

ALTERNATIVES TO CORPORAL PUNISHMENT
Michigan Department of Education

***Prepared in Compliance With Public Act 6 of 1992**
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Foreword

Section 1312 of the Michigan School Code has been amended in response to public perceptions that Michigan classrooms are becoming sites of confrontation, with the potential for physical violence.

The issues are not new. Extensive research has been conducted nationally on the subject of student misbehavior in our schools. The dilemma for Michigan educators has been to transfer this knowledge from the academic arena into the classroom.

The purpose of this document is to assist local and intermediate school boards with the implementation of Public Act 6 of 1992. The Act prohibits the use of corporal punishment in public schools and describes circumstances in which an employee may use reasonable force against a student.

This document also provides guidance on alternatives to the use of corporal punishment. The **best alternative** to the use of corporal punishment is to prevent the need for its use. This assertion is supported both in research and practice. This document provides a process framework for local and intermediate boards to use in improving education outcomes for all students as well as a list of alternatives to the use of corporal punishment. School officials will also find this document useful in their school improvement efforts.

Robert E. Schiller
Superintendent of Public Instruction

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Rationale For Prevention As An Alternative To Corporal Punishment

Some children exhibit challenging behaviors. When children refuse to complete their assignments, talk out, walk around the room, leave the classroom, hit others, spit, throw objects, hurt themselves or hurt others, we may find ourselves labeling the student as problematic. As teachers, support personnel and principals, our focus often shifts to the misbehavior, and we often overlook the fundamental issue that the misbehavior is maintained because it is reinforced.

Why do some children fail to learn socially appropriate ways to behave when most children and adults do? In a chapter on interpersonal skills in school, Cox and Gunn (1980) cite three explanations why children may fail to behave in socially appropriate ways. **First, the child may not know what socially appropriate behavior is.** Such children may not have attended to the models of socially appropriate behavior or may not have observed models of socially appropriate behavior. The lack of an appropriate model, or a learning problem that interferes with attention to that model, may prevent a student from adopting appropriate behavior.

A second reason may be a lack of practice in behaving appropriately. Such children can tell you what they should do, but do not do it. These children have the knowledge of socially acceptable behavior, but lack practice in using it. They need to practice socially appropriate behavior in much the same fashion that other children practice cursive writing or shooting baskets.

Lastly, some children may have emotional responses that interfere with their behaving appropriately. When angry, upset or frightened, their emotions take over and they act out or withdraw. These children are not successful socially and need to learn ways to control their emotional impulses as well as practice socially appropriate alternatives.

All three explanations help shift our focus when looking at classroom behavior. Rather than observing socially inappropriate behavior and wondering what's wrong with the child, we may begin to look at these children and their behavior as teaching dilemmas. These challenging behaviors may help us identify skills which must be taught. Providing this instruction helps ensure that

children learn to behave in ways that are socially successful. Setting up classrooms to support and encourage prosocial skill use is important for all children.

Research

The social science literature offers extensive research on the ill effects of punishment in school. The following summarize the key points:

First, punishment increases the likelihood of student withdrawal from the punishing situation; that is, it increases the likelihood of tardiness, truancy, and dropping out of school. It strains the relationship between the teacher and the student by making the student more likely to avoid the teacher. Punishment has been found to be negatively correlated with school achievement.

Second, punishment serves as a negative model for aggressive behavior for both the punished student and others. It actively demonstrates that the use of force is a method to reduce conflict. While possibly effective in the short run, in the long term it does not teach alternative problem-solving methods. Corporal punishment has been associated with school vandalism and juvenile delinquency.

Third, characteristics often exhibited by those subjected to punishment include anxiety, fear, and low self-esteem. These emotions are inconsistent with the way we want children to feel about themselves, about the personnel in their school and ultimately, about education. If lifelong learning is our goal, these emotions preclude it.

Furthermore, research does not support several myths concerning corporal punishment. Punishment does not lead to the development of character; rather, it is associated with antisocial behavior. It does not teach respect; rather, it teaches fear. It is not the only form of management some children understand; rather, positive forms of behavior management are more effective. Without corporal punishment, behavior problems do not increase; rather, school districts have shown there to be no change in the incidence of behavior problems.

Research has shown that the most effective educators combine teaching strategies and positive classroom management procedures to minimize discipline problems. Evidence does exist for the effectiveness of positive forms of behavior management. Please refer to the References section for supporting documentation.

Action Planning

The following lists of actions outline what the different members of the educational community can do in response to Public Act 6 as they seek to use prevention as the primary alternative to corporal punishment. It should be noted that a high degree of school-home-community collaboration is essential to the success of these alternatives to corporal punishment.

School Board

1. Review the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.
2. Examine the district's educational practices that are designed to teach necessary problem-solving and social skills by reviewing the district's:
 - Student code of conduct
 - Staff training objectives, methods and strategies.
 - Rules and contracts regarding interaction among employees, volunteers, and contractors of the district as well as interactions between employees, volunteers, and contractors of the district with other members of the community.
 - Curriculum and instructional methods.
3. Involve a broad-based representative group in the review and any related policy development. This group should involve affected parties and include, but not be limited to, administrators, professional staff members, parents, students and community members
4. Based on the review, establish policies and procedures to support and encourage the use of preventive strategies that teach problem-solving and social skills.
5. Assure that problem-solving and social skills are incorporated into the curriculum.

6. Make provision to provide ongoing staff training in preventive strategies and methods to provide direct instruction on social skills.

7. Require the timely regular review of the use of these preventive strategies.

8. Require that provisions be made for more intensive instructional opportunities in academic, social, and problem-solving skills should the general teaching strategies prove insufficient for individual students.

9. Direct that a student code of conduct be developed that communicates the district's educational philosophy, the rights and responsibilities of students and the district, as well as rules and procedures. Within the code, specific behaviors and their consequences must be spelled out as well as procedures for due process.

Central Office Administrators

1. Participate in the development and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.
2. Provide leadership in developing, implementing, and monitoring the district's student code of conduct and make recommendations to the school board for any modifications.
3. Provide leadership in developing a plan to examine the district's educational practices that are designed to teach problem-solving and social skills.
4. Make assurances that a broad-based representative group of those affected participate in the review and any related policy development.
5. Based on the review, provide leadership in establishing policies and procedures to support and encourage the use of preventive strategies that teach the necessary problem-solving and social skills.
6. Direct district curriculum committees to incorporate instruction in problem-solving and social skills into the curriculum.

7. Identify and secure resources to provide ongoing staff training in preventive strategies and methods to provide direct instruction in social skills.

8. Report to the board on the regular review of the use of these preventive strategies at a minimum interval of one year.

9. Provide leadership and support for more intensive instructional opportunities at the building level should the general teaching strategies prove insufficient for individual students.

Principals

1. Participate in the development and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.

2. Direct and support the implementation of the student code of conduct.

3. Participate in and support staff participation in the examination of the district's educational practices that are designed to teach necessary problem-solving and social skills.

4. Have affected groups participate in the review and any related policy development.

5. Participate in and support staff participation in established policies and procedures to support and encourage the use of preventive strategies that teach problem-solving and social skills.

6. Guide and support the implementation of problem-solving and social skills curriculum changes.

7. Guide, encourage and support ongoing staff training in preventive strategies and methods to provide direct instruction in social skills.

8. Participate in ongoing staff training in preventive strategies and methods to provide direct instruction in social skills.

9. Guide and support the development of more intensive instructional opportunities at the building level in academic, social, and problem-solving

skills should general teaching strategies prove insufficient for individual students.

10. Identify obstacles to successful behavior management throughout the school and, with the assistance of staff, determine causes and develop strategies to prevent obvious behavior problems from occurring.

Teachers

1. Participate in the development and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.

2. Assist in the implementation of the student code of conduct.

3. Participate in and provide input into the examination of the district's educational practices that are designed to teach necessary problem-solving and social skills.

4. Participate and provide input into the establishment of policies and procedures to support and encourage the use of preventive strategies that teach problem-solving and social skills and implement these policies and procedures.

5. Implement problem-solving and social skills instruction that has been incorporated into the curriculum.

6. Participate in ongoing staff training in preventive strategies and methods to provide direct instruction in social skills.

7. Participate in the development of more intensive instructional opportunities in academic, social, and problem-solving skills should the general teaching strategies prove insufficient for individual students, as well as implement and evaluate these instructional opportunities.

8. Model and support the use of preventive strategies of problem-solving and social skills with students and in interactions with adults.

Educational Support Staff

1. Participate in the development and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.
2. Assist in the implementation of the student code of conduct.
3. Participate in and provide input into the examination of the district's educational practices that are designed to teach necessary problem-solving and social skills.
4. Participate and provide input into the establishment of policies and procedures to support and encourage the use of preventive strategies that teach problem-solving and social skills and provide assistance and support in their implementation.
5. Assist and support the implementation of problem-solving and social skills instruction that has been incorporated into the curriculum.
6. Participate in ongoing staff training in preventive strategies and methods to provide direct instruction in social skills.
7. Assist in the collection of objective data on the classroom use of these preventive strategies.
8. Participate in the development of more intensive instructional opportunities in academic, social, and problem-solving skills should the general teaching strategies prove insufficient for individual students, as well as assist in the implementation and evaluation of these opportunities.
9. Model and support the use of preventive strategies of problem-solving and social skills with students and in interactions with adults.

Parents and Community

1. Participate in the development and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.
2. Assist in the implementation of the student code of conduct.

3. Participate in and give input into the examination of the district's educational practices that are designed to teach necessary problem-solving and social skills.

4. Support policies and procedures that encourage the use of preventive strategies that teach problem-solving and social skills.

5. Advocate for and participate in ongoing parent effectiveness training opportunities as they relate to discipline in the home and school.

6. Work with the "school family" to ensure parent understanding of what is expected in the classroom and what parents can do to support the school's efforts.

Students

1. Participate in the development of and review of the district's mission statement in light of its commitment to students and the types of outcomes it desires for children.

2. Participate in and give input into the examination of the district's educational practices that are designed to teach necessary problem-solving and social skills.

3. Participate in problem-solving and social skills instruction that is incorporated into the curriculum.

4. Understand and follow the student code of conduct.

Some Alternatives to Corporal Punishment

Public Act 6 of 1992 requires districts to distribute a list of alternatives to corporal punishment. The list below provides examples of some of the alternative procedures that may be used. Each school district should develop its own list reflecting the needs of the community and the students served. The list below may be useful in developing such a list and should not be considered all inclusive.

In addition, districts should establish policies and procedures for staff to follow in addressing students whose behavior interferes with the normal functioning of the school. Specific instances of the use of alternatives to corporal punishment should

be reviewed periodically to determine their effectiveness.

The following options are suggested as viable alternatives to the use of corporal punishment. This list is not exhaustive and is not presented in any order of priority.

- Provide direct instruction to students in social skills and problem-solving strategies.
 - Use positive reinforcement to teach and maintain the use of appropriate problem-solving and social skills.
 - Use social reinforcers such as teacher feedback, peer pressure, and other self-esteem enhancing activities to support and maintain the use of problem-solving and social skills.
 - Apply logical consequences that will teach students personal responsibility for their actions; for example, losing the privilege of participating in special school activities.
 - Consider the use of time out, which may allow students to learn to take control of their actions and ultimately, in conjunction with instruction in social skills, to cease their undesirable behavior.
 - Employ problem-solving classroom meetings and/or school assemblies with honest discussion of problems to encourage student ownership of and responsibility for solutions.
 - Establish a variety of strategies for communicating with parents.
 - Establish contractual agreements that clearly outline consequences with students and their parents to enhance the development of self-control behavior.
 - Establish an in-school suspension program, supervised by a responsible adult, in which the student performs curricula-related activities.
 - When necessary, refer students to a counselor, social worker and/or psychologist at the local or intermediate level and coordinate services with other units of state government; e.g., Public Health, Social Services, Mental Health, etc. Also, seek assistance from private institutions or agencies with appropriate services; for example, temporary placement in an alternative educational setting.
- Evaluate and arrange appropriate curriculum and adequate support for students who need academic acceleration, special education, alternative education or services for achieving English proficiency.
 - Consider and take action, in accordance with the student code of conduct and due process of law, when disruptive behavior occurs.
 - Consider the use of suspensions and/or expulsions only after all other alternatives have been exhausted.

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A Comparison of Corporal Punishment Legislation

	<i>1988 PA 521</i>	<i>1992 PA 6</i>
Definition	The deliberate infliction of physical pain by any means upon the whole or any part of a pupil's body as a penalty or punishment for a pupil's offense.	The deliberate infliction of physical pain by hitting, paddling, spanking, slapping or any other physical force as a means of discipline.
Prohibited Conduct	To threaten to inflict, inflict, or cause to be inflicted corporal punishment upon any pupil.	To inflict or cause to be inflicted corporal punishment upon any pupil under any circumstances.
Use of Reasonable Force	Such reasonable physical force as may be necessary: 1. To protect any person from immediate physical injury. 2. To obtain possession of a weapon or other dangerous object upon or within the control of a pupil. 3. To protect property from physical damage.	Reasonable physical force upon a pupil as necessary to maintain order and control for the purpose of providing an environment conducive to safety and learning. May use necessary, reasonable physical force upon a pupil: 1. To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school functions if the pupil has refused to cease from further disruption. 2. To act in self defense or the defense of others. 3. To prevent the infliction of harm on the pupil or another. 4. To quell a disturbance that threatens physical injury to any person. 5. To obtain possession of a weapon or dangerous object upon or within the control of a pupil. 6. To protect property.
No Civil Liability	For the use of reasonable physical force arising from an action brought by a pupil.	For the use of reasonable physical force arising from an action brought by a pupil or a person of school age in a school-related setting.
School Board Disciplinary Hearing	May provide a hearing.	May provide a hearing. Deference shall be given to reasonable good faith judgments made by an employee, volunteer, or contractor.
School District Duties	Distribution of a list of alternatives to the use of corporal punishment to employees, volunteers, and contractors.	Distribution of a list of alternatives to corporal punishment to employees, volunteers, and contractors.
Duties of Department of Education	Provide assistance to schools that request help with development of the list of alternatives.	Develop, implement, and enforce a code of student conduct. Develop a model list of alternatives to corporal punishment and distribute it to all public schools and to private schools that request it.

ALTERNATIVES TO CORPORAL PUNISHMENT STEERING COMMITTEE

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