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**A STUDY OF THE USE OF CORPORAL PUNISHMENT WITH DEAF AND
HARD OF HEARING STUDENTS IN THE UNITED STATES AND THE
PERCEPTIONS OF ADMINISTRATORS REGARDING THE USE
OF THIS METHOD OF DISCIPLINE**

by

JOHN THOMAS TIFFANY

A DISSERTATION

**Submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy in the Department of Educational Leadership
in the Graduate Schools of The University of Alabama and
The University of Alabama at Birmingham**

BIRMINGHAM, ALABAMA

1996

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ABSTRACT OF DISSERTATION
GRADUATE SCHOOL, UNIVERSITY OF ALABAMA AT BIRMINGHAM

Degree Ph.D. Major Subject Educational Leadership

Name of Candidate John Thomas Tiffany

Title A Study of The Use of Corporal Punishment With Deaf and Hard of Hearing

Students in the United States and the Perceptions of Administrators Regarding
the Use of This Method of Discipline

The 120 Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing in the United States, and the 50 State Directors of Special Education were surveyed regarding the use of corporal punishment with deaf and hard of hearing students and their perceptions of the use of this method of discipline.

The entire population of Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing and State Directors of Special Education were used in this study; therefore, descriptive statistics, including frequencies and percentages, were used to report the data not inferential statistics.

Based upon the review of literature, the use of corporal punishment as a discipline method is a very controversial issue and becomes even more complicated when disabled children are involved. The Supreme Court has determined that the use of corporal punishment is not unconstitutional. The survey revealed that 30 states have banned the use of corporal punishment of all children, nondisabled and disabled including deaf and hard of hearing children. Of the 20 states that still permit the use of corporal punishment, 12 of the states are located in the Southeast and South Central regions of the United States.

Based upon the results of the survey, corporal punishment is used very infrequently in the residential/day schools, public and private, for the deaf and hard of hearing in the United States. In addition, the majority of respondents to the survey, regardless of their position, sex, race or ethnic origin, or hearing status, agreed that the use of corporal punishment as a method of discipline was not appropriate for all students, nondisabled or disabled, including deaf and hard of hearing students.

Educational administrators, including administrators of residential/day schools, public and private, for deaf and hard of hearing students, need to be knowledgeable of the state laws and regulations that pertain to the use of corporal punishment as a disciplinary method. Schools that permit corporal punishment should be sure they have board approved policies and guidelines that follow the procedural standards established by the courts.

Despite the fact that corporal punishment as viewed from a judicial perspective is permissible as a form of discipline, administrators of schools in states that permit corporal punishment need to proceed with extreme caution when using this form of discipline. Decision makers within the states and schools that permit corporal punishment should consider the implications of this study and the relevant research to guide them in making policy decisions about how students, nondisabled and disabled, including deaf and hard of hearing students, should be disciplined.

Abstract Approved by: Committee Chairman Boyd Rogan
Program Director Boyd Rogan
Date 7/24/96 Dean of Graduate School John H. H. H.

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CHAPTER I

Introduction

Overview

Despite the general abandonment of corporal punishment as a means of punishing criminal offenders, the use of corporal punishment in the United States as a means of disciplining students dates back to the colonial period (Ingraham v. Wright, 1977).

Public attitude towards the use of corporal punishment of students has shifted significantly over the past decade. In 1990, The National Committee for Prevention of Child Abuse (NCPCA) released its annual national Public Opinion Survey which found that 72% of the American public believed that physical discipline of a child can lead to injury (Cohen, 1990). A majority of the American public believes that corporal punishment should not be permitted in schools. A Gallup Poll surveying parents nationally said 62% oppose the paddling of children by teachers and administrators ("Attack the Whack," 1996). Currently, 27 states have abolished corporal punishment as a form of discipline either by state law or by regulation from State Departments of Education. In addition, 46 national associations, including the 49,000 member American Academy of Pediatrics, the National Association of Social Workers ("Many Mothers Think Spanking Good," 1995), the American Medical Association, the American Bar Association, the National Association of School Psychologists, and the Council for

Exceptional Children (Viadero, 1988), have passed resolutions against corporal punishment. Twenty-three states have not enacted legislation or regulations against corporal punishment and schools in the South and Southwest regions of the United States report the most frequent use of this method of discipline (Evans & Richardson, 1995).

The use of corporal punishment in schools is an emotionally charged issue that has legal implications as well. The U.S. Supreme Court did not render a decision in a case involving corporal punishment until 1975 when a lower court decision affirmed the use of corporal punishment without parental permission (Baker v. Owen, 1975). The courts ruled that teachers in general may use corporal punishment to enforce order at school, but the punishment must be reasonable and within the "bounds of moderation" as defined by the community and by professional standards. The court held that corporal punishment of children in schools does not violate the Eighth Amendment's "cruel and unusual punishment" clause. However, if "excessive punishment" is claimed, the parents may seek relief through a civil law suit for damages on grounds of assault and battery from the "perpetrators" of the alleged "excessive punishment" (Ingraham v. Wright, 1977).

Controversy over the use of corporal punishment multiplies when disabled students are involved. Since the implementation of P.L. 94-142, the Education of All Handicapped Children Act in 1975, which was reauthorized as the Individuals with Disabilities Education Act (IDEA) in 1991, the wide discretion schools had to impose various forms of discipline, including suspension, expulsion and corporal punishment of disabled students, has been curtailed. The use of corporal punishment, as well as other

intrusive behavioral treatments, has come under scrutiny as an abuse of human rights. The emotional and legal aspects of corporal punishment, especially as it pertains to the disabled, continues to be subject for debate.

In 1990 legislation was considered by Congress which would have barred paddling disabled students in the United States; however, the measure did not pass. More and more restrictions governing the discipline of disabled children are emerging. The potential hazard of physical abuse of disabled children as a result of the use of corporal punishment concerns the general public and educators alike.

Statement of the Research Problem

After a comprehensive review of the literature, limited information regarding the use of corporal punishment with deaf and hard of hearing students in American schools, public or private, could be found. This review of the literature focused on residential/day school programs, public and private, serving the deaf and hard of hearing in America. Presently, there are no specific guidelines for school boards, administrators, or teachers pertaining to the use of corporal punishment of deaf and hard of hearing students in this country. A study of the current status of corporal punishment of disabled students, particularly deaf and hard of hearing students, will contribute to the field of education. In addition, an examination of the perceptions of the Chief Administrators of residential/day school programs, public and private, serving the deaf and hard of hearing students in the United States and the State Directors of Special Education, could provide practical information and guidelines for the use of this controversial discipline technique with disabled students for professionals.

Purpose of the Study

The specific purposes of this study were as follows:

- 1. To determine the current status of the use of corporal punishment in the 120 residential/day school programs, public and private, serving deaf and hard of hearing students in the United States.**
- 2. To determine the perceptions of the Chief Administrators of the 120 residential/day school programs, public and private, serving deaf and hard of hearing students in the United States towards the use of corporal punishment with their students.**
- 3. To determine the perceptions of the 50 State Directors of Special Education in the United States toward the use of corporal punishment of disabled students, particularly deaf and hard of hearing students.**
- 4. To determine the legal status of the use of corporal punishment with disabled students, particularly deaf and hard of hearing students, in each of the 50 United States.**
- 5. To determine if a majority of the schools surveyed in states permitting the use of corporal punishment have board approved policies addressing the use of corporal punishment of deaf and hard of hearing students.**
- 6. To determine what guidelines exist in the states and programs surveyed in regard to the use of corporal punishment as it relates to (a) parental consent, (b) parental notification, (c) procedural due process, (d) manner of administration, (e) location of administration, and (f) use of a witness.**
- 7. To determine what inappropriate behaviors result in the use of corporal punishment.**

8. To determine which educational official administers corporal punishment in the schools surveyed.
9. To determine what instrument(s) are used in administering corporal punishment.
10. To determine the frequency of use of corporal punishment of deaf and hard of hearing students.
11. To determine from the schools surveyed the number of deaf and hard of hearing students in America who have received corporal punishment as a behavior modification technique in the past school year.
12. To determine which states have regulations or laws currently in place regarding the use of corporal punishment with disabled students, and particularly deaf and hard of hearing students.

Research Questions

This study investigated the following 19 research questions:

1. How many states have banned or restricted the use of corporal punishment and which states are they?
2. How many states permit the use of corporal punishment of disabled students, including deaf and hard of hearing students?
3. Do the states that permit the use of corporal punishment have regulations regarding the use of corporal punishment with nondisabled and disabled students, and specifically deaf and hard of hearing students?

4. How many of the 120 residential/day schools surveyed, public and private, serving deaf and hard of hearing students, have specific policies and procedures regarding the use of corporal punishment which have been approved by their board or appointing authority?

5. How many states maintain documentation of the number of times corporal punishment is used annually with students? Do they maintain records based upon sex, race, or ethnic background, and disability of the students receiving corporal punishment? How many times during the 1994-1995 school year was corporal punishment administered in the states surveyed?

6. Do regulations or guidelines exist in these programs surveyed regarding parental consent/notification, procedural due process, manner of administration, location where corporal punishment is administered, the need for a witness of corporal punishment, and the use of corporal punishment only as a last resort?

7. How many students received corporal punishment during the 1994-1995 school year in the states and schools surveyed based on sex, race or ethnic origin, disabled or nondisabled, deaf or hard of hearing?

8. What inappropriate behaviors may result in the use of corporal punishment?

9. What type of instruments are used in administration of corporal punishment?

10. How frequently is corporal punishment being used with disabled students, particularly deaf and hard of hearing students?

11. What percentage of deaf and hard of hearing students received corporal punishment during the 1994-1995 school year?

12. What is the perception of each respondent's community toward the use of corporal punishment?
13. Will there be a difference in the perceptions of Chief Administrators of public residential/day schools compared to Chief Administrators of private residential/day schools serving deaf and hard of hearing students toward the use of corporal punishment as a disciplinary method?
14. Will there be a difference in the perceptions of the Chief Administrators of residential/days schools, public or private, serving the deaf and hard of hearing from the perceptions of State Directors of Special Education toward the use of corporal punishment as a disciplinary method?
15. Will there be a difference in the perceptions of the respondents toward the use of corporal punishment as a disciplinary method based on the respondents' sex, race, or ethnic origin, or hearing status?
16. Do male students receive corporal punishment more frequently than female students?
17. Is corporal punishment administered more frequently to repeat offenders?
18. Are male students more likely to be repeat offenders?
19. Do males administer corporal punishment more frequently to male students?

Significance of the Study

Results of this study make a contribution to the current knowledge of the use of corporal punishment of disabled students, particularly deaf and hard of hearing students, in residential/day schools, public and private, in the United States. While contributing to

the understanding of the current use of corporal punishment of deaf and hard of hearing students, this study provides information pertaining to the perceptions of the Chief Administrators of residential and day school programs, public and private, for the deaf and hard of hearing, and the perceptions of the 50 State Directors of Special Education towards corporal punishment as a method of discipline. Information derived from this study provides a comparison of the perceptions of the respondents based upon sex, race, hearing, and geographical location.

The results of this research can be used to assist administrators in developing policy pertaining to the use of corporal punishment of disabled students, particularly deaf and hard of hearing students. Results of this study may be useful in teacher preparation programs and in planning teacher preservice and inservice programs.

Information derived from this study may also be useful in preparing educational administrators and in planning administrative preservice and inservice programs for schools serving disabled students, particularly deaf and hard of hearing students.

Methodology

The methods of research utilized in this study consisted of documentary analysis and survey techniques. The documentary analysis included significantly relevant federal and state court decisions, relevant statutory laws, federal and state legislation, and educational literature and relevant print and nonprint media pertaining to the use of corporal punishment in schools.

The Chief Administrators of the 120 residential/day schools, public and private, serving deaf and hard of hearing students in the United States comprised the target population. In addition, the 50 State Directors of Special Education were surveyed.

The questionnaires utilized were designed to obtain demographic information about the respondents, information pertaining to state law, information regarding state or school policy pertaining to corporal punishment from the various programs and states surveyed, and other information related to the research questions. Permission was obtained from Dr. Donna C. Jeffries to adapt and modify the questionnaire developed and used in her 1990 dissertation on corporal punishment in Tennessee (Jeffries, 1990).

The data were collected by mailing the questionnaire to each of the Chief Administrators of the 120 residential/day schools, public and private, for the deaf and hard of hearing and to each of the 50 State Directors of Special Education. A cover letter was sent to explain the purpose of the questionnaires to each of the participants.

A second mailing was sent to those individuals who did not respond to the first mailing. A follow-up telephone call was made or a FAX sent to those not responding to the second notice. A third mailing was sent to those failing to respond to the previous contacts.

Assumptions

It was assumed that the responses of the respondents to the questionnaires returned were the views of the group targeted by the study. The survey instrument was reliable and valid for use in this study. It is assumed that the nonresponses to the survey were random.

Limitations of the Study

This research is limited as follows:

1. The study was limited by only surveying the Chief Administrators of the 120 state residential/day schools, public and private, serving deaf and hard of hearing children in the United States, and the 50 State Directors of Special Education to determine the corporal punishment practices in their respective programs.
2. The study was limited by the response rates of the Chief Administrators of the 120 residential/day programs, public and private, serving deaf and hard of hearing students, and 50 State Directors of Special Education.
3. The information received from the questionnaire concerning the use of corporal punishment of deaf and hard of hearing students was of a self-report nature and, as such, relied on the accurate reporting of respondents.
4. Generalizations of the results were limited to corporal punishment of disabled students, particularly deaf and hard of hearing students.
5. Generalizations of the results can only be limited to the responses of the Chief Administrators of residential/day schools, public and private for the deaf and hard of hearing, and the State Directors of Special Education.

Definition of Terms

The meanings of certain terms used in the research are as follows:

Disability refers to a disabled condition; that which disables, as an illness, injury, or physical handicap; a legal disqualification or incapacity; something that restricts; limitation; disadvantage (Neufeldt & Guralnik, 1991).

Discipline refers to training that develops self-control, character, or orderliness and efficiency; strict control to enforce obedience; acceptance of or submission to authority and control (Neufeldt & Guralnik, 1991).

Corporal punishment is any kind of punishment of or inflicted on the body (Black, 1990).

Deaf refers to person with a hearing loss in excess of 90 decibel (dB) , having little or no functional hearing and often having limited capability for oral speech, presenting receptive and expressive communication problems (Oyer, Crowe, & Haas, 1987).

Hard of hearing refers to persons with all degrees of hearing loss except the classification of deaf; hearing losses ranging from 15 to 75 dB (Oyer et al., 1987).

Residential/day school refers to those residential/day schools for the deaf listed in the directory of the American Annals of the Deaf 1994 edition, where students may reside during the school year or be day students, and receive a comprehensive education (Stuckless, 1994).

Abuse is to hurt by treating badly; mistreat; mistreatment; injury (Neufeldt & Guralnik, 1991).

In loco parentis is in the place of a parent or of a parent's authority (Neufeldt & Guralnik, 1991).

Organization of the Study

The study is presented in five chapters. Chapter I serves as an introduction and establishes the rationale of the study. Sections showing the statement of the problem,

purpose of the study, hypotheses, significance of the study, methodology, assumptions, limitations of the study, definition of terms, and the organization of the study are contained in Chapter I. Chapter II contains the findings of the legal research, a review of the literature, and research related to the study. The research design and methodology of the study are presented in Chapter III. The presentation and analysis of the data gathered from the Chief Administrators of the residential/day schools for the deaf and hard of hearing and State Directors of Special Education who responded to the questionnaire are contained in Chapter IV. Chapter V includes summaries, conclusions, discussion, and recommendations for further research.

CHAPTER II

Review of the Literature

Introduction

During a comprehensive review of the literature, a great deal of information regarding corporal punishment in the public schools of the United States was located; however, the literature related to corporal punishment of disabled children, specifically deaf or hard of hearing children in educational programs in this country, was limited. Chapter II contains a review of the relevant court cases, articles in educational journals, and other relevant print and nonprint media dealing with corporal punishment of students, nondisabled and disabled, in our public schools and, by inference, with the treatment of deaf and hard of hearing children.

Legal Issues and Related Cases

Corporal punishment, although banned in 27 states, is not unconstitutional. The Supreme Court has determined that the use of corporal punishment of students in our public schools does not violate the Eighth Amendment protection against cruel and unusual punishment, nor does it breach the Fourteenth Amendment due process guarantees (Baker v. Owen, 1975; Ingraham v. Wright, 1977).

Most corporal punishment cases are litigated in state courts under charges of battery, assault and battery, or negligent battery; however, an increasing number of

litigants are bringing action in federal court under 42 United States Congress (U.S.C.) and 1983 from the Civil Rights Act of 1871. Many individuals who claim that their civil rights have been violated prefer to seek damages in federal court under 1983 primarily because federal law prevents school districts and other municipal agencies from claiming immunity under existing state law for the civil rights violations committed by employees (Henderson, 1986).

Before 1975, the U.S. Supreme Court had not decided a case involving corporal punishment in the public schools. In the landmark 1975 Baker v. Owen case, a sixth-grade student, Russell Carl Baker, and his mother brought an action against the school principal and others, claiming that their constitutional rights were violated when Russell Carl was corporally punished by his teacher, over his mother's objections and without procedural due process. Russell Carl, a sixth-grader, was paddled on December 6, 1973, for allegedly violating his teacher's announced rule against throwing kickballs except during designated play periods. Mrs. Baker had previously requested of Russell Carl's principal and certain teachers that Russell Carl not be corporally punished, because she opposed it on principle. Nevertheless, shortly after his alleged misconduct, her son received two licks in the presence of a second teacher and in view of other students.

Mrs. Baker alleged that the administration of corporal punishment after her objections violated her parental right to determine disciplinary methods for her child. Russell Carl charged that the circumstances in which the punishment was administered violated his right to procedural due process, and that the punishment itself, in this instance, amounted to cruel and unusual punishment.

A special court was convened because both Mrs. Baker in her claim and Russell Carl in his procedural due process claim challenged the constitutionality of North Carolina General Statutes 115-146. They claimed that the statute, which empowered school officials to “use reasonable force in the exercise of lawful authority to restrain or correct pupils and to maintain order,” was unconstitutional insofar as it allowed corporal punishment over parental objection and in the absence of adequate procedural safeguards.

The Three-Judge District Court, Craven, Circuit Judge, held that the Fourteenth Amendment liberty embraces the right of the parent generally to control means of discipline of their children, but that the state has a countervailing interest in the maintenance of order in the schools sufficient to sustain the right of teachers and school officials to administer reasonable corporal punishment for disciplinary purposes; that teachers and school officials must accord students minimal procedural due process in the course of inflicting such punishment; and that the spanking of the student in question did not amount to cruel and unusual punishment (Baker v. Owen, 1975).

The Baker v. Owens case tested a North Carolina state law permitting reasonable corporal punishment. The Supreme Court affirmed the lower court decision authorizing corporal punishment without parental permission. According to the Supreme Court, under the doctrine of *parens patriae*, parental approval to corporally punish children in the public schools is not required (Henderson, 1986).

In another landmark case, Ingraham v. Wright (1977), Florida junior high school students brought civil rights action alleging that they had been subjected to disciplinary

corporal punishment in violation of their constitutional rights. The district court dismissed. The United States Court of Appeals for the Fifth Circuit, 498 F.2d 248, reversed, but, on rehearing en banc, 525 F.2d 909, affirmed. Certiorari was granted. The Supreme Court, Mr. Justice Powell, held that the cruel and unusual punishments clause of the Eighth Amendment did not apply to disciplinary corporal punishment in public schools; and the due process clause did not require notice and hearing prior to the imposition of corporal punishment in public schools, as that practice was authorized and limited by Florida's preservation of common-law constraints and remedies (Ingraham v. Wright, 1977).

The United States District court for the Southern District of West Virginia in 1980, dismissed action against a school teacher and school officials brought by the parents of a minor child who was subjected to corporal punishment. The Court of Appeals held that (a) parents could not maintain action, (b) under certain circumstances infliction of corporal punishment to a pupil may violate the pupil's substantive due process rights, and (c) complaint did not state cause of action against school officials who were not directly involved in inflicting punishment but did state cause of action on behalf of pupil against persons directly involved in paddling.

In the 1987 case of Garcia v. Miera, Teresa Garcia, an elementary school pupil in New Mexico, by her parents and next friends, Max and Sandra Garcia, sued the school principal, teacher, administrative associate, and others in their individual capacities for denying her substantive due process in violation of 42 U.S.C. and 1983 because of two beatings suffered at their hands.

In 1982, Garcia was a nine-year-old student in the third grade at the Penasco Elementary School in Penasco, New Mexico. On February 10, 1982, defendant-appellee Theresa Miera, the school principal, summoned Garcia to her office for hitting a boy who had kicked her. Miera instructed Garcia to go to her chair to be paddled. Garcia refused and told Miera that her father had said that "Mrs. Miera had better shape up." Miera responded by calling J. D. Sanchez, a teacher at the school, for assistance. Sanchez held Garcia by her ankles while Miera struck Garcia with a wooden paddle. The paddle "was split right down the middle, so it was two pieces, and when it hit, it clapped and grabbed." Miera hit Garcia five times on the front of the leg between the knee and the waist. After the beating, Garcia's teacher, Ruth Dominez, "noticed blood coming through Garcia's clothes," and on taking Garcia to the restroom was shocked to see a "welt" on Garcia's leg. The beating made a two-inch cut on her leg and left a permanent scar. Shortly after this incident, Garcia's mother and father told Miera, "not to spank Teresa again unless we were called, to make sure it was justified," and Miera said "okay, no problems."

The second beating at issue occurred on May 18, 1983. Miera summoned Garcia to her office for saying that the defendant, Judy Mestas, had been seen kissing a student's father, Denny Mersereau, on a school bus during a recent field trip, and that Mestas had sent love letters to Mersereau through his son.

Miera proceeded to strike Garcia two times with the paddle on the buttocks. Garcia then refused to be hit again. Miera responded by calling defendant Edward Leyba, an administrative associate at the school. Leyba pushed Garcia toward a chair over which

she was to bend and receive three additional blows. Garcia and Leyba struggled and Garcia hit her back on Miera's desk. She suffered back pains for several weeks due to this. Garcia then submitted to the last three blows. The beating caused severe bruises on Garcia's buttocks, which did not stop hurting for two to three weeks. As a result of the beating, Garcia's "buttocks were bright red with a crease across both." Dr. Albrecht, a physician who treated Garcia, stated: "I've done hundreds of physicals of children who have had spankings . . . and I have not seen bruises on the buttocks as Teresita had, from routine spankings They were more extensive, deeper bruises" Betsy Martinez, a nurse who examined Garcia, stated that if a child had received this type of injury at home she "would have called the police department's Protective Services." The extent and severity of Garcia's bruises were independently supported by photographs of Garcia's buttocks taken on May 13 and May 18. Throughout the incident, Garcia kept asking Miera to allow Garcia to call her mother. Miera, the principal, refused, saying that she knew the law.

The United States District Court for the District of New Mexico determined that qualified immunity protected school officials. The student appealed. The court of appeals held that (a) corporal punishments that are inflicted on students and are so grossly excessive as to be shocking to the conscience violate student's substantive due process rights under the 14th Amendment's due process clause, without regard to adequacy of state remedies, and (b) unconstitutionality of excessive corporal punishment was clearly established at time of alleged beatings, and, thus principal, teacher, administrative associate, and others were not entitled to qualified immunity from liability even though

the United States Supreme Court had declined to decide issue, and even though there was a conflict among the Courts of Appeals.

In 1990, the case of Fee v. Herndon was heard in the United States Court of Appeals, Fifth Circuit. In this case, a Texas school principal's alleged use of excessive corporal punishment against an emotionally handicapped student did not implicate federal due process considerations, and thus the student and his parents were not entitled to a federal remedy under Section 1983. The student was a sixth-grader with a history of behavioral problems in school. His parents claimed that the school principal beat their son, causing injuries, after he misbehaved in the classroom. They also alleged that the beating occurred in the presence of the classroom teacher, who failed to intervene. Following the alleged beating, the student spent six months in a psychiatric ward. The parents brought suit against the school district, the principal, and the classroom teacher in state court but eventually removed the case to U. S. district court. In their federal suit, the parents added a Section 1983 claim alleging a violation of their son's constitutional right to due process. The district court dismissed all of the parents' claims except for a charge of excessive force directed against the principal, remanding this claim for resolution in state court.

On appeal, the Fifth Circuit Court reiterated its established rule that "corporal punishment is not at odds with the fourteenth amendment and does not constitute arbitrary state action" (Fee v. Herndon, 1990). Because state law in Texas placed reasonable restrictions on corporal punishment and provided legal remedies for abuses, the alleged beating did not implicate federal substantive due process and, therefore, did

not require federal relief under Section 1983. The Fifth Circuit also found no authority in the state's statutory or case law to suggest that a teacher is obligated to intervene when another educator subjects a student to excessive corporal punishment. Thus, the court of appeals affirmed the district court's decision to remand the one claim against the principal and to dismiss the remainder of the parents' actions (Fee v. Herndon, 1990).

In a 1986 case (Cole v. Greenfield, 1986), civil rights action was brought on behalf of a hyperactive and emotionally disturbed student against the school system, school board, principal, and teacher, alleging that school officials violated the student's civil rights in disciplining him. The district court held that discipline techniques employed by the school to correct the student's behavior did not violate the student's due process and equal protection rights. They also held that the hyperactive and emotionally disturbed student was not entitled to any unique exemptions or protections from the school's normal disciplinary procedures regarding corporal punishment because of his handicap, which is similar to decisions in Kaelin v. Grubbs in 1982 and Doe v. Koger in 1979. This decision was also supported by the decision in Stuart v. Nappi in 1978, when it was determined that handicapped children are neither immune from a school's discipline process nor are they entitled to participate in programs when their behavior impairs the education of other children in the program.

In April 1990, the Education and Labor Committee of the U.S. House of Representatives defeated a proposed amendment to the Education of the Handicapped Act (EHA) reauthorization bill which would have banned corporal punishment for all students with disabilities. The Senate's version of the EHA reauthorization, passed in 1989, was

also silent on the issue of corporal punishment. If the Fifth Circuit's decision is an indication of a trend toward judicial restraint in this area, and in the absence of specific EHA guidance, then federal courts may hesitate to test the constitutionality of "paddling laws" by any standard higher than "reasonableness."

Corporal punishment as viewed from a judicial perspective is permissible as a form of discipline in the public schools, including residential/day schools for the deaf. The courts have ruled that handicapped children, including deaf and hard of hearing students, are not unique and can receive the same punishment as any other child who engages in inappropriate conduct for which paddling is a reasonable consequence.

Procedures for the Use of Corporal Punishment

The courts have established these four procedural standards for the use of corporal punishment in the public schools:

1. The student is entitled to know beforehand what behavior, if continued, will lead to corporal punishment.
2. Corporal punishment must be used only as a last resort after all other available methods of correction have been tried and have failed.
3. The punishment must be administered in the presence of another adult, preferably another member of the school staff.
4. Parents may not veto corporal punishment for their own child, but they may request and be granted a written account of the punishment, together with the name of the adult present.

If parents feel that the punishment was excessive, they may seek relief from the "perpetrators" of the allegedly excessive punishment through a lawsuit for damages on grounds of assault and battery.

Principles of Law

The following principles of law as handed down by the courts apply in corporal punishment cases:

1. The teacher or principal must rely on professional judgement to administer corporal punishment within the guidelines and policy laid down by the local school board. Parents may not legally intervene to prevent corporal punishment, but they are entitled to a full account of the punishment after the fact.
2. If the punishment is excessive or unduly severe, parents have an avenue of relief in a suit for damages against the "perpetrators" of the injury. The jury, in such a case, should base its judgement on whether the employee administering the punishment acted as a reasonably prudent parent would have acted under the circumstances.
3. A state statute or a school board policy authorizing teachers or administrators to administer reasonable corporal punishment to students is not unconstitutional. Apparently, the Supreme Court was of the opinion that, given the condition of schools nowadays, a local school board cannot run schools very well without such a policy.
4. Teachers and administrators must demonstrate in court that they tried everything short of corporal punishment and that these methods did not work. Only then can they make the claim that, reluctantly, they resorted to corporal punishment to keep order among students (Nolte, 1986).

Review of Related Literature

Over the past decade, the Gallup Education Survey has determined that student discipline ranked as the single greatest concern regarding our nation's schools. However, in contrast to the objective, legal perspective in which the courts have supported the use of "reasonable" corporal punishment as a method to uphold discipline in America's public schools, public opinion during the last decade or more has become emotionally charged against its use. The United States is the only industrialized nation in the world that still permits corporal punishment (Chapman, 1995). According to the National Committee for Prevention of Child Abuse, research has shown that (a) corporal punishment can cause physical harm; (b) corporal punishment does train children to use physical force (rather than reason) to solve problems and control behaviors of others; (c) corporal punishment (such as in the classroom) can interfere with learning; (d) while corporal punishment can control behavior in a given situation, it can also increase aggressive behavior in children in other situations; and (e) children can be taught control and responsibility without physical violence.

This is a value-laden issue. Citations from the Bible and "spare the rod, spoil the child" references are used to defend the use of corporal punishment (Cohen, 1990). Experts report in the literature that no matter how it is used, spanking is not nearly as effective as other discipline techniques (King, 1989). Studies also suggest that minority students, usually boys, are disproportionately represented among students receiving corporal punishment. Based on U. S. Education Department data, Blacks account for 16% of all elementary and secondary school students, but represent 28% of those

receiving corporal punishment. More and more school boards are experiencing increased lawsuits and criminal allegations against teachers, principals, and superintendents and are, therefore, considering alternatives to corporal punishment (Howell, 1987).

Public opinion toward the use of corporal punishment as a form of discipline is divided. Although there was a strong movement to ban the use of corporal punishment in schools in the United States during the decade of 1983-1993, support of corporal punishment recently took hold again after American teenager Michael Fay was flogged in Singapore in May of 1994 for defacing private property with a can of spray paint (Sowell, 1994). Americans think a lack of discipline is the biggest problem in the public schools. With rising violence in society and schools, a lot of people think that the remedy lies in hitting kids more often, not less (Chapman, 1994). As a result of the strong public sentiment favoring the reinstatement of corporal punishment of criminals, legislators in several states have responded by introducing a variety of legislation to punish criminals by paddling. Educators are divided on whether corporal punishment is a valid means of discipline for students, but the majority probably believe it is. A fair number of students are paddled every day in the public schools (Walden, 1995). In fact, 555,532 students were reported to have been paddled in 1992 (Chapman & Hargrove, 1995) and 38,428 of these students were disabled.

Opponents of the use of corporal punishment believe that doing away with the rod will not spoil anyone. In fact they say it would raise children's self-esteem and stop youngsters from growing up to believe violent behavior is acceptable (Banisky, 1994).

Opponents also feel corporal punishment is bad public policy. Children who are spanked excessively are two to five times more likely to be physically aggressive as children, to become juvenile delinquents as adolescents and, as adults, to suffer depression (West, 1994). The U.S. Department of Education conducts biennial surveys that identify states whose school authorities most often punish school children by striking them. With few exceptions, the juveniles on death row reside in the top states for corporal punishment of school children. School authorities most frequently strike school children in 16 states. Alabama, Florida, Georgia, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma and Texas are included in this grouping. These states also house 26 of the nation's 30 juveniles on death row. Is there a causal relationship between state-sanctioned violence in the schools and the fate of juvenile death row inmates and their victims? We do not know. But this much can be shown. In the top 16 states for percentage of school children corporally punished, the homicide rates are significantly higher than the remaining states. It would be foolish to insist that corporal punishment in public schools is the cause of homicide. But we reap what we sow, and if we teach violent instruction, it will return to plague the instructors (Frazier, 1988).

Supporters of corporal punishment, such as Dr. Den A. Trunbull, a Montgomery, Alabama, pediatrician, insist that spanking is a useful and harmless tool when used properly, especially for children ages two to six who are clearly defying their parents (West, 1994). Dr. Robert E. Larzelere, a psychologist and director of residential research at Boys Town in Nebraska, has done considerable research and concludes that parental spanking is not an abhorrent act. Larzelere concludes that spanking is generally beneficial

to children when (a) it is limited to a maximum of two openhanded slaps to the child's rear end; (b) the child is between the ages of two and six; (c) it is used to supplement more positive parenting techniques, not replace them; and (d) when it backs up other disciplinary methods. Larzelere reports that research fails to support the claim that children who are spanked are more likely to become aggressive. Concerning the antispanking movement, Larzelere says that given the meager amount of data in support of its position, it is "in danger of merely becoming an attempt to impose the values of one segment of society upon others" (Rosemond, 1993). A recent Harris poll found that spanking is far from an uncommon act; 80% of the 1,250 adults surveyed said they had spanked their children. And 87% of those polled said spanking is sometimes appropriate (Collins, 1995).

In a recent article by Evans and Richardson (1995) in Teaching Exceptional Children, the following quotes were presented:

"When I get the paddle, I feel I don't want to be in school" (6th grader).

"I got tired of getting hit; it made me feel bad" (school dropout).

"I had big bruises; I was embarrassed" (8th grader).

"I hate the principal, the teacher. I hate school" (4th grader).

"I felt humiliated and violated" (11th grader).

According to the authors of this article, such reactions to corporal punishment echo in many schools throughout the United States. To date, 27 states have abolished this form of discipline either by state law or by regulation from the State Department of

Education. Forty-six national associations have passed resolutions against corporal punishment similar to the one below:

The Council for Exceptional Children Policy Statement on Corporal Punishment

The Council for Exceptional Children supports the prohibition of the use of corporal punishment in special education. Corporal punishment is here defined as a situation in which all of the following elements are present: an authority accuses a child of violating a rule and seeks from the child an explanation, whereupon a judgement of guilt is made, followed by a physical contact and pain inflicted on the child. The Council finds no conditions under which corporal punishment so defined would be the treatment of choice in special education. (C.E.C. guides Congress on school discipline," 1994)

However, 23 states have not enacted statewide legislation, and school districts within these states are entrusted to control punishment procedures. As reported in a recent OCR survey, the states that reported the largest percentages of school corporal punishment were located in the South and Southwest regions of the United States. The percentages of students paddled in the top 10 states during the 1989-1990 school year were as follows: Mississippi (9.39%), Arkansas (7.8%), Alabama (7.32%), Tennessee (6.52%), Texas (3.9%), Georgia (3.6%), Louisiana (2.83%), Oklahoma (2.61%), South Carolina (2.5%), and Kentucky (1.7%). Texas law does not prohibit teachers from using any means of punishment on school children except deadly force. While Texas ranks fifth in percentages of reported cases, it leads the nation in the number of paddlings in schools. An estimated 166,003 paddlings were reported in 1 year for the Lone Star State. In 1992, Kentucky and Oklahoma attempted to pass regulations to ban corporal punishment in schools; however, reactions from ultraconservative groups killed the ban

in Kentucky, while in Oklahoma the attorney general announced that the ban on corporal punishment was only advisory.

As reported by Evans and Richardson (1995) from their research, public support for corporal punishment in schools varies in different regions of the country. The results of a national parent survey indicated that 55% disapproved, 38% approved, and 6% were not sure; however, in the South, the approval rate was 53%. In a survey of teachers, 75% of the respondents believed that corporal punishment was necessary to maintain discipline. The results of a 1987 study by Cotham, Stauss, Vargas-Moll, and Hyman revealed that 90% of parents disapproved of physical discipline for students with disabilities; yet this practice was still being implemented in many schools (Evans & Richardson, 1995).

In a 1995 telephone survey conducted at the E. W. Scripps School of Journalism at Ohio State University, it was found that attitudes over the use of corporal punishment are changing. Younger adults and members of the so-called “baby boom” generation tend to oppose the use of the paddle in schools, while their parents favor it. The survey also found that Southerners were the only regional group that solidly supported the use of corporal punishment. People living in Northeastern states were just as solidly opposed to its use, while residents of the Midwest and West were about evenly split. Sixty-eight percent of American adults report that they attended at least one school where corporal punishment was practiced; however this statistic varied significantly according to age. Residents of rural communities and small towns supported physical discipline while support was weak among urban residents and people who live in large cities. The survey

also noted that highly educated Americans tended to oppose the practice, while people who never went to college were solidly in favor of corporal punishment (Hargrove, 1995).

Although limited information pertaining to corporal punishment of disabled children is available, students with behavioral or emotional disorders and learning and mental disabilities are often at risk for physical abuse at home and in school because of the very nature of their disabilities. The behaviors of these students do not fit the norm; they are frequently aggressive, disruptive, noncompliant, and antisocial. Management techniques for these students often involve intrusive and humiliating modes of punishment. A study from the National PTA, one of many organizations which oppose the use of corporal punishment in schools (Ball, 1989), shows that minorities and students with physical disabilities are paddled more often than others (Orndorff, 1995).

In Tennessee, horror stories about punishment of students with disabilities led to an antipaddling organization, Tennesseans Against Paddling (T.A.P.), to introduce a bill in the Tennessee legislature that would protect students with disabilities. Thus far their efforts have been unsuccessful. In Texas, students with disabilities are subjected to physical discipline unless otherwise specified in the individualized educational program (IEP). Paddling is within teachers' rights when the whipping is not excessive. The Association for Retarded Citizens of Georgia is helping parents of children with disabilities sue for damages in cases where teachers have physically punished students in special education classes.

A replicated descriptive study by Rose (1989) indicated widespread use of corporal punishment with mildly handicapped students at every grade level in 371 of the schools surveyed. The study also found that corporal punishment, despite research on the effective use of punishment, was not typically delivered either immediately or consistently.

Despite the move in some states to ban paddling or at least restrict its use, Alabama's recently elected governor had a six-part school-reform package passed by the Alabama Legislature in July of 1995. Governor Fob James, when signing the bill into law, stated that the legislation, which among other reforms provides for teacher immunity from lawsuits or criminal charges for paddling students, was the finest piece of legislation he has seen in this state (Lard, 1995). The immunity bill gives public school teachers, principals, and assistant principals immunity from lawsuits or criminal charges if they paddle students while following school policy on corporal punishment. The law also requires school boards to provide attorneys to defend school employees who are sued or charged following school policy on discipline. The bill also says state laws against child abuse shall not apply to teachers or other public school employees who maintain order and discipline on school property, including buses, while following school policy (White, 1995).

Strong reactions to the bill were sparked when it was passed. "Parents can be sent to jail for beating their children, but then we send them off to school everyday where they [teachers] can hit our children and be immune. Where do we stand as parents?" questioned Ann James of the Alabama Parent Teachers Association (PTA) which has

concerns over the constitutionality of the new law. The Alabama Education Association supports the immunity bill. Nancy Whorly, the new AEA president, stated that

if a board of education allows corporal punishment in its policy and an employee follows it, then we certainly believe the employee should not be punished. This bill mandates that schools must have very strict guidelines, and employees must follow those guidelines. Teachers can't just go out and beat students. (Jones, 1995)

Sandra Sims-deGraffenreid, Executive Director of the Alabama Association of School Boards, indicates her organization thinks the bill is useless. She indicated that the bill granting teachers immunity will not stop parents from suing and might even encourage more educators to pick up paddles. According to Dr. Irwin Hyman, a psychology professor and founder of the National Center for the Study of Corporal Punishment at Temple University in Philadelphia,

This type of horrible legislation, this 'qualified immunity,' is going on all around the country--we're getting crazy. The only reason cases end up in litigation anyway is because they would otherwise be classified as child abuse. Now we are saying, not only can we flog kids and bruise them, but we are protected. (Jones, 1995)

As reported in the Alabama School Board ("Paddling still common," 1995) corporal punishment is a widespread practice in Alabama and throughout the South. Statistics from the U. S. Department of Education, published in a recent Birmingham Post-Herald series on corporal punishment, revealed almost 92% of the paddlings in 1992-92 took place in the South. Arkansas led the way, paddling almost 12% of its public schoolchildren, followed by Mississippi at 11% and Alabama at 8%.

According to statistics, Blacks make up a disproportionate percentage among the students being paddled. In the South, Black students make up 33% of the school

population, but received about 45% of the paddlings. The study referenced in this same article also found that Southerners are more supportive of corporal punishment than any other regional group. A poll found 57% of Southerners polled support corporal punishment, compared to 50% of Midwesterners, 35% of Northerners and 48% of Westerners. A 1995 survey by the Alabama Association of School Boards showed that 112 systems out of 127 across the state of Alabama allow corporal punishment; 9 prohibit it. Six systems did not respond to the survey (Orndorff, 1995). Alabama State Board of Education member Dr. Mary Jane Caylor stated that she hated the idea of children being paddled at school and challenged the board to consider adopting statewide policy that local boards would have to follow (Chapman, 1995).

Many feel that the elimination of corporal punishment in educational settings must occur. Not only does corporal punishment violate key democratic principles from their perspective, but it also thwarts the increasing professionalization of teaching. Research findings illustrate that corporal punishment (a) only temporarily suppresses undesired behavior, (b) is ineffective in promoting new learning, (c) arouses pupil's aggressions, and (d) implies to children that violence is an acceptable way to solve problems (Socoski, 1989). Opponents to corporal punishment argue that corporal punishment is not necessary to maintain discipline and the potential for abuse is enormous (Kessler, 1985).

Summary

The use of corporal punishment as documented in the literature is a controversial issue with far-reaching implications for our schools both from an educational and legal

perspective. Corporal punishment of children with disabilities adds to the complexity and sensitivity of this issue. School systems that utilize corporal punishment, particularly those that serve disabled students, including deaf and hard of hearing students, are well advised to have clearly delineated policy and procedures for the reasonable use of this method of discipline in order to avoid lawsuits (Sendor, 1987).

As for proponents of the complete abolishment of corporal punishment in public education, they will need to pursue their cause in the federal and state legislatures or in the state civil and criminal courts (Henderson, 1986), because the Supreme Court has upheld the use of corporal punishment in our schools.

CHAPTER III

Research Methodology

Introduction

The purpose of this study was to determine the current use of corporal punishment as a discipline method with deaf and hard of hearing children in public schools in this country, and to analyze the perceptions of Chief Administrators of public and private residential/day schools serving the deaf and hard of hearing, and the 50 State Directors of Special Education toward the use of corporal punishment of deaf and hard of hearing students. This chapter also describes the methodology that will be used in the study by providing a description of the subjects to be surveyed, the questionnaire to be sent to the subjects, and procedures for the collection and reporting of the data. This chapter has been organized into seven sections. The sections include the hypotheses and research questions, the subjects for the study, information about the questionnaire, the validity and reliability of the questionnaire, data collection, data analysis, and summary.

Research Questions

This study investigated two primary issues: (a) the status of corporal punishment with the deaf and hard of hearing in the United States, and (b) the perceptions of Chief Administrators of residential schools, public and private, serving deaf and hard of hearing students, and State Directors of Special Education toward the use of corporal punishment

of deaf and hard of hearing students. The following 19 research questions were utilized to investigate these perceptions:

1. How many states have banned or restricted the use of corporal punishment and which states are they?
2. How many states permit the use of corporal punishment of disabled students, including deaf and hard of hearing students?
3. Do the states that permit the use of corporal punishment have regulations regarding the use of corporal punishment with nondisabled and disabled students, and specifically deaf and hard of hearing students?
4. How many of the 120 residential/day schools surveyed, public and private, serving deaf and hard of hearing students, have specific policies and procedures regarding the use of corporal punishment which have been approved by their board or appointing authority?
5. How many states maintain documentation of the number of times corporal punishment is used annually with students? Do they maintain records based upon sex, race, or ethnic background, and disability of the students receiving corporal punishment? How many times during the 1994-1995 school year was corporal punishment administered in the states surveyed?
6. Do regulations or guidelines exist in these programs surveyed regarding parental consent/notification, procedural due process, manner of administration, location where corporal punishment is administered, the need for a witness of corporal punishment, and the use of corporal punishment only as a last resort?

7. How many students received corporal punishment during the 1994-1995 school year in the states and schools surveyed based on sex, race or ethnic origin, disabled or nondisabled, deaf or hard of hearing?
8. What inappropriate behaviors may result in the use of corporal punishment?
9. What type of instruments are used in administration of corporal punishment?
10. How frequently is corporal punishment being used with disabled students, particularly deaf and hard of hearing students?
11. What percentage of deaf and hard of hearing students received corporal punishment during the 1994-1995 school year?
12. What is the perception of each respondent's community toward the use of corporal punishment?
13. Will there be a difference in the perceptions of Chief Administrators of public residential/day schools compared to Chief Administrators of private residential/day schools serving deaf and hard of hearing students toward the use of corporal punishment as a disciplinary method?
14. Will there be a difference in the perceptions of the Chief Administrators of residential/days schools, public or private, serving the deaf and hard of hearing from the perceptions of State Directors of Special Education toward the use of corporal punishment as a disciplinary method?
15. Will there be a difference in the perceptions of the respondents toward the use of corporal punishment as a disciplinary method based on the respondents' sex, race, or ethnic origin, or hearing status?

16. Do male students receive corporal punishment more frequently than female students?
17. Is corporal punishment administered more frequently to repeat offenders?
18. Are male students more likely to be repeat offenders?
19. Do males administer corporal punishment more frequently to male students?

Subjects for the Study

The subjects were the 120 Chief Administrators of the residential/day schools, public and private, serving deaf and hard of hearing students in the United States (Appendix B) and the 50 State Directors of Special Education (Appendix C). The entire population of these two groups of administrators was used in this study. These subjects were selected because they would be most knowledgeable of the current status of the use of corporal punishment with disabled students, particularly deaf and hard of hearing students, in their programs and respective states.

Questionnaire

The questionnaire (Appendix D) was designed to obtain selected-responses to items on the survey. The questionnaire was designed utilizing the questionnaire developed by Dr. Donna C. Jeffries in her dissertation, An Analysis of Perceptions Among School Board Chairpersons, Selected School Personnel, and Selected Students Regarding the Use of Corporal Punishment in Tennessee's Public Schools as a model. Permission was granted by Dr. Jeffries' to utilize this questionnaire and modify it for the purpose of this study. The questions are clearly stated and are not confusing. The

questions concerning the use of corporal punishment will relate specifically to students who are deaf and hard of hearing.

Validity and Reliability of Questionnaire

To establish content validity, the questionnaire was submitted to a panel of three judges with training in special education, deaf education, or both, who possess earned doctorates and have experience working with disabled children, including deaf and hard of hearing students. Results of the panel review indicated that the instrument was content valid for this study. Letters of validation from these judges were obtained and placed in Appendix E.

Reliability of the instrument was established by Dr. Jeffries through the employment of the test-retest method with an educational administration class at Alabama A&M University. This reliability test yielded the following results: coefficient from the questionnaire = .89; coefficient from the table = .81. Since the questionnaire coefficient of .89 was greater than the table coefficient of .81, a strong correlation was shown. Therefore, the results indicated that the instrument was reliable.

Data Collection

The survey was conducted by mailing a survey packet to each of the 120 Chief Administrators of the residential/day schools, public and private, in the United States, and the 50 State Directors of Special Education. These two groups represent the entire population for their respective professional positions. Each packet contained a letter of transmittal (Appendix A), the survey instrument (Appendix D), instructions for

completion of the survey instrument, and a self-addressed, stamped envelope, in order to return the instrument.

A postcard was sent 14 days after the original survey was mailed to those school administrators who failed to respond by completing and mailing the survey instrument. A follow-up telephone call was made or a FAX sent 21 days after the original survey was mailed to those school administrators who had not responded by that date. A second letter and survey instrument were mailed 28 days later to those administrators who did not respond to the previous requests to participate in the study. A minimum 65% return rate was desired.

Data Analysis

The data collected by the survey instrument were tabulated into separate categories corresponding to the questions and reported in the following manner:

1. Demographic information including sex; race or ethnic origin; deaf, hard of hearing or hearing; years of experience in education, special education, or education of the deaf and hard of hearing; and years of experience as a teacher and administrator.
2. Responding Chief Administrators of residential/day schools, public or private, serving deaf and hard of hearing, and State Directors of Special Education were categorized based upon the following regions within the United States: (a) Mid-Atlantic (Michigan, Ohio, Pennsylvania, West Virginia, Virginia, Delaware, Maryland, Washington, D.C.); (b) Northeast (Maine, New Hampshire, Vermont, New York, Connecticut, Rhode Island, Massachusetts, New Jersey); (c) Southeast (Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida); (d)

North Central (Montana, Wyoming, North Dakota, South Dakota, Minnesota, Wisconsin, Illinois, Kansas, Nebraska, Iowa, Missouri, Indiana); (e) South Central (Texas, Oklahoma, Arkansas, Louisiana); and (f) Western States (Washington, Oregon, Idaho, California, Nevada, Utah, Wyoming, Arizona, New Mexico, Hawaii, and Alaska).

3. Responding Chief Administrators of residential/day schools serving deaf and hard of hearing students based upon being public, private, or other.

The demographic data were analyzed by tallying and grouping the responses for each question related to these areas. Frequency and percentage techniques were employed to demonstrate population and demographic information and questions related to the use of corporal punishment. Research questions were also analyzed through the use of frequency and percentage techniques.

Summary

Chapter III described the research questions, the methodology of the research, the development of the instrument used in the study, and the data analyses utilized. The questions for the instrument were derived from a review of the literature and from modifying the instrument developed by Dr. Donna C. Jeffries, with her approval. Provisions for obtaining relevant demographic information were incorporated into the instrument. The data were analyzed using frequency and percentage techniques.

CHAPTER IV

Results of the Research

Purpose of the Research

The purpose of this study was to determine the current status of corporal punishment as a discipline method with deaf and hard of hearing children in the public and private residential/day schools of this country and to analyze the perceptions of the 120 Chief Administrators of residential/day schools, public and private, serving deaf and hard of hearing students and the 50 State Directors of Special Education toward the use of corporal punishment with deaf and hard of hearing students.

This chapter presents an analysis of the data supplied by the respondents participating in this study. The data consist of (a) demographic information pertaining to the individuals answering the questionnaire; (b) information regarding the states that ban corporal punishment or permit its use; (c) an analysis of 11 research questions pertaining to the use of corporal punishment as a method of discipline; (d) a comparison of the perceptions of Chief Administrators of public, residential/day schools toward the use of corporal punishment with the perceptions of Chief Administrators of private residential/day schools serving deaf and hard of hearing students; (e) a comparison of the perceptions of Chief Administrators of residential/day schools, public or private, serving deaf and hard of hearing students, toward the use of corporal punishment with the

perceptions of State Directors of Special Education; and (f) a comparison of the participants' perceptions toward the use of corporal punishment based upon their sex, race or ethnic origin, and hearing status. The frequency and percentage analysis of the items on the questionnaire is also presented in this chapter.

Of the total 170 questionnaires mailed, a total of 121 responses (71%) were received. There were 120 questionnaires mailed to Chief Administrators of residential/day schools, public and private. Four (3%) of these survey packets were returned by the U. S. Post Office, indicating that the packages were undeliverable, and no forwarding address was provided. These four programs were eliminated from the study. Of the remaining 116 survey packets mailed to Chief Administrators of residential/day school, public and private, serving the deaf and hard of hearing, officials from 82 (71%) programs responded. Of the 82 Chief Administrators responding, 63 (77%) represented public residential/day schools, and 19 (23%) represented private residential/day schools. Eleven (17%) of the 63 Chief Administrators of public residential schools for the deaf and three (16%) of the 19 Chief Administrators of private residential/day schools participating in the study replied by letter or FAX, indicating that they did not wish to complete the survey because their schools did not permit corporal punishment. Each of these 14 respondents indicated that they were opposed to the use of corporal punishment as a disciplinary method. Each of them also responded that their communities were opposed to the use of corporal punishment of all students, nondisabled or disabled.

Of the 50 questionnaires sent to State Directors of Special Education, 39 (78%) directors responded to the survey. Ten (26%) of the State Directors of Special Education

from states that do not permit corporal punishment responded to the survey by letter or FAX indicating that they were opposed to the use of corporal punishment as a disciplinary method of all students, nondisabled and disabled. Several of the Chief Administrators and State Directors provided comments that indicated that they were adamantly opposed to corporal punishment and did not realize that corporal punishment was a disciplinary method still practiced in the United States.

Two (4%) of the State Directors replied by letter, stating that they would not participate in the study due to insufficient staff. Information pertaining to the distribution of the respondents based upon position is shown in Table 1.

Table 1

Distribution of Respondents by Position

Group	Number	Percent
State Directors of Special Education	39	37.5
Chief Administrators (Public & Private)	82	67.5
Total	121	100
Chief Administrators	Number	Percent
Public	63	77.0
Private	19	23.0
Total	82	100.0

The regional distribution of the 82 Chief Administrators of residential/day schools, public and private, that participated in the study was as follows: 11 (65%) of 17 programs surveyed in the Mid-Atlantic Region, 14 (64%) of the 22 programs surveyed in the Northeast Region, 16 (76%) of the 21 programs surveyed in the Southeast Region, 19

(83%) of the 23 programs surveyed in the North Central Region, 7 (78%) of the 9 programs in the South Central Region, and 15 (63%) of the 24 programs surveyed in the Western Region. Table 2 shows information on the regional distribution of the Chief Administrators of residential/day schools, public and private, who participated in the study.

Table 2

Distribution of Chief Administrators, Public and Private, by Region

Region	# Surveyed	# Responses	Percent	Percent of Total
Mid-Atlantic	17	11	65.0	13.0
Northeast	22	14	64.0	17.0
Southeast	21	16	76.0	20.0
North Central	23	19	78.0	23.0
South Central	9	7	78.0	9.0
Western	24	15	63.0	18.0
Total	116	82	71.0	100.0

The regional distribution of the 39 State Directors of Special Education responding was as follows: five (71%) of the eight Mid-Atlantic Region, eight (100%) of the eight Northeast Region, seven (87.5%) of the eight Southeast Region, seven (58%) of the 12 state North Central Region, three (75%) of the four state South Central Region, and 10 (91%) of the Western Region. Table 3 illustrates the information related to the regional distribution of the State Directors of Special Education that responded to the questionnaire.

Table 3

Distribution of Responding State Directors of Special Education

Region	# Surveyed	# Responses	Percent	Percent of Total
Mid-Atlantic	7	5	71.0	13.0
Northeast	8	8	100.0	21.0
Southeast	8	6	75.0	15.0
North Central	12	7	58.0	18.0
South Central	4	3	75.0	8.0
Western	11	10	91.0	25.0
Total	50	39	78.0	100.0

Demographic Data

Demographic information related to the respondents' sex is shown in Table 4. Of the 121 respondents to the survey, 83 (69%) were male and 38 (31%) were female. Of the 83 male respondents, 57 (69%) were Chief Administrators of residential/day schools, public and private, serving the deaf or hard of hearing, and 26 (31%) were State Directors of Special Education. Twenty-five (66%) of the 38 female respondents were Chief Administrators of a residential/day school, public or private, serving the deaf or hard of hearing, and 13 (34%) were State Directors of Special Education.

Table 4

Frequency and Percentage Distribution of Respondents by Sex

Group	Sex	Number	Percent
Chief Administrators	Male	57	47.0
Directors of Special Education	Male	26	21.0
Chief Administrators	Female	25	21.0

Table 4 (continued)

Group	Sex	Number	Percent
Directors of Special Education	Female	13	11.0
Total		121	100.0

Of the 121 individuals participating in the study, 115 responded to the item pertaining to their hearing status. Nineteen (17%) indicated that they were either deaf or hard of hearing and 96 (83%) indicated that they had normal hearing. Demographic information pertaining to the respondents hearing status can be found in Table 5.

Table 5

Frequency and Percentage Distribution of Respondents by Hearing Status

Group	Number	Percent
Hearing	96	83.0
Deaf/Hard of Hearing	19	17.0
Total	115	100.0

Table 6 illustrates the number of participants in the study who responded to the demographic item pertaining to race or ethnic origin of the respondent. Of the 121 respondents, 115 responded to this item. Of the 115 respondents, one (1%) was African American, 113 (98%) indicated that they were Caucasian, and one (1%) was Hispanic.

Table 6

Frequency and Percentage Distribution of Respondents by Race

Group	Number	Percent
African American	1	1.0
Asian	0	0.0

Table 6 (continued)

Group	Number	Percent
Caucasian	113	98.0
Hispanic	1	1.0
Native American	0	0.0
Total	115	100.0

In the demographic section of the survey, respondents were asked to respond to items pertaining to their professional experience. Participants were asked to indicate the number of years of experience they had in education, special education, and/or education of the deaf and hard of hearing.

Of the 121 participants in the study, 80 (66%) responded to this section and 41 (34%) did not respond. Of the 80 responses, 61 (76%) were Chief Administrators of residential/day schools, public and private, serving the deaf and hard of hearing, and 19 (24%) were State Directors of Special Education.

The combined number of years of experience for all 80 respondents to this item was 2,122 years in education. The range of experience of educational experience was from a low of 7 years to a high of 40 years, with a mean of 26.5 years. Respondents indicated that they had a combined 994 years of experience in special education, ranging from a low of 3 years to a high of 40 years, with a mean of 12.3 years. Respondents indicated that they had a total of 1,484 years of experience in deaf education, ranging from 0 to 36 years of experience, with a mean of 18.6 years.

According to the responses of the 61 Chief Administrators of schools for the deaf and hard of hearing who responded to this item, they had a combined total of 1,640 years

of experience in education, 600 years of experience in special education, and 1,400 years of experience in education of the deaf and hard of hearing. The mean for each of these categories was calculated for the 61 Chief Administrators of schools for the deaf as follows: 27 years of experience in education, 9.8 years of experience in special education, and 23 years of experience in education of the deaf and hard of hearing. The 19 State Directors of Special Education responses to this item indicated that they had a total of 482 years of experience in education, 394 years of experience in special education, and 84 years of experience in the education of the deaf and hard of hearing. The mean for each of these categories was calculated as follows: 25.4 years of experience in education, 20.7 years of experience in special education, and 4.4 years of education of the deaf and hard of hearing. Table 7 illustrates the demographic information related to experience.

Table 7

Years of Experience in Education by Group

Area	Group	# of Years	Mean
Education	A	1,640	27.0
	B	482	25.4
Total		2,122	26.5
Special Education	A	600	9.8
	B	394	20.7
Total		994	12.5
Deaf Education	A	1,400	23.0
	B	84	4.4
Total		1,484	18.6

Group A = 61 Chief Administrators; Group B = 19 State Directors of Special Education

The second part of this item related to professional experience as a teacher or administrator and is presented in Table 8. According to the 80 responses to this item, there was a combined total of 641 years of experience as a teacher, with a mean of 8 years; and 1,469 years of experience as an administrator, with a mean of 18.4 years. Among the 61 Chief Administrators of schools for the deaf, there was a total of 490 years of experience as a teacher, with a mean of 8 years, and 1,165 years as administrators, with a mean of 19.1 years. The 19 State Directors of Special Education had a combined total of 151 years of experience as teachers, with a mean of 8 years, and 304 years as administrators, with a mean of 16 years.

Table 8

Years of Experience by Position by Group

Position	Group	# of Years	Mean
Teacher	A	490	8.0
	B	151	8.0
Total		641	8.0
Administrator	A	1,165	19.1
	B	304	16.0
Total		1,469	18.4

Group A = 61 Chief Administrators; Group B = 19 State Directors of Special Education

Table 9 shows data regarding the states which permit corporal punishment and those that do not permit its use. Responses to this item from participants were contradictory. Three Chief Administrators from three different states, one each in the following three regions, Mid-Atlantic, Northeast, and North Central, who replied to the survey, provided responses that conflicted with information obtained from the State

Directors of Special Education from the same state. The state data are reported in Table 9.

Based upon the data reported, 20 (40%) states still permit the use of corporal punishment of students, including deaf and hard of hearing students, and 30 (60%) states prohibit the use of corporal punishment for all students, including deaf and hard of hearing students. No state in the eight state Northeast Region permits corporal punishment of any student. Two states (25%) in the eight-state Mid-Atlantic Region permit corporal punishment of all students, three states (25%) in the 12 state North Central Region permit corporal punishment of all students, and three states (17%) in the 11 state Western Region permit corporal punishment of all students. All eight states (100%) in the Southeast Region and all four states (100%) in the South Central Region permit corporal punishment of all students. Respondents from those states that permit corporal punishment indicated that corporal punishment was for all students, nondisabled and disabled, including deaf and hard of hearing students.

Table 9

Frequency of States That Permit or Do Not Permit Corporal Punishment by Region

Region	State	Permit	# Yes	# No
Mid-Atlantic	Michigan	No		1
	Ohio	No		1
	Pennsylvania	Yes	1	
	West Virginia	No		1
	Virginia	No		1
	Delaware	Yes	1	
	Maryland	No		1

Table 9 (continued)

Region	State	Permit	# Yes	# No
Northeast	Maine	No		1
	New Hampshire	No		1
	Vermont	No		1
	New York	No		1
	Connecticut	No		1
	Rhode Island	No		1
	Massachusetts	No		1
	New Jersey	No		1
Southeast	Kentucky	Yes	1	
	Tennessee	Yes	1	
	North Carolina	Yes	1	
	South Carolina	Yes	1	
	Georgia	Yes	1	
	Alabama	Yes	1	
	Mississippi	Yes	1	
	Florida	Yes	1	
North Central	Montana	No		1
	Wyoming	No		1
	North Dakota	No		1
	South Dakota	No		1
	Minnesota	No		1
	Wisconsin	No		1
	Illinois	No		1
	Kansas	Yes	1	
	Nebraska	No		1
	Iowa	Yes	1	
	Missouri	Yes	1	
	Indiana	No		1
South Central	Texas	Yes	1	
	Oklahoma	Yes	1	
	Arkansas	Yes	1	
	Louisiana	Yes	1	

Table 9 (continued)

Region	State	Permit	# Yes	# No
Western	Washington	No		1
	Oregon	No		1
	Idaho	Yes	1	
	California	No		1
	Nevada	No		1
	Colorado	Yes	1	
	Utah	No		1
	Arizona	No		1
	New Mexico	Yes	1	
	Hawaii	No		1
	Alaska	No		1
Total			20 (40%)	30 (60%)

Research Questions

The purpose of this study was to obtain answers to the following research questions:

1. How many states have banned or restricted the use of corporal punishment and which states are they? According to the responses received from the 121 participants in this study, 30 (60%) states have banned or do not permit the use of corporal punishment, and 20 (40%) states continue to permit the use of corporal punishment of students in their schools (see Table 9).

2. How many states permit the use of corporal punishment of disabled students, including deaf and hard of hearing students? All 20 states that permit the use of corporal punishment permit the corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

3. Do the states that permit the use of corporal punishment have regulations regarding the use of corporal punishment with nondisabled and disabled students, and specifically deaf and hard of hearing students? Based upon the information provided, the 30 states that do not permit corporal punishment each have regulations prohibiting its use with students in their respective states. The 16 State Directors of Special Education who responded to this item from states that permit corporal punishment indicated that they have established regulations pertaining to the use of corporal punishment with all students.

Three (19%) of the 16 State Directors of Special Education sent copies of state regulations pertaining to use of corporal punishment in their respective states. Each of the state regulations for these three states indicated that the states gave authority to the local boards of education to administer corporal punishment to students in accordance with established school district policy. One (33%) of the three states had established regulations covering the use of corporal punishment of disabled students. The regulation required that prior to the administration of corporal punishment to a student with disabilities, a determination by the student's IEP team shall be made as to whether or not the misconduct prompting the proposed use of corporal punishment is related to, or a manifestation of, the student's disability. If a disabled student's misconduct is related to, or a manifestation of, the student's disability, any discipline shall be in accordance to the student's IEP. If a student's misconduct is not related to, or a manifestation, of the student's disability, corporal punishment may be administered in accordance with the same state or other provisions as applied to nondisabled students in the school district or

public agency. Each of these respondents from the 23 states that do not permit corporal punishment of students indicated that there were state regulations in place prohibiting the use of corporal punishment.

4. How many of the 120 residential/day schools surveyed, public and private, serving deaf and hard of hearing students, have specific policies and procedures regarding the use of corporal punishment which have been approved by their board or appointing authority? Of the 116 schools sent survey packets, 46 (39%) of the schools were located in states that permit corporal punishment. Thirty-five (76%) of these 46 schools located in states that permit corporal punishment responded to the survey. Of these 35 schools, four (11%), three public and one private, permitted the use of corporal punishment as a disciplinary method with their deaf and hard of hearing students. The other 31 (89%) schools for the deaf and hard of hearing located in states permitting the use of corporal punishment prohibited the use of corporal punishment, either by board policy or by administrative directive. Of the four schools for the deaf and hard of hearing that permitted corporal punishment, the three public schools had policies and procedures in place approved by their board or appointing authorities. The private school indicated it did not have a board approved policy pertaining to the use of corporal punishment.

5. How many states maintain documentation of the number of times corporal punishment is used annually with students? Do they maintain records based upon sex, race, or ethnic background, and disability of the students receiving corporal punishment? How many times during the 1994-1995 school year was corporal punishment administered in the states surveyed? Sixteen (80%) State Directors of Special Education

out of the 20 states that permit corporal punishment of students in their schools responded to this item. Fifteen (94%) of these officials reported that documentation was not maintained on the number of students, nondisabled or disabled, receiving corporal punishment. One (6%) state official out of the 16 responding indicated that records were maintained on the number of students that received corporal punishment. The information maintained did not identify the number of students receiving corporal punishment by disabled or nondisabled. The documentation did specify the number of students by sex and race or ethnic origin. Data regarding the number of students who received corporal punishment provided by this state was for the 1993-1994 school year.

According to the data reported by the participants in the study from the four schools for the deaf and hard of hearing that permitted corporal punishment, two public schools, each in a different state, reported that four deaf or hard of hearing students, three at one school and one at the other, had received corporal punishment during the 1994-1995 school year.

6. Do regulations or guidelines exist in these programs surveyed regarding parental consent/notification, procedural due process, manner of administration, location where corporal punishment is administered, the need for a witness of corporal punishment, and the use of corporal punishment only as a last resort? Only the Chief Administrators from the four schools that permitted corporal punishment responded to the items related to this question. Two (50%) of the Chief Administrators responded that their school required parental consent before a child received corporal punishment, and two (50%) did not.

Two (50%) of the four administrators of the four schools indicated that only administrators could administer corporal punishment, one (25%) administrator indicated that administrators and teachers could administer corporal punishment, and one (25%) administrator responded that administrators, teachers, coaches, and any personnel with certificates could administer corporal punishment.

All four (100%) administrators from the schools for the deaf and hard of hearing that permitted corporal punishment responded to the items pertaining to this question. They indicated the following: (a) corporal punishment was administered only in an administrators office in their school, (b) corporal punishment was used only as a last resort, (c) corporal punishment was used only after every other disciplinary method proved to be ineffective, and (d) corporal punishment was used only with a witness present.

7. How many students received corporal punishment during the 1994-1995 school year in the states and schools surveyed based on sex, race or ethnic origin, disabled or nondisabled, deaf or hard of hearing? Based upon the responses to this question obtained from the 16 (80%) State Directors of Special Education out of the 20 states that permit corporal punishment, only one (6.25%) state indicated that it maintains documentation of the number of students receiving corporal punishment. The last available data from this state were for the 1993-1994 school year. Therefore, data from the states cannot be reported for this item. Two schools reported that corporal punishment was administered to four deaf students during the 1994-1995 school year. They indicated that three (75%) of the students were male, one (25%) was a female.

They also indicated that two (50%) of these four students were African American and two were Caucasian.

8. What inappropriate behaviors may result in the use of corporal punishment?

According to the responses to this item from the four schools that permit corporal punishment, the following inappropriate behaviors would provoke the use of corporal punishment in their respective schools: (a) fighting (three of the four schools), (b) obscene/profane language (two of the four schools), (c) talking back to authority (two of the four schools), (d) stealing (two of the four schools), and (e) other-continued disruptive behavior (one of the four schools).

9. What type of instruments are used in administration of corporal punishment?

Three of the four schools for the deaf and hard of hearing responding to this item that permitted corporal punishment indicated that a paddle would be used, while one school indicated that the hand would be used in the administration of corporal punishment.

10. How frequently is corporal punishment being used with disabled students, particularly deaf and hard of hearing students? Fifty-seven (49%) of the 116 Chief Administrators responding to the questionnaire responded to this item. Based upon the data provided, there was a total of 10,380 deaf and hard of hearing students served in these 57 residential/day schools, public and private, serving the deaf and hard of hearing. Based upon the response of four schools out of the 57 that indicated the number of students that they served (10,380) during the 1994-1995 school year, four students were reported to have been paddled. This number would indicate that corporal punishment is

used very infrequently as a disciplinary method with deaf and hard of hearing students in the programs responding to the survey.

11. What percentage of deaf and hard of hearing students received corporal punishment during the 1994-1995 school year? Four students out of the 10,380 (less than 1%) deaf and hard of hearing students were administered corporal punishment during the 1994-1995 school year in the 116 residential/day schools, public and private, serving the deaf and hard of hearing that participated in this study.

12. What is the perception of each respondent's community toward the use of corporal punishment? Eighty-six (71%) of the 121 participants responded to this item on the questionnaire. Of the 86 respondents, 74 (86%) indicated that their communities were opposed to the use of corporal punishment as a method of discipline, 10 (17%) indicated that their community approved the use of corporal punishment, and two (4%) stated that their community had mixed opinions toward the use of corporal punishment.

13. Will there be a difference in the perceptions of Chief Administrators of public residential/day schools compared to Chief Administrators of private residential/day schools serving deaf and hard of hearing students toward the use of corporal punishment as a disciplinary method?

14. Will there be a difference in the perceptions of the Chief Administrators of residential/days schools, public or private, serving the deaf and hard of hearing from the perceptions of State Directors of Special Education toward the use of corporal punishment as a disciplinary method?

Research questions 13 and 14 were answered by averaging the responses to 31 questions about the use of corporal punishment by the Chief Administrators of residential/day schools, public and private, and the State Directors of Special Education. The 31 questions were divided into two groups. The first group, Group A, contained 18 statements regarding corporal punishment. Responses of agree or strongly agree would indicate the respondents' opposition to corporal punishment, and responses of disagree or strongly disagree would indicate the respondents' approval of corporal punishment. The second group, Group B, contained 13 statements regarding corporal punishment. Responses of disagree or strongly disagree to these 13 statements would indicate the respondents' opposition to corporal punishment, and the responses of agree or strongly agree would indicate the respondents' approval of corporal punishment.

When comparing the responses of Chief Administrators of public residential/day schools for the deaf and hard of hearing, with the responses of the Chief Administrators of private residential/day schools, their perceptions of corporal punishment were in agreement. In response to the statements in Group A, 81% of the Chief Administrators of public residential/day schools for the deaf and hard of hearing answered that they disagreed or strongly disagreed with all items supporting corporal punishment, while 85% of the Chief Administrators of private residential/day schools responded that they disagreed or strongly disagreed with all items supporting corporal punishment.

The responses to the statements in Group B were in close agreement. Eighty-three (81%) of the Chief Administrators of the public residential/day schools agreed or strongly agreed to all items opposing the use of corporal punishment, while 87% of the

Chief Administrators of private residential/day schools answered that they agreed or strongly agreed to all items opposing corporal punishment. The responses by the Chief Administrators of residential/day schools for the deaf and hard of hearing, public and private, indicates that both groups are opposed to the use of corporal punishment.

When comparing the responses to Group A and B statements by all of the Chief Administrators of public and private residential/day schools for the deaf and hard of hearing, with the State Directors of Special Education, their perceptions of corporal punishment were found to be similar as well. Of the Chief Administrators of residential/day schools, public and private, 82% responded that they disagreed or strongly disagreed to all the items in Group A, while 87% of the State Directors of Special Education indicated that they disagreed or strongly disagreed with the items in Group A supporting corporal punishment. Eighty-three (82%) of the Chief Administrators of residential/day schools, public and private, responded that they agreed or strongly agreed to the Group B items opposing the use of corporal punishment, while 78% of the State Directors of Special Education responded that they agreed or strongly agreed to the same items. This indicates that there was no difference in the perceptions of Chief Administrators of residential/day schools for the deaf and hard of hearing, public or private, toward the use of corporal punishment, from the perceptions of the State Directors of Special Education.

15. Will there be a difference in the perceptions of the respondents toward the use of corporal punishment as a disciplinary method based on the respondents' sex, race, or ethnic origin, or hearing status?

The responses to the statements in Group A and Group B of the survey indicated that the perceptions of the respondents toward the use of corporal punishment were similar to the respondents regardless of their sex, race or ethnic origin, or hearing status. Eighty-seven percent of the male respondents to the Group A items disagreed or strongly disagreed to all of the items supporting corporal punishment, and 73% of the female respondents indicated that they disagreed or strongly disagreed to all of the same items. Eighty-two percent of the male respondents indicated that they agreed or strongly agreed to all of the items in Group B opposing corporal punishment, while 79 of the female respondents indicated that they agreed or strongly agreed to all of the items in Group B opposing corporal punishment.

Two (2%) of the 121 respondents indicated that they were not Caucasian. One participant was African American and one was Hispanic. Eighty-five percent of their responses were either disagree or strongly disagree to all of the Group A items supporting the use of corporal punishment, and 97% of their responses agreed or strongly agreed to all of the Group B items opposing the use of corporal punishment as a disciplinary method. This indicates that there was no difference in the perceptions toward the use of corporal punishment as a disciplinary method based on sex, race or ethnic origin.

Of the 121 participants in the study, 14 (12%) individuals indicated that they were deaf and hard of hearing, while 107 (88%) indicated that they had normal hearing. The perceptions of the deaf and hard of hearing respondents were comparable to the responses of the other groups participating in the study. Eighty-four percent of the deaf and hard of hearing participants indicated that they disagreed or strongly disagreed with all of the

items in Group A supporting corporal punishment, and 88% responded that they agreed or strongly agreed with all of the items in Group B opposing the use of corporal punishment as a disciplinary method. This indicates that there was no difference in the perceptions towards the use of corporal punishment as a disciplinary method based upon the hearing status of the participants in the study.

16. Do male students receive corporal punishment more frequently than female students? There was a general consensus of agreement between the various groups that male students receive corporal punishment more frequently than female students. Seventy-eight percent of the Chief Administrators of public residential/day schools and 75% of the Chief Administrators of private residential/day schools agreed or strongly agreed with this perception. Seventy-eight percent of the Chief Administrators of residential/day schools, public and private, and 58% of the State Directors of Special Education agreed or strongly agreed with this statement. Seventy-two percent of the female respondents and 73% of the male respondents agreed with this statement. The African American respondent and the Hispanic respondent both agreed that male students were paddled more frequently than female students. Seventy-six percent of the deaf and hard of hearing respondents and 72% of the hearing respondents agreed or strongly agreed that male students were paddled more frequently than female students.

17. Is corporal punishment administered more frequently to repeat offenders? Again, there was general consensus among the various groups responding that corporal punishment is administered more frequently to repeat offenders. Eighty percent of the Chief Administrators of public residential/day schools agreed or strongly agreed to this

statement and 83% of the Chief Administrators of private residential/day schools agreed or strongly agreed to this statement. Eighty-one percent of the Chief Administrators of both public and private residential schools as compared to 60% of the State Directors of Special Education agreed or strongly agreed to this statement. Sixty-eight percent of the female respondents compared to 79% of the male respondents agreed or strongly agreed to this position. Both minority respondents agreed to this statement. Eighty-six percent of the deaf and hard of hearing respondents and 74% of the hearing respondents agreed or strongly agreed that repeat offenders were more frequently administered corporal punishment.

18. Are male students more likely to be repeat offenders? Participants in the study were also in general consensus of agreement on this issue. Sixty-nine percent of the Chief Administrators of public residential/day schools for the deaf and hard of hearing agreed or strongly agreed that male students were more likely to be repeat offenders. As a group, 69% of the Chief Administrators of residential/day schools, public and private, agreed or strongly agreed with this perception, while only 53% of the State Directors of Special Education agreed or strongly agreed that male students were more likely to be repeat offenders. Fifty-three percent of the females responding to this statement agreed or strongly agreed, while 70% of the males indicated they agreed or strongly agreed that male students were more likely to be repeat offenders. The African American respondent was undecided, while 65% of the Caucasian respondents indicated that they agreed or strongly agreed with this statement. Seventy-six percent of the deaf

and hard of hearing respondents expressed that they agreed or strongly agreed with this perception, and 62% of the hearing respondents agreed or strongly agreed.

19. Do males administer corporal punishment more frequently to male students?

Although a majority of several of the groups responding to this item agreed or strongly agreed that males administer corporal punishment more frequently to males, there was not consensus of agreement with this item among the various groups. Fifty-nine percent of the Chief Administrators of public residential/day schools for deaf and hard of hearing students agreed or strongly agreed that males administer corporal punishment more frequently to male students, and 50% of the Chief Administrators of private residential/day schools agreed or strongly agreed with this perception. Fifty-seven percent of the combined group of Chief Administrators of residential/day schools for the deaf and hard of hearing, public and private, agreed or strongly agreed to this item, compared to 47% of the State Directors of Special Education. Forty-seven percent of the Chief Administrators indicated that they were undecided, and 53% of the State Directors were undecided. None of the Chief Administrators or State Directors of Special Education disagreed or strongly disagreed with this statement. Forty-seven percent of the female respondents agreed or strongly agreed with this statement, while 57% of the males agreed or strongly agreed that males administer corporal punishment more frequently to male students. Fifty-three percent of the females were undecided on this issue, while 43% of the males were undecided. Fifty-five percent of the Caucasian respondents agreed or strongly agreed that males administered corporal punishment more frequently to males, while both minority respondents were undecided. Forty-three percent of the

deaf and hard of hearing respondents agreed or strongly agreed to this perception, while 54% of the hearing respondents agreed or strongly agreed. Of all of the deaf and hard of hearing respondents, 57% were undecided on this issue, as were 46% of the hearing respondents.

Summary

The purpose of this study was twofold. The first purpose was to determine the status of corporal punishment of deaf and hard of hearing students in the United States. The second purpose was to ascertain the perceptions of the Chief Administrators of the 120 residential/day schools, public and private, and the perceptions of the 50 State Directors of Special Education toward the use of corporal punishment as a disciplinary method.

Based upon the results obtained from the survey, 30 states have banned the use of corporal punishment as a disciplinary method for all students, nondisabled and disabled, including deaf and hard of hearing students. Four schools surveyed in the 20 states that permit corporal punishment permit it in their schools. Therefore, based upon the data received, it is obvious that corporal punishment is not a disciplinary method in wide use with deaf and hard of hearing students in the residential/day schools, public or private, in the United States.

In addition, based upon the analysis of the data received from the participants, the perceptions toward the use of corporal punishment as a disciplinary method by the Chief Administrators of residential/day schools, public and private, serving the deaf and hard of hearing, are in agreement with the perceptions of the State Directors of Special

Education. The majority of each of these three groups of administrators, regardless of position, sex, race or ethnic origin, or hearing status, are opposed to its use, as are the communities in which they live. The majority of respondents of all groups, whether they live in states that permit corporal punishment or ban it, are opposed to corporal punishment of all students, nondisabled and disabled.

CHAPTER V

Summary, Conclusions, and Recommendations

Introduction

This chapter includes a summary of the study, findings related to the review of literature, findings related to the survey instrument, and conclusions. A discussion of the implications related to the findings follows these three sections. Recommendations for further research suggested from the findings of this investigation comprise the final section of this chapter.

Summary

The purpose of this study was twofold: (a) to determine the current status of corporal punishment as a discipline method with deaf and hard of hearing students in the public and private residential/day schools in this country, and (b) to analyze and compare the perceptions of the Chief Administrators of residential/day schools, public and private, serving deaf and hard of hearing students, and the perceptions of the State Directors of Special Education regarding the use of corporal punishment as a disciplinary method of deaf and hard of hearing students. The methods of research for this study consisted of documentary analysis and survey techniques.

The population for this study consisted of the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing in the United

States and the State Directors of Special Education. Each state has at least one residential/day school, public or private, for the deaf and hard of hearing and one state director of special education. The study surveyed 116 Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing and the 50 State Directors of Special Education. The questionnaires were sent to a total of 166 administrators and responses were elicited from 121 (73%) of the administrators surveyed.

The questionnaire was designed utilizing the questionnaire developed by Dr. Donna C. Jeffries in her dissertation, An Analysis of Perceptions Among School Board Chairpersons, Selected School Personnel, and Selected Students Regarding the Use of Corporal Punishment in Tennessee's Public Schools as a model. The survey consisted of a demographic section and 66 questions divided into three sections which corresponded with the three major areas of interest:

1. The demographic data about the Chief Administrators of residential/day schools, public and private, and the State Directors of Special Education;
2. The data regarding the status of corporal punishment in each state or school, including regulations, restrictions, and guidelines regarding the use of corporal punishment of students, nondisabled and disabled, including deaf and hard of hearing students; and
3. The perceptions of the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing and the perceptions of State Directors of Special Education toward the use of corporal punishment as a disciplinary method. In

addition, the data pertaining to the perceptions of administrators were also analyzed based upon the respondents' sex, race or ethnic origin, and hearing status.

An analysis of the data revealed a variety of findings based on the responses of the participants to the questionnaire. The data were analyzed and presented in frequency and percentages.

Findings Related to the Literature

The documentary analysis included the review of significantly relevant federal and state court decisions, relevant statutory law, federal and state legislation, related educational literature, and relevant print and nonprint media pertaining to corporal punishment. There were 124 references included in this literature review. This study focused on the current status of corporal punishment as a disciplinary method in our nation and more specifically its use with deaf and hard of hearing students. The study used federal and state court decisions to analyze the legal aspects of corporal punishment of students, nondisabled and disabled.

Corporal punishment has been used as a discipline method in the public and private schools throughout America for many years. Corporal punishment, as verified by the literature review, continues to be a very controversial issue for parents and educators alike. In addition to educational, social, and psychological ramifications, corporal punishment has legal implications as well. The use of corporal punishment with disabled children is even more controversial and emotional. Opposition to corporal punishment has led to its abolishment in a majority of the states. However, teachers and administrators are compelled to deal with the challenge of maintaining safe and orderly

schools in order to facilitate a positive learning environment for all children, and some states continue to permit the use of corporal punishment for this purpose.

1. Based upon a review of the literature, 27 states had banned corporal punishment, however, the study revealed that three additional states have banned its use. Despite the ban of corporal punishment in these states, it is not unconstitutional.

2. The Supreme Court has determined that the use of corporal punishment does not violate the Eighth Amendment protection against cruel and unusual punishment, nor does it breach the Fourteenth Amendment due process guarantees.

3. Most corporal punishment cases are litigated in state courts under charges of battery, assault and battery, or negligent battery.

4. An increasing number of litigants are seeking damages in federal courts under 42 U.S.C. and 1983 from the Civil Rights Act of 1871, claiming their civil rights have been violated because federal law prevents school districts and other municipal agencies from claiming immunity under existing state law for the civil rights violations of employees.

5. Courts have sustained the right of teachers and school officials to administer reasonable corporal punishment for disciplinary reasons.

6. The Supreme Court has upheld that parental approval to corporal punish children in public schools is not required.

7. Excessive force in the use of corporal punishment of a student has been determined by the courts to violate the student's substantive due process under the 14th Amendment due process clause.

8. The courts have determined that disabled children are not entitled to any unique exemptions or protections from the school's normal disciplinary procedures regarding corporal punishment because of their handicap.

9. The courts have established four procedural standards for the use of corporal punishment in the public schools: (a) the student is entitled to know beforehand what behavior, if continued, will lead to corporal punishment; (b) corporal punishment must be used only as a last resort after all other available methods of correction have been tried and have failed; (c) the punishment must be administered in the presence of another adult, preferably another member of the school staff; and (d) parents may not veto corporal punishment for their own child, but they may request and be granted a written account of the punishment, together with the name of the adult present.

10. From an educational, social, and psychological perspective, research findings can be found to support the use of corporal punishment as a discipline method and to oppose it. However, the majority of the research supports the abolishment of corporal punishment as a disciplinary method for all students.

11. According to research conducted by several national organizations of parents, educators, and other professionals, including The Council for Exceptional Children, (a) corporal punishment can cause physical harm, (b) corporal punishment does train children to use physical force to solve problems and control behaviors of others, (c) corporal punishment can interfere with learning, (d) while corporal punishment can control behavior in a given situation, it can also increase aggressive behavior in children

and other situations, and (e) children can be taught control and responsibility without physical violence.

12. Research studies have shown that minority students and students with physical disabilities are paddled more often than others.

13. Surveys by the U. S. Department of Education have shown that corporal punishment is used more frequently in the South than any other part of the United States.

14. Based upon the legal findings, school systems that utilize corporal punishment, particularly those that serve disabled students, including deaf and hard of hearing students, are well advised to have clearly delineated policies and procedures for the reasonable use of this method of discipline in order to avoid lawsuits.

15. Individuals opposed to the use of corporal punishment of students, nondisabled and disabled, including deaf and hard of hearing students may be successful in convincing school boards to ban its use in their respective schools. However, proponents of the complete abolishment of corporal punishment will need to pursue their cause in the federal and state legislatures, because the Supreme Court has upheld the use of corporal punishment in our nation's schools.

Findings Related to the Survey Instrument

The questionnaire consisted of three major sections: (a) a demographic section; (b) a section on the current status of corporal punishment in each state and school, including restrictions, regulations, and guidelines regarding the use of corporal punishment as a method of discipline; and (c) a section that elicited the perceptions toward corporal punishment of deaf and hard of hearing students from the Chief

Administrators of public residential/day schools for the deaf and hard of hearing, the Chief Administrators of private residential/day schools for deaf and hard of hearing children, and the State Directors of Special Education. The perceptions of these three groups toward the use of corporal punishment as a disciplinary method were also analyzed on the basis of the sex, race or ethnic origin, and hearing status of the participants in the study. An analysis of the data revealed the following findings based upon the responses of the participants in the study.

1. In the demographic section, the data revealed that approximately one-third (30%) of the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing, and one-third (33-1/3%) of the State Directors of Special Education in the United States participating in this study were female. Approximately two-thirds (70%) were male.
2. Based upon the information provided by the 121 participants in this study, all but two (2%) of the respondents were Caucasian.
3. Nineteen (17%) of the 115 respondents who marked the section on hearing status, indicated that they were deaf or hard of hearing.
4. In comparing the number of years of experience in education, special education, and deaf education, a mean was calculated for both groups. The mean was similar for both the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing (27 years) and the State Directors of Special Education (25.4 years).

5. The Chief Administrators of residential/day schools, public and private, had significantly more experience in Deaf Education, with a mean of 23 years, than the State Directors of Special Education, with a mean of 4.4 years. The State Directors of Special Education had significantly more experience in Special Education, with a mean of 20.7 years, than the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing, with a mean of 9.8 years.

6. The Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing had a mean of 8 years of experience as a teacher as did the State Directors of Special Education.

7. The mean for the number of years of experience as an administrator was 19.1 years for the Chief Administrators of residential/day schools, public and private, for the deaf and hard of hearing and 16 years for the State Directors of Special Education.

8. Twenty (40%) states continued to permit the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

9. All eight (100%) of the states in the Northeast Region prohibit the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

10. All eight (100%) of the states in the Southeast Region permit the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

11. All four (100%) of the states in the South Central Region permit the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

12. All states have regulations regarding the use of corporal punishment.

13. Regulations in 30 (60%) of the states prohibit the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

14. Regulations in 20 (40%) of the states place the responsibility to establish regulations and guidelines regarding the use of corporal punishment of all students with the local school districts.

15. Fifteen (194%) of the 16 states responding to the survey out of the 20 states that permit corporal punishment, indicated that they did not maintain records on the frequency of the use of corporal punishment in their respective states.

16. Out of the 35 residential/day schools, public and private, for the deaf and hard of hearing that were located in states that permit corporal punishment and responded to the survey, four (11%), three public and one private, permit corporal punishment of their students.

17. All four of the residential/day schools for the deaf and hard of hearing, three public and one private, that permitted corporal punishment were located in the Southeast Region.

18. During the 1994-1995 school year, two of these four residential/day schools for the deaf and hard of hearing that permitted corporal punishment, both public and located in the Southeast, reported that four deaf students were paddled.

19. Three public schools out of the four schools for deaf and hard of hearing students that permitted corporal punishment had board-approved guidelines for the use of corporal punishment.

20. The one private school for deaf and hard of hearing students did not have board approved guidelines for the use of corporal punishment.,

21. Each of the four schools that permitted the use of corporal punishment indicated that (a) corporal punishment was only administered in an administrator's office in their school, (b) corporal punishment was used only as a last resort, (c) corporal punishment was used only after every other disciplinary method proved to be ineffective, and (d) corporal punishment was used only with a witness present.

22. One of the four schools that permitted corporal punishment indicated that the hand was used to administer corporal punishment, not a paddle.

23. The majority of the respondents indicated that their community was opposed to the use of corporal punishment as a discipline method for all students, nondisabled, and disabled, including deaf and hard of hearing students, toward the use of corporal punishment.

24. The majority of Chief Administrators of public residential/day schools for the deaf and hard of hearing were opposed to the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

25. The majority of the Chief Administrators of private residential/day schools for the deaf and hard of hearing were opposed to the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

26. The majority of the State Directors of Special Education were opposed to the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.

27. The perceptions of the participants toward the use of corporal punishment were in agreement regardless of the respondents' position, sex, race or ethnic origin, or hearing status. Each group was opposed to the use of corporal punishment of all students.

28. The majority of the administrators who responded to the survey, regardless of position, sex, race or ethnic origin, or hearing status, agreed that (a) male students receive corporal punishment more frequently than female students, (b) corporal punishment is administered more frequently to repeat offenders, (c) male students were more likely to be repeat offenders, and (d) males administer corporal punishment more frequently to male students.

Conclusions

Based upon the findings of the study, the following conclusions were drawn:

1. A majority of the states (30, 60%) have banned the use of corporal punishment of all students, nondisabled and disabled, including deaf and hard of hearing students.
2. The data obtained in this study confirm the data found in the review of the literature that the use of corporal punishment is most prevalent in the South where 12 (60%) of the 20 states that permit corporal punishment are located.
3. The majority of residential/day schools, public and private, for the deaf and hard of hearing in the United States are located in states that do not permit corporal

punishment of students, nondisabled and disabled, including deaf and hard of hearing students.

4. The majority of residential/day schools, public and private, for the deaf and hard of hearing located in states that permit corporal punishment do not permit its use either by board policy or administrative directive.

5. The majority of residential/day schools, public and private, for the deaf and hard of hearing in the United States have developed alternative methods of discipline for their students and do not use corporal punishment.

6. Regulations regarding the use of corporal punishment in the 20 states that permit its use place the responsibility for the development of policies and guidelines for the use of corporal punishment on the local school systems.

7. The majority of the residential/day schools, public and private, that permit corporal punishment have regulations in place regarding its use, including, but not limited to, parental consent/notification, procedural due process, manner of administration, location where corporal punishment is administered, the need for a witness of corporal punishment, and the use of corporal punishment as a last resort.

8. Documentation of the frequency of the use of corporal punishment during 1994-1995 was not available in the majority of states where corporal punishment is permitted.

9. Corporal punishment of deaf and hard of hearing students is used very infrequently in the residential/day schools, public and private, serving the deaf and hard of hearing in the United States.

10. The majority of residential/day schools, public and private, serving the deaf and hard of hearing, located in the 20 states that permit the use of corporal punishment have banned its use by board policy or administrative directive and use other methods of discipline.

11. A majority of the Chief Administrators of residential/day schools, public and private, serving the deaf and hard of hearing in the United States agreed that the use of corporal punishment is not an appropriate method of discipline for all students, nondisabled and disabled, including deaf and hard of hearing students.

12. A majority of State Directors of Special Education in the United States agreed that the use of corporal punishment is not an appropriate method of discipline for all students, nondisabled and disabled, including deaf and hard of hearing students.

13. The majority of the participants in the study agreed that the use of corporal punishment as a method of discipline of all students, nondisabled or disabled, including deaf and hard of hearing students, was not an appropriate method of discipline regardless of their position, sex, race or ethnic origin, or hearing status.

14. A majority of the respondents agreed regardless of position, sex, race or ethnic origin, or hearing status that (a) male students receive corporal punishment more frequently than female students, (b) corporal punishment is administered more frequently to repeat offenders, (c) male students are more likely to be repeat offenders, and (d) males administer corporal punishment more frequently to male students.

Discussion and Implications

When surveying the perceptions of the Chief Administrators of residential/day schools, public and private, serving the deaf and hard of hearing and the State Directors of Special Education throughout the United States, differences in perceptions toward corporal punishment of deaf and hard of students would be anticipated based upon the respondents' sex, race or ethnic origin, hearing status, educational background, geographic location, or experiences with the deaf and hard of hearing students. It was found, however, that the majority of each group of administrators agreed that the use of corporal punishment as a disciplinary method should be prohibited for all students, nondisabled and disabled, including deaf and hard of hearing students.

Educational administrators, including administrators of residential/day schools for deaf and hard of hearing students, need to be knowledgeable of the state laws and regulations that pertain to the use of corporal punishment as a disciplinary method. Corporal punishment is not unconstitutional. However, in the 20 states that permit the use of corporal punishment, a majority of the residential/day schools, public and private, for deaf and hard of hearing students prohibit its use. Schools that permit the use of corporal punishment of their students should be very cautious. Corporal punishment should not be excessive or unduly severe. The person who administers corporal punishment should act as a reasonably prudent parent would act under the same circumstances. School boards or appointing authorities of schools that permit corporal punishment should have approved policies and guidelines for the use of corporal

punishment in place. The guidelines should contain the four procedural standards established by the courts for the use of corporal punishment.

1. The student is entitled to know beforehand what behavior, if continued, will lead to corporal punishment.
2. Corporal punishment must be used only as a last resort after all other available methods of correction have been tried and have failed.
3. The punishment must be administered in the presence of another adult, preferably another member of the school staff.
4. Parents may not veto corporal punishment for their own child, but they may request and be granted a written account of the punishment, together with the name of the adult present.

Schools that permit the use of corporal punishment should have systems in place to document the use of corporal punishment including the date, time, location where administered, who administered, and who witnessed the punishment. Efforts to provide due process should also be documented.

Although research can be found in the literature to support the use of corporal punishment, the amount of literature opposing the use of corporal punishment is much more extensive. Despite the fact that corporal punishment as viewed from a judicial perspective is permissible as a form of discipline in public schools, including residential/day schools for deaf and hard of hearing students, administrators of schools in states that permit corporal punishment need to proceed with extreme caution when using this form of discipline. If parents feel that the corporal punishment was excessive, they

may seek relief from the “perpetrators” of the alleged excessive punishment through a lawsuit for damages on grounds of assault and battery. In addition, in some states where it is not banned, if corporal punishment is considered excessive or abusive, the person who administered the corporal punishment deemed to be excessive or abusive may be placed on the state child protective agency list of child abusers.

Given the fact that the majority of the residential/day schools, public and private, for deaf and hard of hearing students in the 20 states that permit the use of corporal punishment have banned its use, it is apparent that school discipline can be appropriately maintained utilizing other less controversial methods of discipline. The evidence found in the research and information gathered through the data collected in this study would imply that corporal punishment should be eliminated as a method of discipline of all students, nondisabled and disabled, including the deaf and hard of hearing students. Decision makers within the states and schools that permit corporal punishment should consider the implications of this study and the relevant research to guide them in making policy decisions about how students, nondisabled and disabled, including deaf and hard of hearing students, should be disciplined.

Recommendations for Further Study

1. The attitudes of teachers of the deaf and hard of hearing were not included in this study. It might be beneficial to investigate the attitudes of teachers of the deaf and hard of hearing toward the use of corporal punishment of their students.

2. The involvement and support of parents in the discipline of their children is important. It may be beneficial to investigate the attitudes of parents of deaf and hard of hearing children toward the use of corporal punishment of their children.

3. It may be helpful to study the perceptions of adults who are deaf or hard of hearing, and who received corporal punishment as to the effect corporal punishment had on learning, self-esteem, and attitude toward school.

4. This study only looked at the use of corporal punishment of deaf and hard of hearing students in residential/day schools, public and private. A majority of the deaf and hard of hearing students are currently educated in their Local Education Agency (LEA). It may be beneficial to investigate the use of corporal punishment of the students who attend school in their LEA.

5. A longitudinal study of schools serving deaf and hard of hearing students that have ceased using corporal punishment would be beneficial to see whether there are substantial changes in the number of disciplinary incidents after its cessation.

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APPENDIX A

Letter of Transmittal

ALABAMA INSTITUTE FOR DEAF AND BLIND



Alabama School for the Deaf

Date _____

Dear _____


I am a doctoral student at the University of Alabama at Birmingham in Educational Leadership. I need your help in collecting data for my dissertation. I am studying the status of corporal punishment in the United States as a disciplinary method of students, non-disabled and disabled, and particularly deaf and hard of hearing students. I am also studying administrators' attitudes towards the use of corporal punishment.

You have been selected to participate in this study. The procedure for collecting the data consists of sending questionnaires to the 121 CEO's of both public and private, residential/day schools for the deaf and hard of hearing in the United States, and all of the state directors of special education pertaining to corporal punishment. You are asked to take a few minutes to complete the enclosed questionnaire and return it in the enclosed, addressed, stamped envelope within a week after you receive the questionnaire. All information will be kept strictly confidential. Data will be reported by regions, not by individual programs or states. The results of my study will be available to you upon request.

As an administrator of a school for the deaf, I understand that you receive numerous questionnaires and surveys to complete, which takes valuable time from your busy schedule. I sincerely appreciate the time you will take to complete this questionnaire for me.

It would be most helpful if the questionnaire and related information were returned to me before _____. Thank you in advance for your cooperation in this important study.

Sincerely,


John T. Tiffany
Principal

P. O. Box 698, 205 E. South Street, Talladega, Alabama 35160 (205) 761-3215 (Voice/TDD)

Accredited by Alabama State Department of Education, Southern Association of Colleges and Schools, Conference of Educational Administrators Serving the Deaf

APPENDIX B

Residential and Day Schools for the Deaf and Hard of Hearing in the United States

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Southwest Alabama Regional School for the Deaf
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APPENDIX C

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APPENDIX D

Questionnaire

QUESTIONNAIRE

This questionnaire deals with the use of corporal punishment as a disciplinary method of students, nondisabled and disabled, and particularly deaf and hard of hearing students. For the purposes of this study, corporal punishment is defined as punishment inflicted directly on the body, as paddling. Please complete the general information section below and then answer the questions. Data will be kept **CONFIDENTIAL** and reported by general categories and regions, not by individual states and schools.

DEMOGRAPHIC DATA

Name _____

Position _____

State _____

Telephone Number (____) _____ FAX (____) _____

If you are CEO of a residential/day school for the deaf and/or hard or hearing is your school:

(Circle all that apply) public private Other (please explain) _____

Please check all of the following that apply to you:

___ Male ___ Female ___ Hearing ___ Deaf ___ Hard-of Hearing

Please circle your race or ethnic background:

African American Asian Caucasian Hispanic/Latino Native American
Other (please specify) _____

Please indicate in the space below, the number of years of your experience in

education _____ special education _____ education of deaf/HOH _____

Please indicate in the space below, the number of years of your experience as

a teacher _____ an administrator _____

Please circle the correct answer for the following questions unless directed to answer the question in another way.

1. Does your state permit the use of corporal punishment of students? yes no
2. Does your state permit the use of corporal punishment of all disabled students, including deaf and hard of hearing (HOH) students? yes no

If your state permits corporal punishment,

3. Are there restrictions or regulations established for the use of corporal punishment by the state? Yes No
4. If the answer to #3 is yes, who established the restrictions or regulations?
- The State Your School Both
5. Are there restrictions or regulations established for the use of corporal punishment with disabled students? Yes No
6. If the answer to #5 is yes, who established these restrictions or regulations?
- The State Your School Both
7. Are there restrictions or regulations established for the use of corporal punishment with deaf or hard of hearing students? Yes No
8. If the answer to #7 is yes, who established these restrictions or regulations?
- The State Your School Both

Please send a copy of any restrictions, regulations, or guidelines regarding the use of corporal punishment of students, nondisabled and disabled, especially if pertaining to deaf and hard of hearing students.

9. Does your state or school maintain documentation of the number of times corporal punishment is used annually with students, nondisabled or disabled? Yes No
10. How many times was corporal punishment administered to student in your state or school during the 1994-1995 school year? _____
11. How many of the students receiving corporal punishment were
- male____ female____ nondisabled____ disabled____ deaf____ hard-of-hearing____
- African American____ Asian____ Caucasian____ Hispanic/Latino____ Native American____
- Other (please specify) _____

State Directors of Special Education, please go to Question #28.

If you are the CEO of a residential or day school, public or private, serving the deaf, please answer questions 12-27.

12. If your state permits the use of corporal punishment, does your school permit its use?
- ____yes____no

13. Does your school have a board approved policy regarding the use of corporal punishment?

☐yes ☐no

If yes, please send a copy of your school's board approved policy on the use of corporal punishment.

14. Does your school require the consent of parents before a child receives corporal punishment?

☐yes ☐no

15. Who can administer corporal punishment in your school?

Administrators Teachers Houseparents Coaches Teacher aides

Other _____

16. Where is corporal punishment most frequently administered? (Circle all that apply.)

Administrators Office Classroom Hallway Dorm Gymnasium

Other (please specify) _____

17. Corporal punishment is used (Circle all that apply.)

only as a last resort only with a witness present without a witness present

only with parental written permission without parental written permission

Other _____

18. The following behaviors will provoke the use of corporal punishment in your school?
(Check all that apply)

Fighting Obscene/profane language Talking back to authority Stealing

Not completing assigned work Bad grades

Other (specify) _____

19. The following instruments are used in the administration of corporal punishment in your school?
(Check all that apply)

Ruler Paddle ☐ Hand Belt Other (describe) _____

20. Which statement below best represents your school's position on the use of corporal punishment of your students. (Check one only)

☐ Corporal punishment is never used at our school.

☐ Corporal punishment is used only as a last resort and after every other disciplinary method proves ineffective.

☐ Corporal punishment is used regularly for serious behavior problems.

☐ Other(describe) _____

21. If corporal punishment is used in your school as a last resort, what other behavior modification techniques are used before corporal punishment is administered? (Circle all that apply)
- Counseling Detention Hall Parent Conference In-School Suspension
- Isolation Out-of-School Suspension Time Out
- Other (Please specify) _____
- _____
22. Are these behavior modification methods always used before administering corporal punishment?
- Yes No
23. If corporal punishment is used in your school as a last resort, how are the methods used prior to the "last resort" documented?
- Please explain: _____
- _____
24. If corporal punishment is used in your school, how frequently is it imposed?
- daily weekly monthly
- Comments _____
- _____
25. What was the enrollment of your school during the 1994-1995 school year? _____
26. How many students in your school received corporal punishment at least once during the 1994-1995 school year? _____
26. What do you believe the attitude of your community is toward the use of corporal punishment? (Please circle your answer.)
- Approve Opposed
- Comments _____
- _____

CIRCLE THE RESPONSE THAT MOST CLOSELY MATCHES YOUR OPINION REGARDING CORPORAL PUNISHMENT. USE THE FOLLOWING SCALE.

SA= Strongly Agree

A= Agree

U=Undecided

D=Disagree

SD= Strongly Disagree

- | | | | | | |
|---|----|---|---|---|----|
| 28. Striking a student's arms, legs, or hands is an acceptable form of corporal punishment. | SA | A | U | D | SD |
| 29. Corporal punishment builds character in students. | SA | A | U | D | SD |
| 30. Some students suffer physical damage as a result of being corporally punished. | SA | A | U | D | SD |
| 31. Corporal punishment is administered for the same offenses for all students. | SA | A | U | D | SD |
| 32. Children and students should have the same Constitutional rights as adults. | SA | A | U | D | SD |
| 33. Schools will experience increased discipline problems if corporal punishment is banned. | SA | A | U | D | SD |
| 34. Requiring a student to conduct a physically exhausting activity is an acceptable form of corporal punishment. | SA | A | U | D | SD |
| 35. Students become more self-disciplined as a result of receiving corporal punishment. | SA | A | U | D | SD |
| 36. In-school suspension is more effective than corporal punishment. | SA | A | U | D | SD |
| 37. Out-of-school suspension is more effective than corporal punishment. | SA | A | U | D | SD |
| 38. Corporal punishment should not be administered with any disabled students. | SA | A | U | D | SD |
| 39. Corporal punishment could be considered child abuse. | SA | A | U | D | SD |
| 40. Corporal punishment of all students should be banned in all states. | SA | A | U | D | SD |
| 41. Corporal punishment of only disabled students should be banned. | SA | A | U | D | SD |
| 42. A student's attitude toward his/her misbehavior does not change as a result of receiving corporal punishment. | SA | A | U | D | SD |
| 43. Corporal punishment is administered to all children in my state regardless of race, sex, or disability on a fair and equitable basis. | SA | A | U | D | SD |

44. Corporal punishment should not be administered to deaf of hard of hearing students.	SA	A	U	D	SD
45. Corporal punishment should be banned in all pre-schools..	SA	A	U	D	SD
46. Pulling a student's hair is an acceptable form of corporal punishment.	SA	A	U	D	SD
47. Students become resentful after receiving corporal punishment.	SA	A	U	D	SD
48. Counseling is more effective than corporal punishment.	SA	A	U	D	SD
49. School officials should honor parents' requests that their children not receive corporal punishment.	SA	A	U	D	SD
50. If corporal punishment is administered in a school, teachers and administrators should be required to keep records of its use.	SA	A	U	D	SD
51. Corporal punishment should not be banned in any schools.	SA	A	U	D	SD
52. Physically pulling, pushing, placing , or holding a student is an acceptable form of corporal punishment.	SA	A	U	D	SD
53. Students who receive corporal punishment usually receive it more than once during a school year.	SA	A	U	D	SD
54. Corporal punishment is effective in modifying the negative behavior of elementary school students.	SA	A	U	D	SD
55. If corporal punishment is used, other methods should be tried before its use.	SA	A	U	D	SD
56. Alternate ways of dealing with discipline problems in our schools should be developed and communicated to teachers.	SA	A	U	D	SD
57. Striking a student's buttocks with a paddle is an acceptable form of corporal punishment.	SA	A	U	D	SD
58. Some students suffer psychological damage as a result of being corporally punished.	SA	A	U	D	SD
59. Corporal punishment is effective in modifying the negative behavior of high school students.	SA	A	U	D	SD
60. If corporal punishment is used, only the principal or assistant principal should be allowed to administer it.	SA	A	U	D	SD
61. If corporal punishment is used, it should never be administered by an angry person.	SA	A	U	D	SD

- | | | | | | |
|--|----|---|---|---|----|
| 62. The United States should make it illegal, as Sweden has, to physically punish any child, at school or at home. | SA | A | U | D | SD |
| 63. Male students receive corporal punishment more frequently than female students. | SA | A | U | D | SD |
| 64. Corporal punishment is more frequently administered to repeat offenders. | SA | A | U | D | SD |
| 65. Male students are more likely to be repeat offenders. | SA | A | U | D | SD |
| 66. Males administer corporal punishment more frequently to male students. | SA | A | U | D | SD |

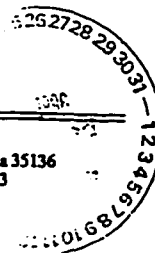
Please provide any other comments you wish to make related to corporal punishment below:

APPENDIX E
Letters of Validation



Superintendent of Education

Larry K. Hardman
P.O. Box 37 • Rockford, Alabama 35136
Telephone (205) 377-4913



January 22, 1996

Mr. John Tiffany, Principal
Alabama School for the Deaf
P.O. Box 698
Talladega, Alabama 35160

Dear John:

I have reviewed the survey you intend to use in gathering data for your dissertation and find the items to be reasonable and relevant to the purpose of your study and the issue you are attempting to research.

I see this study as very timely and look forward to reviewing your results once completed.

Sincerely,

A handwritten signature in cursive script that reads 'Thomas R. Bice'.

Thomas R. Bice, Ed.D.
Psychometrist



HISTORIC 11th STREET SCHOOL

ESTABLISHED 1889

Superintendent
Fred M. Taylor, Ph.D.

Bob Russell, Ass't. Superintendent
for General Administration
Dr. Donna Sturkie, Ass't. Superintendent
for Special Education
Cerna Littlefield, Ass't. Superintendent
for Elementary Schools
Charlotte Campbell, Dir., Instr. Services
Sandra Graham, Dir., Student Services

Gadsden City Board of Education

P.O. Box 184
GADSDEN, ALABAMA 35999

Telephone (205) 543-3512
Fax (205) 549-2954

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Charles Jones, V. Pres.
Marjorie Carson
Randy Holland
Bill Peppenhorst
Jerry Pullen
Dr. Roberta Watts

March 5, 1996

Mr. John Tiffany, Principal
Alabama School for the Deaf
P. O. Box 698
Talladega, AL 35161

Dear John:

Thank you for the opportunity to read and provide input on the research instrument for your doctoral dissertation. I have enjoyed the opportunity of discussing your topic of the use of corporal punishment with students with disabilities.

Please include me in the dissemination of your findings.

Yours truly,

Donna Sturkie, Ed.D.
Assistant Superintendent

:ln

ALABAMA INSTITUTE FOR DEAF AND BLIND

*Helen Keller School of Alabama*

February 1, 1996

Mr. John Tiffany, Principal
Alabama School for the Deaf
P.O. Box 698
Talladega, AL 35161

Dear John:

Thank you for including me in a review of your survey instrument which will be used to gather information for your dissertation. I read with a lot of interest because the use of corporal punishment is a timely subject.

I found the items included in your instrument to be reasonable as well as relevant and supportive of the study you will attempt. Please include me in the review of your results.

If I can be of further assistance, just call.

Sincerely,

Erminel Love-Trescott, Ed.D.
Principal

elt

P.O. Box 698, 205 E. South Street, Talladega, Alabama 35160 (205) 761-3250

APPENDIX F

IRB Exemption



Office of the Institutional Review Board for Human Use

FORM 4: IDENTIFICATION AND CERTIFICATION OF
RESEARCH PROJECTS INVOLVING HUMAN SUBJECTS

THE INSTITUTIONAL REVIEW BOARD (IRB) MUST COMPLETE THIS FORM FOR ALL APPLICATIONS FOR RESEARCH AND TRAINING GRANTS, PROGRAM PROJECT AND CENTER GRANTS, DEMONSTRATION GRANTS, FELLOWSHIPS, TRAINEESHIPS, AWARDS, AND OTHER PROPOSALS WHICH MIGHT INVOLVE THE USE OF HUMAN RESEARCH SUBJECTS INDEPENDENT OF SOURCE OF FUNDING.

THIS FORM DOES NOT APPLY TO APPLICATIONS FOR GRANTS LIMITED TO THE SUPPORT OF CONSTRUCTION, ALTERATIONS AND RENOVATIONS, OR RESEARCH RESOURCES.

PRINCIPAL INVESTIGATOR: John Thomas Tiffany

PROJECT TITLE: A Study of the Use of Corporal Punishment with Deaf and Hard of Hearing Students in the United States and the Perceptions of Administrators Regarding the Use of this Method of Discipline

- ____ 1. THIS IS A TRAINING GRANT. EACH RESEARCH PROJECT INVOLVING HUMAN SUBJECTS PROPOSED BY TRAINEES MUST BE REVIEWED SEPARATELY BY THE INSTITUTIONAL REVIEW BOARD (IRB).
- X 2. THIS APPLICATION INCLUDES RESEARCH INVOLVING HUMAN SUBJECTS. THE IRB HAS REVIEWED AND APPROVED THIS APPLICATION ON 4-1-96 IN ACCORDANCE WITH UAB'S ASSURANCE APPROVED BY THE UNITED STATES PUBLIC HEALTH SERVICE. THE PROJECT WILL BE SUBJECT TO ANNUAL CONTINUING REVIEW AS PROVIDED IN THAT ASSURANCE.
- X THIS PROJECT RECEIVED EXPEDITED REVIEW.
- ____ THIS PROJECT RECEIVED FULL BOARD REVIEW.
- ____ 3. THIS APPLICATION MAY INCLUDE RESEARCH INVOLVING HUMAN SUBJECTS. REVIEW IS PENDING BY THE IRB AS PROVIDED BY UAB'S ASSURANCE. COMPLETION OF REVIEW WILL BE CERTIFIED BY ISSUANCE OF ANOTHER FORM 4 AS SOON AS POSSIBLE.
- ____ 4. EXEMPTION IS APPROVED BASED ON EXEMPTION CATEGORY NUMBER(S) _____.

DATE: 4-1-96

Marguerite Kinney
MARGUERITE KINNEY, DNSc
VICE CHAIR OF THE
INSTITUTIONAL REVIEW BOARD

The University of Alabama at Birmingham
1170R Administration Building • 701 South 20th Street
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**GRADUATE SCHOOL
UNIVERSITY OF ALABAMA AT BIRMINGHAM
DISSERTATION APPROVAL FORM**

Name of Candidate John Thomas Tiffany

Major Subject Educational Leadership

Title of Dissertation A Study of the Use of Corporal Punishment with Deaf

and Hard of Hearing Students in the United States and the Perceptions of

Administrators Regarding the Use of This Method of Discipline.

Dissertation Committee:

Ken Orso, Ed.D. Co -, Chairman

Harold Bishop, Ph.D. Co -, Chairman

Eugene Golanda, Ph.D.

Margaret Glowacki, Ph.D.

Mary Jean Sanspree, Ph.D.

J. Kenneth Orso

Harold Bishop

Eugene Golanda

Margaret Glowacki

Mary Jean Sanspree

Director of Graduate Program

Dean, UAB Graduate School

Boyl Rogers

Joan Foster

Date 7/24/96