems, oppose corporal punishment in the schools.

Jerome S. Bernstein  
Jungian Analyst

Original: 2367



*Advancing Public Education*

400 North Third Street  
P.O. Box 1724  
Harrisburg, PA 17105-1724  
(717) 255-7000  
(800) 944-PSEA (7732)  
Fax: (717) 255-7128 • (717) 255-7124  
www.psea.org

Patsy J. Tallarico, *President*  
James R. Weaver, *Vice President*  
James P. Testerman, *Treasurer*  
Carolyn C. Dumaresq, *Executive Director*

November 2, 2004

Mr. Robert E. Nyce, Executive Director  
Independent Regulatory Review Committee  
14<sup>th</sup> Floor  
Harristown 2  
333 Market Street  
Harrisburg, PA 17101

RECEIVED  
2004 NOV -5 PM 1:31  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Mr. Nyce:

This is to advise that the Pennsylvania State Education Association, PSEA, supports the State Board of Education's final form regulations for Chapter 12, Title 22 of the Pennsylvania Code. We have carefully reviewed the proposed regulations and find them to be academically and legally sound.


If we can provide any assistance to you on any issues that arise regarding Chapter 12, please feel free to contact me at 1-800-944-7732, ext 7094. Thank you.

Sincerely,

Carol L. Karl  
Assistant Director for Government Relations

CLK:jmk

**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

Original: 2367

**IRRC**

---

**From:** Lauri Reeder [lreeder@scsd.k12.pa.us]  
**Sent:** Monday, October 03, 2005 9:20 AM  
**To:** IRRC  
**Subject:** Corporal Punsihment Ban

I would like to comment in support of the corporal punishment ban that your committee with be considering later this week.

Corporal punishment is an unnecessary "strategy" for use in schools. Well trained teachers do not have difficulty in seeking effective, alternatives to corporal punishment for managing and shaping behavior. In properly managed classrooms, discipline involves quality, well-paced instruction, the opportunity for interesting and enriching experiences and positive consequences. In such an environment, effective negative consequences can include separation from other students, lost opportunities to participate in "fun"activities, loss of recess time or after school meetings. Corporal punishment would not change the behavior of students who do not respond to those strategies. For those students, teacher teams, along with building principals, can develop more focused interventions targeted to change behavior, assisting the classroom teacher to help that specific student.

I am glad to have worked in districts that do not allow corporal punishment, where "discipline" is thought to start with good instruction. I would suspect that if teachers in our district were asked, the consensus would be that having corporal punishment is not needed to reduce problem behavior; that there are more effective (and humane) ways to guide student behavior.

Lauri Reeder  
School Psychologist

10/03/05 8:19:51 AM  
49

Original: 2367

**IRRC**

---

**From:** Linda Frawley-Bryan [Linda.Frawley-Bryan@usa.dupont.com]

**Sent:** Monday, October 03, 2005 2:43 PM

**To:** IRRC

**Subject:** Corporal Punishment

IRRC,

As a psychologist who, at times in my career, has specialized in the treatment of children, I am strongly opposed to corporal punishment used in schools. Please consider efforts to oppose this behavior.

Linda Frawley-Bryan  
Licensed Psychologist  
570-268-3158

This communication is for use by the intended recipient and contains information that may be pri

Francais Deutsch Italiano Espanol Portugues Japanese Chinese Korean

[http://www.dupont.com/corp/email\\_disclaimer.html](http://www.dupont.com/corp/email_disclaimer.html)

10/3/2005

**From:** PClair@grblaw.com  
**Sent:** Friday, October 22, 2004 3:57 PM  
**To:** IRRC; Schalles, Scott R.; 00statbd@psupen.psu.edu; longoj@qvsd.org; cerdeljac@rsd.k12.pa.us; korchnak@htsd.k12.pa.us; wilsro@whsd.k12.pa.us; jmanley@prsd.k12.pa.us  
**Cc:** tim.allwein@psba.org; RLucas@grblaw.com; DPalmer@grblaw.com; stuart.knade@psba.org; erl@springerlaw.com; Carolpapta@aol.com; Wilmarth, Fiona E.; gledebur@colonialsd.org; Info@StopHitting.org; irwin.hyman@temple.edu; lcromley@csiu.org; lrieser@elc-pa.org; sam@papsy.org; SPaesani@pmhcc.org  
**Subject:** Re: State Board of Education final-form regulation #6-280 "Pupil Personnel Services and Students"



Comments to Ch 12  
regulations ...



pic12188.jpg

Thank you for the notice of submission to IRRC. As a point of introduction I presently serve as appointed Solicitor to 5 Allegheny County School Districts and have so served them and others since 1981; my firm's history in School representation extends to the early 1960s.

I noted IRRC's comment re: 12.8 hearings and "sufficient notice of the time and place of hearing."

The regulations already require a formal hearing to be conducted before an 11th day of exclusion from school. Additionally, the existing regulation requires notice to be given by certified mail. This de facto compresses the period in which an investigation and decision to prosecute an expulsion can be made and notice given. A specified notice period such as the "3 days prior" found in the final form regulation is unnecessary and will render the regulatory scheme almost incapable of compliance. Note: final form regulation link:

[http://www.pde.state.pa.us/stateboard\\_ed/lib/stateboard\\_ed/CHAPTER12Final\\_form3-17-04.pdf](http://www.pde.state.pa.us/stateboard_ed/lib/stateboard_ed/CHAPTER12Final_form3-17-04.pdf)

If Districts are at all expected perhaps to postpone a decision to expel until after an informal review, within the first 5 days of exclusion, a mandated 3 days certified mail notice could make it impossible to have a hearing before an 11 th day. Thus the effect of the regulation will be to prompt Districts to decide immediately to pursue expulsion, in order that they can meet the 10-day, certified mail, and 3 -day constraints. This serves neither students nor districts' interests. It has a superficial literary appeal--all the bases are covered -- but it has no value in actual operation.

I also repeat my comment expressed in December 2003 to the State Board that requiring a paper copy of a Code of Conduct to be included in the written notice of hearing is a great waste of paper and other school resources. It ignores the great impetus in all schools, encouraged by other efforts of the Department, to move toward the efficiencies of electronic communication, recordkeeping, and instruction. Indeed, it seems contrary to the emphasis on teaching technological competence and fluency within school curricula. And it completely disregards the obligation of students to familiarize themselves with school rules. Consider: the Constitution does not require a criminal indictment to be accompanied by a copy of the

Pennsylvania Crimes Code.

A copy of my December 23 ,2003 correspondence is attached for your convenient reference.

(See attached file: Comments to Ch 12 regulations 12-03.DOC)

Regards

(Embedded image moved to file: pic12188.jpg)Patrick J. Clair, Esq.  
Goehring, Rutter & Boehm  
Waterfront Corporate Park  
100 Georgetowne Drive, Suite 300  
Sewickley, PA 15143

(724) 935-4777  
(724) 935-4123 fax  
(412) 977-1854 cell

"Schalles, Scott  
R."  
<sschalles@IRRC.STATE.PA.US>

10/22/2004 02:41  
PM

<sam@papsy.org>,  
<pclair@grblaw.com>,  
<SPaesani@pmhcc.org>,  
<lrieser@elc-pa.org>,  
<Info@StopHitting.org>,  
<lcromley@csiu.org>,  
<Carolpapta@aol.com>,  
<gledebur@colonialsd.org>,  
<tim.allwein@psba.org>,  
<irwin.hyman@temple.edu>

To

cc

"Wilmarth, Fiona E."  
<fwilmarth@IRRC.STATE.PA.US>

Subject  
State Board of Education final-form  
regulation #6-280 "Pupil Personnel  
Services and Students"

The Independent Regulatory Review Commission (IRRC) received the above-referenced final-form regulation on October 21, 2004. You are being contacted because you commented on the proposed version of the rule-making during the public comment period.

IRRC has tentatively scheduled this regulation for consideration at its December 1, 2004 public meeting. Meetings are held at 10:30 a.m. at 333 Market St in Harrisburg. Please check IRRC's website to verify the meeting date. The website is [www.irrc.state.pa.us](http://www.irrc.state.pa.us) The meeting date will be officially set at IRRC's November 18, 2004, public meeting.

If you need a copy of the final-form regulation, you should contact Mr.

James Buckheit, Executive Director of the State Board of Education. His phone number is 717-787-3787.

Please remember that any comments submitted to IRRC become part of the public record. If you decide to submit comments on this final-form regulation, you must do so 48 hours before IRRC's public meeting.

If you have any questions about IRRC and the regulatory review process, please contact me.

Thank you.

Scott Schalles  
Regulatory Analyst  
IRRC  
(717) 214-8955  
sschalles@irrc.state.pa.us



December 23, 2003

Patricia A. White, Executive Director  
State Board of Education  
333 Market Street  
Harrisburg, PA 17126-0333

*Re: Proposed Changes – Chapter 12 Student Discipline Regulations*

Dear Members:

I write to offer comment with respect to one of the proposed amendments to 22 Pa. Code Chapter 12, which appeared in the November 22, 2003 issue of the Pennsylvania Bulletin.

I write in my own capacity as a school law practitioner of many years, and specifically on behalf of and as authorized by the Superintendents of the Hampton Township, Pine-Richland, Quaker Valley, Riverview, and Woodland Hills School Districts in Allegheny County.

The change proposed, to which objection is raised, is that which would require school districts to provide a physical copy of the respective districts' Codes of Student Conduct as part of a notice of a student expulsion hearing. Districts uniformly and categorically – in compliance with existing constitutional and regulatory provisions – provide notice to students of the rules for student conduct. They deliver copies of those codes in various means, and I am unaware of any district which does not make some provision for the oral presentation of the code to students at the beginning of each academic year, with opportunity for discussion of same. Most school districts, in order to provide a proper evidentiary basis in the event of a hearing, require a signed receipt from students and in many cases parents, acknowledging receipt of the Code of Student Conduct. Moreover, many districts now publish the annual Code of Student Conduct on websites, which are daily improving in overall content and ease of use by the student and parent communities.

Likewise, Notices of Hearing employed by school districts and their counsel (which have evolved into a fairly uniform format) make specific reference to the duly adopted and distributed Code of Conduct, and make a specific reference to its further availability to the parent or student upon request in advance of any hearing. Lastly, a copy of the Code of Student Conduct is uniformly offered into evidence as part of the “prosecution” in any student discipline hearing, so it does appropriately become a part of the record in the

event of any appeal from a school board adjudication to a Court of Common Pleas. I have personally been involved in scores of student discipline hearings, and I have never once heard a defense offered – either pro se or with the assistance of counsel – that a school district did not properly adopt and distribute its Code of Conduct to the defendant student.

One might certainly say, “what a small thing this is – simply a photocopy of the Code of Conduct, what’s the big deal?” But in this age of increasing effort to reduce the volume of paper which is created, shipped, and stored by all manner of private and public entities, this requirement seems a retrograde movement. Given that most districts provide written notice of such hearings to students and parents, and often do so by way of both first-class and certified, return-receipt mail, the regulation could have the impact of requiring the reproduction and distribution of four copies of the Code of Conduct, and the consequent waste of paper and the staff time in doing so is apparent. I am of course not privy to whatever thinking precipitated the proposed change, and would be happy to address it specifically if the underlying concern is brought to my attention. However, I think this is a small but specific instance of an additional time and expense burden being placed on a school district which has no discernable benefit for school districts at large or for the protection of due process rights of individual students.

I would be happy to respond to any inquiry you may have of me. Thank you for your attention.

Very truly yours,

GOEHRING, RUTTER & BOEHM

Patrick J. Clair, Solicitor  
Hampton Township School District  
Pine-Richland School District  
Quaker Valley School District  
Riverview School District  
Woodland Hills School District

PJC/plf

**IRRC** Original: 2367

---

**From:** Richard or Joyce Magee [rjmagee@adelphia.net]  
**Sent:** Monday, October 03, 2005 3:46 PM  
**To:** IRRC  
**Subject:** Change in Chapter 12 of School Code

Dear Chairman McGinley:

I'm writing to urge the IRRC to approve the recommended changes in Chapter 12 of the School Code that would abolish corporal punishment in the public schools of our state.

My wife is a retired special education teacher and supervisor. I am a psychologist who has consulted with schools for many years. We both have long opposed the use of corporal punishment. Corporal punishment is unnecessary and, worst of all, legitimizes the use of violence. We should be better models for our children.

Thanks for considering our views.

Richard D. Magee, Ph.D.  
70 Windsor St.  
Indiana, PA 15701

10/3/2005

**IRRC**

---

**From:** Carl Kallgren [kqx@psu.edu]  
**Sent:** Monday, October 03, 2005 4:21 PM  
**To:** IRRC  
**Subject:** Abolish Corporal Punishment

**Importance:** High

As a social scientist working to promote healthy youth development, I strongly urge you to abolish the use of corporal punishment in our public schools. Although I do not know the literature exhaustively on this issue, I find it very unlikely that any credible research has found positive outcomes from the use of corporal punishment, and I think we can all come up with many, many negative outcomes that can follow the use of corporal punishment.

Let's put a stop to this inhumane practice now.

Carl A. Kallgren, Ph.D.  
Associate Professor of Psychology  
Director  
Center for Organizational Research & Evaluation (CORE)  
Penn State Erie, The Behrend College  
5091 Station Road  
Erie, PA 16563-1801  
814-898-6297  
Fax: 814-898-6270  
<http://www.personal.psu.edu/faculty/k/q/kqx/>

**Prepared Statement Concerning Amendments to Chapter 12  
of the School Code  
on Behalf of the Pennsylvania Psychological Association  
before the Independent Regulatory Review Commission  
October 6, 2005**

I am Dr. Helena Tuleya-Payne and I am chair of the Psychology Department at Millersville University and speaking on behalf of the Pennsylvania Psychological Association.

We have already sent to IRRC our reasons why we support the State Board of Education's proposed amendments. However, I would like to add additional information concerning the context in which the regulations are being proposed. As you know the major issue of contention is the provision that would ban corporal punishment. I understand that the House Education Committee voted narrowly against this version of Chapter 12 because some members of the House Education Committee believed that the State Board of Education was exceeding its authority in banning corporal punishment.

We believe that the State Board of Education has the authority to issue a regulation that bans corporal punishment.

There are ample precedents for this regulation. In 2000, the State Board of Education promulgated and IRRC approved regulations for special education students which, among other things, explicitly banned corporal punishment for children in special education (14.333 (e) (1)). As you may recall, the special education regulations were controversial, but we can recall no controversy concerning the provision to ban corporal punishment. In fact, that provision had existed in the previous regulations on special education that IRRC has approved.

The provisions in the special education regulations did, and will do, more to reduce corporal punishment in the schools than anything that the IRRC does today. Research from the late Dr. Irwin Hyman showed that children with special needs were especially likely to be subjected to corporal punishment. As you know some children in special education have behavior problems that are very difficult to manage. However, they can be managed and indeed thrive in school without corporal punishment. So can students in regular education.

It is our position that the precedent has been well established through special education regulations that the State Board of Education has the authority to abolish corporal punishment. For these reasons, we urge you to approve these regulations.

Thank you for your consideration of this important issue.

**IRRC** Original; 2367

---

**From:** Linda Meashey [lem4@psu.edu]  
**Sent:** Monday, October 03, 2005 3:58 PM  
**To:** IRRC  
**Subject:** Corporal Punishment

Please register my support for Chapter 12 of the School Code.

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, and American Psychological Association) oppose corporal punishment in schools.

Linda E. Meashey MS  
Staff Psychologist

Penn State Harrisburg  
777 W. Harrisburg Pike  
Middletown, Pa. 17057  
Phone: (717) 948-6025  
Fax: (717) 948-6261

"Emotional transitions are among the most difficult things we have to do" ... Anonymous

# EMBARGOED MATERIAL

IRRC

**From:** Ferchalk, Matthew [mferchalk@hershey.k12.pa.us]  
**Sent:** Wednesday, October 05, 2005 1:06 PM  
**To:** IRRC  
**Subject:** Corporal Punishment

Original: 2367

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.

Matt Ferchalk. M.Ed.  
School Psychologist Intern  
Derry Township School District  
Homestead Road  
P.O.Box 898  
Hershey, PA 17033  
Phone (717) 531-2277, ext 5434  
Fax: (717) 508-2266

RECEIVED  
2005 OCT -5 PM 1:49  
INDEPENDENT REGULATORY  
COMMISSION

**IRRC**, Original: 2367

---

**From:** Amy Manning Smith [ajmanning3@msn.com]  
**Sent:** Monday, October 03, 2005 2:17 PM  
**To:** IRRC  
**Subject:** Abolish Corporal Punishment

10/03/05 PM 2:32

To whom It May Concern,

This e-mail is being sent to encourage the abolishment of corporal punishment in the public schools of Pennsylvania. The following key points sufficiently address the reasons as to why this should be considered on October 6, 2005 by IRRC:

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

Amy Manning, Psy.D.  
Licensed Psychologist  
Export, Pennsylvania  
412-327-1456



Original: 2367

**IRRC**

---

**From:** Nancy Stetten [nancy@stetten.com]  
**Sent:** Monday, October 03, 2005 2:34 PM  
**To:** IRRC  
**Subject:** corporal punishment

I have been informed by PPA that corporal punishment still exists in some schools in the USA. I am appalled and dismayed to find this is true. Let me lend my vigorous support to those who decry this barbarian practice.

Sincerely,  
Nancy Zufall Stetten, Ph.D.  
Clinical Psychologist

Original: 2367

**IRRC**

---

**From:** Murry Nelson [mnr2@psu.edu]  
**Sent:** Tuesday, October 04, 2005 9:32 AM  
**To:** IRRC  
**Subject:** Corporal punishment

Dear Commission Members,

I am writing to strongly urge you to abolish corporal punishment in Pennsylvania's schools. As a professor of education for the past 31 years at Penn State, I can attest to the fact that we teach how to maintain classroom order through a variety of strategies, and corporal punishment is not one that is either condoned or encouraged. Not that I have no familiarity with it. Before receiving my doctorate, I was a public school teacher in Chicago and saw a number of teachers use this form of abuse, even though it was forbidden by statute. The only "benefits" were that the teacher got to use power and exact pain on students. Yes, the students remained orderly for a while, but it did nothing to enhance learning and most of those punished were ultimately early school leavers. One might say that getting the class in order was vital for others to learn, but my observations were that the students weren't bothered by the disorderly student as much as the teacher, who felt almost slighted by the loss of central attention. Clearly, there are better learning strategies than this. This is not an incentive to learning, merely a way to quell a student temporarily and likely to drive him or her to dislike school. Our goals should be to foster learning, not impede it. We have much better ways of managing the classroom than the literally heavy-handed approach of corporal punishment. I hope that you will reject the short-sided vote of the House Education Committee and abolish this practice, which both pains and humiliates some of our most in need students.

Sincerely,

Murry R. Nelson  
Professor of Education and American Studies  
Department Head, Curriculum and Instruction  
Penn State University  
University Park, PA 16802

Original: 2367

**IRRC**

---

**From:** Cheryl Falkenstein [cacfalken@yahoo.com]  
**Sent:** Tuesday, October 04, 2005 5:59 PM  
**To:** IRRC  
**Subject:** Chapter 12 of School Code

**EMBARGOED MATERIAL**

October 4, 2005

Dear Independent Regulatory Review Commission,  
It is with strong conviction and upmost respect that I urge you to consider regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools. I am a psychologist who has worked with children in schools and other treatment settings for many years. During my work, I have obtained substantial evidence of the harmful effects of corporal punishment on children. Corporal punishment is unnecessary and ineffective, resulting in more behavioral and emotional problems for its recipients and less control and safe management by it users. It is vital that we prepare our educators and other caretaking adults who provide services to children with training, support, and legislative regulations that promote safe, effective child welfare and that enhance learning and development. It is our responsibility to be competent adults who foster competency in children. This is accomplished in environments and relationships that are safe, trustworthy, and competency-based. Thank you for considering my experiences and I do hope you will use your skills to influence this critical matter in our society.  
Sincerely,  
Cheryl A. Falkenstein, Ph.D.

---

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

Original: 2367

**IRRC**

**From:** Wendy Middlemiss [wlm6@psu.edu]  
**Sent:** Tuesday, October 04, 2005 2:13 PM  
**To:** IRRC  
**Subject:** Legislation regarding Corporal Punishment in the Schools

**EMBARGOED MATERIAL**

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

Dear Mr. McGinley:

Please accept these following remarks concerning Chapter 12 and the use of corporal punishment in our schools. As an educational psychologist and researcher addressing how different authority-child interactions affect children's development of competency, I would like to bring to light some information that is important in the consideration of this issues.

First, we teach by example. If we teach our children that aggression is the last resort in a difficult situation, we will continue to develop more aggressive behavior in our children. If we teach our children to use words, and to understand reasonable consequences, and clear behavior-consequence associations, we will begin to teach our children to solve problems in a constructive manner.

Second, corporal punishment induces fear, pain, distrust, and anger. Students who develop this association with school personnel are at risk of dissociating themselves from the very institution working to gain their compliance. This leads children to become less engaged in school, less likely to complete their education, and less likely to do well in their studies. In addition, punishment, itself, is effective only while the person using the punishment is present. Thus, through the use of corporal punishment, we are not teaching children how to behave appropriately and giving them the tools, and desire, to do so. Rather, we are teaching our children to fear authority.

Third, one concern with the use of corporal punishment in the family setting is that corporal punishment to be effective must be used in a reasoned manner, must occur when the person using corporal punishment is not angry, and must not cause pain. Being able to use corporal punishment within these boundaries is very difficult. There is a very slippery slope between using this type of punishment in an effective manner and using this type of punishment in anger. This can be supported by documentation of the abuse of corporal punishment in some school settings.

Finally, our schools are full of skillful, well-educated faculty and staff. These persons are well-suited to devise a disciplinary approach based on induction, respect, and reinforcement of desired behaviors. The outcomes for these approaches to discipline are clearly more positive, and incur much less risk both in use and outcome, than does corporal punishment. Having the opportunity to use corporal punishment in the school setting is at minimum unnecessary; at most, very risky.

Please support Chapter 12 and end the use of corporal punishment in our schools. Punishment, particularly corporal punishment, is not a necessary nor effective disciplinary choice.

**Wendy Middlemiss, Ph.D.**  
 Associate Professor  
 Human Development and Family Studies  
 Penn State Shenango  
 309A Sharon Hall  
 Sharon, PA 16146  
 Telephone: 724 983-2953  
 Fax: 724 983 2820 @>----

RECEIVED  
 2005 OCT -4 PM 3:33  
 INDEPENDENT REGULATORY  
 REVIEW COMMISSION

10/4/2005

Original: 2367

**IRRC**

---

**From:** kaymoore1@juno.com  
**Sent:** Monday, October 03, 2005 9:08 PM  
**To:** IRRC  
**Subject:** Proposal to Abolish Corporal Punishment in Schools

**TO:** Independent Regulatory Review Commission

**RE:** Proposal to Abolish Corporal Punishment in Schools

It is my belief that corporal punishment is unnecessary in our public schools or in any school. With proper training and follow-up, teachers, school administrators, and school boards can respond to discipline issues without the use of corporal punishment.

Taking a stand on this issue is necessary because corporal punishment has been abused. This abuse has been documented. As I understand the situation, this proposal still allows corporal punishment in very limited circumstances such as when necessary to protect the safety of staff and students.

It is also my understanding that most parents and most professional organizations (such as the American Medical Association, National Education Association, and American Psychological Association) oppose corporal punishment in schools. If these professional organizations oppose corporal punishment, there must be strong evidence that corporal punishment does more harm than good. We cannot afford to continue harming the children of our state because they are the future of our state.

Sincerely,

Kay Moore, MA, CSP

10/4/2005

**IRRC**

**From:** HYMANSH@aol.com  
**Sent:** Tuesday, October 04, 2005 6:24 AM  
**To:** IRRC  
**Subject:** Proposal to Abolish Corporal Punishment in Public Schools

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

Dear Chairman McGinley:

I would like to write a few words about the proposal to abolish corporal punishment in the public schools of Pennsylvania. Unfortunately, this regulation was disapproved by members of the House Education Committee.

It is imperative that the Independent Regulatory Review Commission (IRRC) will consider this regulation, and stop corporal punishment in our schools.

Corporal punishment is unnecessary. Properly trained teachers understand how to manage classrooms without the use of corporal punishment. However, when there are extenuating circumstances, the proposal still allows corporal punishment in a very limited manner. Rejecting corporal punishment does not mean rejecting the safety of staff or students.

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 problem is not starting with the students. Corporal punishment appears to be a last resort in a system that is out of control.

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,  
Michele A. Hyman, Psy.D.

IRRC

Original. 2367

2

**From:** Jerry Longo [longoj@qvsd.org]  
**Sent:** Friday, October 22, 2004 5:40 PM  
**To:** PClair@grblaw.com  
**Cc:** IRRC; Schalles, Scott R.; 00statbd@psupen.psu.edu; cerdeljac@rsd.k12.pa.us; korchnak@htsd.k12.pa.us; wilsro@whsd.k12.pa.us; jmanley@prsd.k12.pa.us; tim.allwein@psba.org; RLucas@grblaw.com; DPalmer@grblaw.com; stuart.knade@psba.org; erl@springerlaw.com; Carolpapta@aol.com; Wilmarth, Fiona E.; gledebur@colonialsd.org; Info@StopHitting.org; irwin.hyman@temple.edu; lcromley@cslu.org; Irieser@elc-pa.org; sam@papsy.org  
**Subject:** Re: State Board of Education final-form regulation #6-280 "Pupil Personnel Ser

Pat,

The Quaker Valley School District supports your analysis. As to the waste of paper, you are correct. One more unfunded mandate. Ludicrous in a school district with our digital capacity. I wish people would stop spending our taxpayer's money!

Dr. Jerry Longo  
Superintendent of Schools  
Quaker Valley School District  
Telephone: 412-749-3617  
Fax: 412-749-3601  
Email: longoj@qvsd.org

**IRRC** Original: 2367

---

**From:** Newman, Lawrence [Lawrence.Newman@chp.edu]  
**Sent:** Monday, October 03, 2005 3:47 PM  
**To:** IRRC  
**Subject:** Please BAN Corporal Punishment

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

Your Honorable Chair of the Independent Regulatory Review Commission:

Multiple meta-analytic studies have concluded that corporal punishment has significant and severe negative impact on long-term outcome developmental variables. Negative sequelae to corporal punishment include impaired moral development, increased violent behavior, increased likelihood of spousal abuse when an adult, and increase rates of abusing one's own children. Of note, the significant short-term outcome is that corporal punishment is effective at frightening children, thus resulting in increased "compliance" with adult directives shortly after the imposition of corporal punishment. In other words, children fear the pain, anxiety, and shame of corporal punishment, and thus behave in such a way as to temporarily avoid further corporal punishment. At this time in our understanding of social behavior, we as a society have a huge knowledge of how to raise children to behave, without needing corporal punishment at all. There are literally MILLIONS of ways of responding to a child who is misbehaving without needing to use corporal punishment.

The current bill to BAN corporal punishment in the public schools needs our support. Schools need to be SAFE environments in which there is zero tolerance of violence of any kind, by anyone, for any purpose. Schools need to be environments in which POSITIVE social learning takes place, and in which children - and adults - are provided with models, demonstrations, and programs in the many ways of solving problems that do not resort to physical means.

Please SUPPORT the bill to BAN corporal punishment. Should you or any of your staff have an interest, I would be delighted to offer a presentation that further elaborates on the points I mention in this brief email.

Sincerely,

Lawrence S. Newman, PhD  
Children's Hospital of Pittsburgh  
3705 Fifth Avenue  
Pittsburgh, PA 15213

**CONFIDENTIALITY NOTICE.** This e-mail and attachments (if any) are the sole property of Children's Hospital of Pittsburgh and may contain information that is confidential, proprietary, privileged or otherwise prohibited by law from disclosure or re-disclosure. This information is intended solely for the individual(s) or entity(ies) to whom this e-mail or attachments are addressed. If you have received this e-mail in error, you are prohibited from using, copying, saving or disclosing this information to anyone else. Please destroy the message and any attachments immediately and notify the sender by return e-mail. Thank you.  
<lh>

10/3/2005



## IRRC

---

**From:** Diodato, Molly [mdiodato@hershey.k12.pa.us]  
**Sent:** Tuesday, October 04, 2005 9:30 AM  
**To:** IRRC

Original: 2367

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.

Molly Diodato, M.S.  
School Psychologist Intern  
Derry Township School District  
Homestead Road  
P.O. Box 898  
Hershey, PA 17033  
Phone: (717) 531.2277, ext 5434  
Fax: (717) 508.2266  
Email: mdiodato@hershey.k12.pa.us

Original: 2367

**IRRC**

---

**From:** Beth A. Mull, Psy.D. [bmull@scclanc.org]  
**Sent:** Monday, October 03, 2005 3:10 PM  
**To:** IRRC  
**Subject:** Proposal to Abolish Corporal Punishment in Public Schools

Dear Independent Regulatory Review Commission:

I am a licensed psychologist in the state of Pennsylvania. I urge you to approve the proposed regulation change to Chapter 12 of the School Code that would abolish corporal punishment in the public schools of Pennsylvania.

This Thursday, October 6, you have the opportunity to end corporal punishment in Pennsylvania. As you already know, the Proposal still allows corporal punishment in very limited circumstances, such as when necessary to protect the safety of staff or students. Other than these crisis situations, corporal punishment is unnecessary. Properly trained teachers need to understand how to manage classrooms without the use of corporal punishment. This should be part of their ongoing training.

Please advise me your decision about the Proposal to Abolish Corporal Punishment in Public Schools.

Sincerely,  
Beth A. Mull, Psy.D.  
Licensed Psychologist

Beth A. Mull, Psy.D.  
Licensed Psychologist  
Samaritan Counseling Center  
1803 Oregon Pike  
Lancaster, PA 17601  
717-560-9969  
Fax 717-560-9553  
www.scclanc.org

RECEIVED  
OCT 10 2005

