

Approved March 26, 1991  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Rick Bowden at  
Chairperson

3:30 ~~am~~ p.m. on February 28, 1991 in room 519-S of the Capitol.

All members were present except:

Reps. Blumenthal, Hensley, Larkin, Reardon - All Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes Office  
Ben Barrett, Legislative Research  
Dale Dennis, State Department of Education  
Donna Luttjohann, Secretary to the Committee

Conferees appearing before the committee:

Rep. Heinemann	Rep. Wagon
Charles Stuart, USA	Rep. Sebelius
Dr. Jaschke, Menninger	Joe Kirschener
Brilla Scott, USA	Gordon Risk
Curtis Hartenberger	Craig Grant, KNEA
Dr. Art Cherry	Jo Bryant, Childrens Coalition
Terry Casey, KSNA	Jo Scott, KS PTA
Bill Lucero	Jim McHenry
Rep. Pottorff, Co-Sponsor of bill	Shirley Norris
Jacque Oakes, Schools for Quality	John Koepke, KASB
Doug Bowman, Children & Youth Advisory Council	

The meeting was called to order by Chairman Bowden.

Rep. Harder made a motion to carry HB 2166 to consent calendar. It was seconded by Rep. Crumbaker. Motion carried.

Chairman Bowden the opened HB 2352 for hearing. The first conferee was Rep. Heinemann, the sponsor of the bill. He said this subject came about during election time talking to a constituent about the high price of school textbooks. He hoped for favorable consideration from the committee.

The second conferee was Charles Stuart, USA, opponent of the bill. His concerns were that the bill is restrictive and pointed to lines 18-20. He said the passage of this bill would exclude small companies where special education books are ordered. (Attachment 1) Chairman Bowden closed the hearings on HB 2352.

The hearing on HB 2163 then was opened. Rep. Wagon, one of the authors of the bill said she feels there should be no law supporting the striking of a child. She read a letter from a constituent stating the humility the child goes through when being struck in school.

Rep. Sebelius was the next conferee supporting the bill. She urged the committee to realize the liability involved if the bill was not passed. (Attachment 2)

Dr. Jaschke, Menninger Foundation, was also a proponent of the bill. She stated that the children receiving corporal punishment were destructive children that basically learned to be that way because of being abused. Corporal punishment, in essence, gives the children the message that striking and hitting are acceptable behaviors. (Attachment 3)

Joe Kirschener, an 11 year old boy, also a proponent stated that if this bill was not passed, then we allow people to hit other people. He thought corporal punishment in the schools could set a bad example and could result in developing abusive parents and mean siblings.

CONTINUATION SHEET

MINUTES OF THE ~~HOUSE~~ COMMITTEE ON ~~EDUCATION~~

room ~~519-S~~, Statehouse, at ~~3:30~~ ~~xxx~~/p.m. on ~~February 28~~, 19~~91~~.

The next proponent was Brilla Scott, USA. Ms. Scott said her organization liked the provision which allowed the school employee to protect him/herself and other students in a confrontation. (Attachment 4)

Dr. Gordon Risk, ACLU was the next proponent of HB 2163. He stated that corporal punishment violates their right to equal protection of the laws. (Attachment 5)

Proponent Curtis Hartenberger, Topeka 501 Schools, stated that the students in the 501 School District have not had corporal punishment for the past five years and they have proven results of its effectiveness. (Attachment 6)

Mr. Craig Grant, KNEA, was the next proponent of the bill. He said their local delegates believed that the local boards should be able to exercise local control in developing policies on discipline, excluding corporal punishment. (Attachment 7)

The next proponent was Dr. Art Cherry, a local pediatrician. He said that children can get seriously injured with corporal punishment. (Attachment 8)

Jo Bryant of the Children's Coalition was the next proponent to speak. She said eliminating corporal punishment in Kansas carries an important message about children. (Attachment 9)

The next proponent was Terri Casey, KSNA, spoke in favor of the bill. She stated that our schools are the only place that allows striking another person is allowed. It is not allowed in prisons, the military, or mental hospitals. (Attachment 10)

Jo Scott with the Kansas PTA also spoke as a proponent of the bill. She said that she hoped the Legislature would pass the bill to set a good example for all parents not to spank their children as a form of discipline. (Attachment 11)

Proponent Doug Bowman representing the Children and Youth Advisory Committee was the next to speak. He said allowing force to control behavior sends the message to our children that "Might makes right". (Attachment 12)

The next conferee, proponent of the bill was Bill Lucero from the Unitarian Universalist Service Committee. He is also a psychologist at the Youth Center at Topeka but not representing them. (Attachment 13)

Jim McHenry, Kansas Child Abuse Prevention Council, was the next proponent. He said positive discipline approaches would be the best way to control behavior in our schools. (Attachment 14)

Rep. Pottorff then spoke as a co-author of the bill. She said corporal punishment sends mixed messages to our children. (Attachment 15)

Shirley Norris, KAEYC, was the last proponent to speak. She said that corporal punishment is not in the best interest of the child. And hoped the Committee would favorably pass the bill out of committee. (Attachment 16)

The opponents of this bill were John Koepke, KASB and Jacque Oakes, Schools for Quality Education.

John Koepke stated that intense studies have been made regarding corporal punishment. The studies show that punishment should be determined by local boards of education and not by state statute. (Attachment 17)

CONTINUATION SHEET

MINUTES OF THE \_\_\_\_\_ HOUSE COMMITTEE ON \_\_\_\_\_ EDUCATION \_\_\_\_\_,  
room 519-S, Statehouse, at 3:30 a.m./~~XXX~~ p.m. on February 28, 1991

Jacque Oakes, opponent, also stated that the local school board members be the one to make the policy. (Attachment 18)

People presenting testimony but not appearing before the committee were:

1. Dr. Marlene Merrill, National Association of School Psychologists (Attachment 19).
2. Robert T. Stephan, Attorney General, (Attachment 20).

Chairman Bowden then closed hearing on HB 2163 after questions were answered.

Rep. Benlon motioned that the minutes for February 21, 1991 be approved.  
Rep. Jones seconded the motion. Motion carried. The minutes for February 26 and 27 were distributed for review by the committee. The Chairman reminded the committee of the subcommittee meetings on Monday, March 4.

The meeting was adjourned at 5:09 p.m. with the next meeting scheduled for March 5th, 1991 in Rm. 519-S at 3:30 p.m.

DATE Feb 28, 91

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Arthur Cherry, M.D.	Ks Chapter Amer. Academy of Pediatrics	Topeka
Curtis E. Hartenberger	Topeka USD 501	2109 Huxton Topeka
Almeda Edwards	Rt 2 (Ottawa - Fr Co Farm Bureau	
Kathy Martin	Ks. Child Abuse Prev. Council	Topeka
John Wine	" " " " " "	Topeka
Thomas McBride	observer	Lawrence
Jo Bryant	Ks. Action for Children	Topeka
Jim McHenry	Ks. Child Abuse Prevention Council	Topeka
Luni Casey	Ks St. Nurses Assoc.	Topeka
Jo Scott	Ks Parent Teacher Assn	Topeka
Grenda Heerskov	Wichita USD #259	Wichita
Michelle Tesson	Ks State Nurses Assoc	Topeka
Terr Roberts	Kansas State Nurses' Assn.	Topeka
Mary Kopp	Kansas State Nurses' Assn	Topeka
Shirley Horn	Ks Assoc for the Educ of Young Children	Topeka
Troy Han	observer	Olathe
Sunda Saad	Wichita USD #259	Wichita
Joe Kinchner	Boy Scout	Overland Park
Janelle Kinchner	observer	Overland Park
Jeanne F. Furst	observer	Lawrence, Ks
Kate Wardell	ASK	Topeka
Tim Nix	ASK	Topeka
Therese Barzut	KOOD	Topeka
LA Jaschke MD	child psychiatrist	Topeka





## HB 2352

February 28, 1991

Testimony presented before the House Committee on Education  
by Charles L. "Chuck" Stuart, Legislative Liaison  
United School Administrators of Kansas

Mister Chairman and members of the committee, United School Administrators of Kansas appreciates the opportunity to present our views on HB 2352. This bill makes it mandatory for all companies desiring to sell textbooks and/or workbooks in Kansas to have these materials listed and priced in accordance with rules devised by the State Board of Education.

The bill also declares it to be illegal for a Kansas school district to purchase textbooks and/or workbooks which are not on this list.

United School Administrators opposes the concepts in HB 2352. We do so primarily because the bill may be unduly restrictive.

A number of bills and resolutions have been introduced into this session of the legislature which call for a better finished product of our school system. The emphasis has been on programs which are considered "outcome-based." We have no problem with this goal and suggest many schools are making significant progress in this endeavor.

When one studies the factors which lead to significant student growth, one almost invariably finds that the programs are building-based, not district-wide. There is an overwhelming evidence to show that successful building-based programs depend on a much wider selection of material than the textbooks and workbooks adopted and used in many buildings. Highly successful programs use a wide variety of instructional materials garnered from a multitude of sources.

Many teachers seek material which is highly individualized and needed only in small quantities. Are these specialized materials to be on the state board approved list?

Some materials used in successful building-based programs are from small publishing companies which might not anticipate sufficient sales in Kansas to list their textbooks and/or workbooks in Kansas. Does the school program wait for these instructional materials until such information has been submitted to the State Board of Education? We suggest that such delay might cause the material to be received at a time when it is no longer applicable to the subject being studied.

HOUSE EDUCATION

Attachment 1

February 28, 1991

(over)

The concept of books and textbooks being listed by the State Board of Education is not a new one. Some of us can remember when textbooks were not only listed with the state, but were selected and printed by the state. In these times of fiscal crisis, is this going to be a first step toward "statewide" adopted textbooks. We certainly hope not!!

Let me say again, we believe the legislature has every right to state what the outcomes of our educational process should be. There is, however, a great deal of evidence that such outcomes must be achieved by a variety of methods dependent on the need of the student.

Making purchases of textbooks and/or workbooks only from companies who have listed their materials and prices with the State Board of Education will not necessarily move educational reform forward. Success is a building-based process where teachers and administrators are willing to experiment with the widest range of materials and methods to achieve the educational goals of each student. Decisions on the "outcomes" of the educational process is legitimate state business. All decisions on the "how" of achieving those outcomes is best left to the people on the scene.

We urge you not to stifle the process with state approved lists of textbooks and workbooks as proposed in HB 2352.

KATHLEEN SEBELIUS  
REPRESENTATIVE, FIFTY-SIXTH DISTRICT  
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TOPEKA

HOUSE OF  
REPRESENTATIVES

CHAIR, FEDERAL & STATE AFFAIRS  
MAJORITY PARTY CAUCUS  
MEMBER, ARTS & CULTURAL RESOURCES  
JUDICIARY  
SENTENCING COMMISSION

February 28, 1991

To: House Education Committee  
From: Representative Kathleen Sebelius  
Re: H.B. 2163

Thank you for giving me the opportunity to appear in favor of H.B. 2163 on abolishing corporal punishment in Kansas schools. Following are some of the basic reasons for establishing this state policy.

1. Physical punishment is not allowed in mental hospitals, foster homes, child care facilities, the military or prisons. It is time to ban physical punishment in our schools.

2. Local option is superceded by the state in many areas of school decisions: text books, curriculum, days in the school year and age of attendance. Surely the physical and psychological safety of our students is an issue that merits the same statewide policy considerations.

3. Local districts are risking considerable liability exposure with the continuation of this policy. Since a large amount of local school funding comes from the state, there is a compelling fiscal reason to prohibit this precarious legal arena.

4. Most importantly, children should be protected from physical abuse from their parents, from strangers, from teachers. If we, as a state, are serious about trying to change attitudes about physical punishment and violence, then children should not learn that it is OK for teachers to hit them in school.

HOUSE EDUCATION  
Attachment 2  
February 28, 1991



## Corporal Punishment in the Schools

By preventing the use of corporal punishment we sometimes put teachers into a position of feeling helpless and vulnerable. Some children can provoke situations that challenge even the best trained and most creative adult. They can incite rage in the most patient and compassionate person among us. Only through experiencing such provocation can one really understand what it feels like.

I have three points to make regarding this situation. First, who are the children who disrupt the orderliness of the school system and the composure of adults? They are children who have learned to expect violence from adults, who grew up with harsh physical punishment, who have been hit so much that they are filled with anger. That anger then leaks out everywhere they go. By and large it is that kind of violent background that produces problem children.

The second point is that these children need to learn constructive problem solving behaviors. They have been overexposed to adults who use physical aggression to respond to problems. They need exposure to adults who will model other kinds of problem solving strategies for them.

Finally, I would like to refer to the studies on the effects of corporal punishment. The research clearly indicates the following: 2) Behavior is best and delinquency least in schools where corporal punishment is used sparingly or not at all. 2) Permission of corporal punishment does result in frequent abuses that lead to physical injury. 3) Teachers who were not spanked as children tend not to hit in the classroom.

I want to emphasize that we do not advocate permissiveness. The research is also clear on that point. That is, children's behavior is worst when there is no discipline, somewhat better with aggressive discipline, but best of all when they are provided with non-aggressive but clear, firm, and consistent discipline.

Virginia A. Jaschke, M.D.  
Menninger Foundation  
Box 829  
Topeka, KS 66601  
Telephone: (913) 273-7500, Ext. 5065

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35. Walter Havernick, "Schlage" als Strafe: Ein Bestandteil der heutigen Familiensitte in volkskundlicher Sicht. Hamburg: Museum für Hamburgische Geschichte, 1964, p. 49; Gerd Biermann, *Kinderzuchtigung und Kindesmisshandlung: Eine Dokumentation*. Munich: Ernst Reinhardt Verlag, 1969; Ende, "Battering and Neglect."
36. Personal communication from Dettel Berentzen, Director of the Institut fuer Kindheit. See also recent issues of *enfant t.: Zeitschrift fuer Kindheit*; Dirk Bange, "Jungen werden nicht missbraucht—oder?" *Psychologie Heute* January 1990; and Lloyd deMause, "The Universality of Incest." *The Journal of Psychohistory*, forthcoming.
37. See Robert B. McFarland, "Infant Mortality Rates as a Guide to How Nationsl Treat Children." *The Journal of Psychohistory*, forthcoming.
38. DeMause, *Foundations of Psychohistory*; Lloyd deMause, *Reagan's America*. New York: Creative Roots, 1984; Lloyd deMause, "A Proposal for a Nuclear Tensions Monitoring Center," in Kenneth Porter, Deborah Rinzler and Paul Olsen, eds. *Heal or Die: Psychotherapists Confront Nuclear Annihilation*. New York: Psychohistory Press, 1987.



## The Field of Psychohistory

HENRY LAWTON

*The following is Chapter 1 of The Psychohistorian's Handbook by Henry Lawton (available for \$25.95 plus \$3.50 shipping from The Psychohistory Press, 2315 Broadway, NY, NY 10024). Comments on Lawton's work follow this article.*

Psychohistory is alive, well, and here to stay. That this *Handbook* has seen the light of day is clear indication of the strong interest in our field and its potential to provide a better understanding of historical motivation. Psychohistory is one of the great intellectual and emotional adventures still open to modern scholars. I begin my exposition of psychohistory with a general overview of the field.

A continuing problem for our field is that there is still no uniformly accepted definition for psychohistory.<sup>1</sup> "To avoid the looseness of construction heretofore present in psychohistory, it seems essential to apply consistently a workable definition."<sup>2</sup> I define psychohistory as the interdisciplinary study of why man has acted as he has in history, prominently utilizing psychoanalytic principles.<sup>3</sup> Our basic concerns are the study, teaching, and advancement of psychohistory. No psychohistorian as yet supports himself via psychohistorical work alone; we are businessmen, doctors, social workers, psychoanalysts, students, teachers, etc.<sup>4</sup>

We wish to do psychohistory because it offers new, more in-depth ways to understand man's past that go beyond what can be offered by the traditional disciplines. The interdisciplinary approach<sup>5</sup> is needed so that we can utilize

4. Patrick P. Dunn, "'That Enemy Is the Baby': Childhood in Imperial Russia." In Lloyd deMause, Editor, *The History of Childhood*. New York: The Psychohistory Press, 1974, p. 385; Nancy M. Frieden, "Child Care: Medical Reform in a Traditionalist Culture," in David L. Ransel, Editor, *The Family in Imperial Russia: New Lines of Historical Research*. Urbana: University of Illinois Press, 1978, pp. 236-37. The statistics summarized in these sources (69 percent childhood mortality in nineteenth century Moscow, for instance) are for more advanced areas; the rate for all of Russia is certain to be much higher, especially if infanticide rates are considered, which they are not.
5. Alice Morse Earle, *Customs and Fashions in Old New England*. Detroit: Singing Tree Press, 1968, p. 2.
6. John Floyer, *The Ancient Psychrolaysia Revived, or An essay to prove cold bathing both safe and useful*. London: Sam Smith, 1702 and *The History of Cold-Bathing*, 6th Edition. London, 1732; John Jones, *The arts and science of preserving bodie and soule in health*. [1579] Ann Arbor: University Microfilms, 14724, p. 32.
7. Scevole de St. Marthe, *Poedotrophia: or, The Art of Nursing and Rearing Children*. London: John Nichols, 1797, p. 63, in a footnote by translator H.W. Tylter. For evidence that many ignored doctors' warnings and continued ice-water bathing, see Elizabeth Grant Smith, *Memoirs of a Highland Lady*. London, 1898, p. 49; Mary Elizabeth Haldane, *Mary Elizabeth Haldane: A Record of A Hundred Years (1825-1925)*. London: Hodder and Stoughton, 1925, pp. 6 and 45; William Moss, *An Essay on the Management, Nursing and Diseases of Children . . .* 2nd Ed. London, 1794, p. 137; Jean Paul Friedrich Richter, *Levana; or, The Doctrine of Education*. Boston: Ticknor and Fields, 1863, p. 140; The Maternal Physician, *A Treatise on the Nurture and Management of Infants, from Birth Until Two Years Old*. New York: Isaac Riley, 1811, p. 23; Pey Henry Chavase, *Advice to a Mother on the Management of her Children . . .* 11th Edition. Philadelphia: William B. Evans, 1871, p. 18; Bogna W. Lorence, "Parents and Children in Eighteenth-Century Europe." *History of Childhood Quarterly: The Journal of Psychohistory* 2(1974): p. 17.
8. This principle is implicit, though not made explicitly, in Dunn, "Formation," pp. 398-405; Geoffrey Gorer and John Rickman, *The People of Great Russia: A Psychological Study*. London: The Cresset Press, 1949; and Nathan Leites, *A Study of Bolshevism*. Glencoe, Ill.: Free Press, 1953.
9. See Nathan Leites, *A Study of Bolshevism*. Glencoe, Ill.: The Free Press, 1953. Leites documents Russian personal traits admirably, but does not touch their childhood origins.
10. For modes of evolution of childrearing, see Lloyd deMause, *Foundations of Psychohistory*. New York: Creative Roots, 1982, pp. 1-83.
11. On female infanticide lasting longer in Russia, compare the boy-girl ratios in David L. Ransel, *Mothers of Misery: Child Abandonment in Russia*. Princeton: Princeton University Press, 1988, with those for the rest of Western Europe shown in Lloyd deMause, *Foundations of Psychohistory*. New York: Creative Roots, 1982, pp. 117-23.
12. Eve Levin, *Sex and Society in the World of the Orthodox Slavs, 900-1700*. Ithaca: Cornell University Press, pp. 96-7. 126.
13. Robert Ker Porter, "Traveling Sketches in Russia and Sweden, 1805-08," in Peter Putnam, Editor, *Seven Britons in Imperial Russia, 1698-1812*. Princeton: Princeton University Press, 1952, p. 327. Also see Peter Czap, Jr., "Marriage and the Peasant Joint Family in the Era of Serfdom," in Ransel, *Family in Imperial Russia*, p. 105.
14. Dunn, "That Baby Is the Enemy," pp. 36-37; Gorer and Rickman, *People of Great Russia*; Lloyd deMause, "The Evolution of Childhood," in deMause, Editor, *The History of Childhood*, pp. 37-38.

15. Dunn, "'That Enemy Is the Baby,'" p. 388; Gorer and Rickman, *People of Great Russia*, pp. 50 and 97; Frieden, "Child Care," p. 250.
16. Dunn, "'That Enemy Is the Baby,'" pp. 396-7; Max J. Okenfuss, *The Discovery of Childhood in Russia: The Evidence of the Slavic Primer*. Newtonville, Mass: Oriental Research Partners, 1980, p. 5.
17. Barbara Alpern Engle, "Mothers and Daughters: Family Patterns and the Female Intelligentsia," in Ransel, *Family in Imperial Russia*, p. 47.
18. Levin, *Sex and Society*, p. 237.
19. Sergei T. Aksakov, *Chronicles of a Russian Family*. London: Routledge & Sons, 1924, p. 205.
20. D.P. Ivanov, cited in Patrick P. Dunn, "Fathers and Sons Revisited: The Childhood of Vissarion Belinskii," *History of Childhood Quarterly: The Journal of Psychohistory* 1(1974): 389.
21. Engle, "Mothers and Daughters," p. 48.
22. Ibid, p. 46.
23. Dunn, "'That Enemy Is the Baby,'" p. 390.
24. H. Kent Geiger, *The Family in Soviet Russia*. Cambridge: Harvard University Press, 1968; David L. Ransel, *Mothers of Misery: Child Abandonment in Russia*. Princeton: Princeton University Press, 1988.
25. Urie Bronfenbrenner, *The Worlds of Childhood: U.S. and U.S.S.R.* New York, Russell Sage Foundation, 1970; Ruth Benedict, "Child Rearing in Certain European Countries," *American Journal of Orthopsychiatry* 19(1949): 345.
26. N. Vishneva-Sarafanova, *Soviet Women—A Portrait*. Moscow, Progress Publishers, 1981, p. 116.
27. Sheila Cole, "Soviet Family Clubs and the Russian Human Potential Movement," *Journal of Humanistic Psychology* 26(1986): 48-83.
28. "The Secret Police vs. Women's Lib," *Time*, August 4, 1980, p. 41.
29. Isaac Deutscher, *Lenin's Childhood*. London: Oxford University Press, 1970, p. 10; Stefan T. Possony, *Lenin: The Compulsive Revolutionary*. Chicago: Henry Regnery Co., 1964, p. 7; Robert Payne, *The Life and Death of Lenin*. New York: Simon & Schuster, 1964, p. 50.
30. Bruce Mazlish, *The Revolutionary Ascetic: Evolution of a Political Type*. New York: Basic Books, 1968, pp. 113-41.
31. Daniel Rancour-Laferriere, *The Mind of Stalin: A Psychoanalytic Study*. Ann Arbor: Ardes Publishers, 1988, pp. 36, 59; Robert C. Tucker, *Stalin As Revolutionary: 1879-1929—A Study in History and Personality*. New York: W.W. Norton & Co., 1973, pp. 72-74.
32. David Remnick, "The Cultivation of Young Gorbachev," *The Washington Post*, December 1, 1989, pp. B1 and B8; Gailly Sheehy, "The Man Who Changed the World," *Vanity Fair*, February 1990, p. 118; Dev Murarka, *Gorbachev: The Limits of Power*. London: Hutchinson, 1988; Zhores Medvedev, *Gorbachev*. London: Basil Blackwell, 1986.
33. Lars-Erik Nelson, *Daily News* (New York), November 12, 1989, p. 1.
34. George A. Krinsky, "The Russian Babushka: Absolut Arbiter of All Things Baby," *Worcester Sunday Telegram*, July 18, 1976, p. D1; Alenka Puhar, *Prvotno besedilo zivljenja*. Zagreb: Globus, 1982 and "Childhood in Nineteenth-Century Slovenia," *The Journal of Psychohistory* 12(1985): 291-312; Michael Lewis and Peggy Bann, "Variance and Invariance in the Mother-Infant Interaction: A Cross-Cultural Study," in P. Herbert Leiderman, Steven R. Tolkin and Anne Rosenfeld, eds., *Culture and Infancy: Variations in the Human Experience*. New York: Academic Press, 1977, pp. 329-56; Alice Hermann, *Early Child Care in Hungary*. London: Gordon and Breach, 1972; Aurel Ende, "Battering and Neglect: Children in Germany, 1860-1978." *The Journal of Psychohistory* 7(1980): 249-79.

Lengthy, tight swaddling (consisting of tying up infants with layers of bandages during their entire first year) for up to the first year of the infant's life has continued in Russia until a few decades ago. In Western Europe the practice ended during the eighteenth and nineteenth centuries.<sup>14</sup> Russian infants were tightly bound and turned into excrement-soaked sausages in order to "stop them from tearing their eyes out." The babies were then prevented from crying out by having their mouths constantly "plugged" with dirty pacifier-bags, which often were drawn into their throats, suffocating them.<sup>15</sup>

Beating little children with whips—called "the eradicator of evil and the cultivator of virtue"—was a normal practice even among the educated.<sup>16</sup> As the traditional family handbook, *Domostroi*, suggested, one must "inflict more wounds on him and you will rejoice afterward . . . crush his ribs while he is not yet grown, or else he will harden and cease to obey you." Even daughters were often whipped unmercifully: "Unconditional obedience and crushing discipline was our father's motto," wrote one woman revolutionary.<sup>17</sup> The whip was so often used on children and wives that it was often presented to the husband as part of the wedding ceremony.<sup>18</sup>

Parents who showed empathy toward their children were thought sinful. When one concerned mother took her sick infant from the nurse's breast and rocked her to sleep herself, a relative warned her that "such exaggerated love was a crime against God, and He would surely punish it."<sup>19</sup> Those who didn't whip their children but rather treated them kindly were considered odd. At the end of the nineteenth century, Grigorii Belinskii, who didn't beat his children, was described as "the only father in the city who understood that in raising children it is not necessary to treat them like cattle."<sup>20</sup>

Parents were usually cold and unempathic to their children's needs. Children of the nobility were usually sent to wetnurse in peasant families for their early years, and handed over to servants when they returned home. "Children kissed their parents' hands in the morning, thanked them for dinner and supper, and took leave of them before going to bed," one woman recalled.<sup>21</sup> Even when they were not being beaten, strict discipline was enforced. "We feared [father] worse than fire," another remembered. "One glance, cold and penetrating, was enough to set us trembling."<sup>22</sup> Kostomarov summed up traditional Russian childrearing succinctly: "Between parents and children, there reigned a spirit of slavery . . ."<sup>23</sup>

#### RECENT CHANGES IN SOVIET CHILDREARING

Although some efforts to change traditional childrearing practices were introduced after the 1917 Revolution<sup>24</sup>—especially by setting up creches where physical abuse by parents was reduced—progress was slow

until the 1930s, when childhood began more to resemble that of the rest of the modern world.

Tight swaddling was ended for children of the educated,<sup>25</sup> whipping became unacceptable and parental warmth began to melt the "spirit of slavery" that pervaded most childhood until then. Education for all expanded, even to girls—a sure sign of improving childhood. In fact, women by now make up a majority of Soviet workers with higher education.<sup>26</sup> In the past three decades, "family clubs" have become popular, as in the West during the nineteenth century, discussing how to best bring up children while protecting their freedom and individuality.<sup>27</sup> Recently, there have even been organized feminist groups who have fought for children's rights.<sup>28</sup>

The changes in childrearing are reflected in the changing personality traits of Russian leaders. Lenin's mother—who herself had been subjected to traditional "hardening" practices such as regularly being put to bed wrapped in wet cold towels—brought Lenin up "in a Spartan manner," including the usual swaddling and wetnursing. He reportedly could not walk until almost three and was considered a "wild, unruly child" who was "often in a rage."<sup>29</sup> As an adult, he was icy in his emotions, murderously violent towards enemies, possibly impotent and little concerned with democratic freedoms.<sup>30</sup>

Stalin, in turn, had an alcoholic father who used to give his wife and children "frightful beatings," kick them with his boots and try to kill them. His mother used to beat him as well.<sup>31</sup> Stalin also beat his own children. Predictably, as a leader, he was responsible for the deaths of millions of his countrymen.

In contrast, Gorbachev, born in 1931, had parents who treated him with respect and a childhood which one agemate remembers as being "very joyful."<sup>32</sup> Although hardly a crusading democrat, Gorbachev has personality traits that are quite different from those of his predecessors. Calm and even-tempered even as a child, able to be romantic toward women, including his wife, he can represent those in the Soviet Union who no longer need political swaddling and violence and who are able to tolerate democratic reform.

Leaders, after all, are only delegates of the people's wishes, and these take several decades to change after childrearing has changed. By the time Gorbachev came to power, it had been five decades since the nightmare of traditional Russian childhood had begun to disappear, so that many in the Soviet Union now find they no longer need totalitarian leaders, violent collectivizations or Gulags.

Few observers have been able to explain the timing of the current democratic revolutions in the Soviet Union and Eastern Europe. In fact, the end of Communism was caused neither by economic decline (there has actually been economic progress in the past decade) nor by the

trillion-dollar buildup of American arms (as Ronald Reagan claimed.) Nor has it "just got old and died," as one writer put it.<sup>33</sup>

Unlike violent revolutions, peaceful revolutions are results of an earlier growth of love toward children. Rather than hate revolutions, they are love revolutions. Rather than *economic class* revolutions, they are *psychoclass* revolutions, revolutions of new kinds of historical personalities, revolutions which, to paraphrase Camus,

come into the world as gently as doves . . . amid the uproar of empires and nations a faint flutter of wings, the gentle stirring of life and hope.

### WILL DEMOCRACY PREVAIL?

Will Soviet democracy prevail, or will it collapse like the democratic experiment of the Duma in 1906? And will the democratic movements in Eastern European countries prevail, or will they, too, succumb to the need for authoritarian rule that has so often been the downfall of democracy in the past?

Unfortunately, childrearing progress has been very uneven in the Soviet Union and Eastern Europe. Tight swaddling, regular whippings and abusive parenting remains common in many of the Soviet Republics and in many areas of Eastern Europe even today.<sup>34</sup> Even in Germany—where as late as 1964 half the children were regularly beaten by their parents with sticks<sup>35</sup>—there are many areas of child abuse which continue to be alarming, including a high rate of childhood sexual molestation, which one recent study found was reported by the majority of Berlin schoolchildren who were interviewed.<sup>36</sup>

What this lingering pattern of child abuse means is that the success of democracy in the Soviet Union and Eastern Europe is far from guaranteed. One way to see which countries might succeed is to examine the infant mortality rates in each of them—one measure of the comparative value each puts on their children.<sup>37</sup>

Of the nine countries experiencing recent political revolutions, the five with the lowest infant mortality rates per thousand have the best chance of achieving peaceful democratic reform: German Democratic Republic (9.6), Czechoslovakia (15.3), Bulgaria (15.4), Hungary (17.0) and Poland (18.5). The two countries with medium-range infant mortality rates are moving toward democratic reform but accompanied by more violence: Romania (23.4) and U.S.S.R. (26.0). And the two countries with the highest infant mortality rates have so far been unable to produce successful democratic movements: Yugoslavia (28.8) and Albania (44.8). The correlation between childrearing as measured by infant mortality and recent political reform turns out to be perfect.

### A PEACEFUL EUROPE?

Finally, can a democratic Europe be a peaceful Europe? In particular, will a reunified Germany likely be a threat to the peace of Europe?

If war—like other political violence—is also a reflection of childrearing, then the vast changes in childhood for the majority of people in Germany and Eastern Europe since World War II should make it unlikely that another European war will be possible. German childhood is changing so rapidly today that Germany is likely before long to be seen as the peacekeeper of Europe, rather than as the chief initiator of European wars.

Nations which have progressed from physical abuse of their children to more psychologically abusive methods don't go to war in their own territories—they find distant Falklands and Vietnams in which to sacrifice people. If this is so, then 1990, "The Year of Democracy," could lay the foundation for 2000, "The Century of European Peace"—that is, peace on the European continent, while engaging in military activity elsewhere, as the U.S. does.

I admit that pan-European peace seems a utopian expectation so soon after a century in which 100 million people died in European wars. But the more I study war as a psychohistorian,<sup>38</sup> the more I am convinced that all wars are perverse sexual rituals whose purpose it is to relieve unbearable feelings of being unloved, feelings which are results of prior childrearing practices. War—like lynching and political torture—solves inner tensions for those who have been starved for affection as children and trained to be guilty about their impulses. War's economic goals are, I suspect, mere rationalizations.

If the nightmare of war originates in the nightmare of childhood, then it is possible that a new spirit of love and freedom in the family will change Europe from a perpetual slaughterhouse to a quarreling but peaceful continent, like North America.

If this vision should come true, then the "Gentle Revolution" will have fulfilled its promise.

*Lloyd deMause is Editor of this journal and author of Foundations of Psychohistory and Reagan's America.*

### FOOTNOTES

1. Arthur Machen, Trans., *The Memoirs of Jacques Casanova de Seingalt*. New York: G.P. Putnam's Sons, n.d., Vol. V, pp. 511-12.
2. Anon., *The Common Errors in the Education of Children and Their Consequences*. London, 1744, p. 10.
3. E.A. Pokrovskii, *Pervonachal'noe fizicheskoi vospitanie detei*. Moscow, 1888, p. 244.

out the unfit." As one English visitor reported:

The Muscovites [make] their children endure the extremities of heat and cold, hunger, thirst, and labour. They wash their new-born infants in cold water, and roll them upon ice, and amongst snow, which if they out-live not, their mothers think them not worth a tear.<sup>2</sup>

Home baptism in ice water typically lasted for over an hour. Lomonosov described one he witnessed in 1883:

. . . the large stone hall of the parent's house in which the baptism would occur was not heated for twenty-four hours [and] water was taken directly from the well . . . the child cried out furiously and did not cease screaming with his whole strength except for short spells of breathing after complete immersion . . . the child fell into an unconscious state [and] developed convulsions and fever . . .<sup>3</sup>

It is not surprising that until recently child mortality in Russia was triple that of Western Europe, with well over half of all born dying during childhood.<sup>4</sup>

In Western Europe, such severely abusive childrearing practices had gone out of style centuries earlier. Ice-water bathing, for instance, had been a standard practice in all of Europe, but began to be widely criticized during the eighteenth century. While earlier diaries had often reported that newborns had "Died of being baptized" in icewater<sup>5</sup> and doctors had recommended daily icewater baths for children,<sup>6</sup> parents by the end of the eighteenth century began to consider such "hardening" practices unnecessarily severe. As one wrote in 1797:

To see a little infant [washed] in cold water . . . itself in one continuous scream, and the fond mother covering her ears under the bed-clothes that she may not be distressed by its cries has ever struck me as a piece of unnecessary severity . . .<sup>7</sup>

In Russia, however, effective opposition to traditional abusive childrearing practices did not begin until well into the twentieth century. This two-century delay in childrearing reform is the origin, I believe, of the two-century delay in political reform in Russia as compared to the West. Furthermore, the vast improvement in Soviet childrearing in recent

decades has produced the changes in Russian mentality and laid the groundwork for the dramatic political changes that have been occurring in recent months.

### CHILDBREARING REFORM AND POLITICAL REFORM

The central theme of my psychohistorical studies during the past two decades has been that childrearing reform has always preceded political reform.

Russia provides a particularly dramatic test and proof of this thesis. The political nightmares of Czarist and Stalinist Russia were exact recreations of the nightmares of traditional Russian childhood.<sup>8</sup> Widespread infanticide, severe beatings and other physical abuse have been the models for the physical violence of the Kremlin, the KGB and the Gulag. And what Nathan Leites calls the traditional Russian personality traits—their fears of independence, their mood swings and their need for external controls<sup>9</sup>—were all results of the long swaddling, emotional abandonment and cold parenting that were widespread until recently.<sup>10</sup> Just as infants who have been swaddled cry out for their bindings when they are unbound—so used to restraint have they become—so, too, adults who have been physically and emotionally swaddled as children cry out for totalitarian restraints in their political systems.

### THE NIGHTMARES OF TRADITIONAL RUSSIAN CHILDHOOD

In many ways, traditional Russian childrearing has resembled that of India and other Eastern countries more than the West. Infanticide and child marriage, for instance, were widespread in Russia well into the nineteenth century.<sup>11</sup> Not only were most girls married and sexually initiated prior to puberty,<sup>12</sup> but fathers often had intercourse with their sons' child brides. As one nineteenth-century traveler reported:

Fathers marry their sons to some blooming girl in the village at a very early age, and then send the young men either to Moscow or St. Petersburg to seek employment . . . At the expiration of some years, when the son returns to his cottage, he finds himself the nominal father of several children, the offspring of his own parent who had deemed it his duty thus to supply the place of a husband to the young wife. This is done all over Russia . . .<sup>13</sup>

- JOHN R.E. BLIESE 393 The Motives of the First Crusaders: A Social Psychological Analysis
- JERROLD ATLAS 412 A Psychohistorical View of Crusade Origins
- ROBERT B. MCFARLAND 417 Infant Mortality Rates as a Guide to How Nations Treat Children
- ROBERT ROUSSELLE 425 On the Nature of Psychohistorical Evidence
- THEO A.H. DORELEIJERS and DENIS M. DONOVAN 435 Transgenerational Traumatization in Children of Parents Interned in Japanese Civil Internment Camps in the Dutch East Indies During World War II

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REVIEW ESSAY:

- DAN DERVIN 449 Eminence and Its Discontents: A Psychohistorical View of Creativity

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BOOK REVIEWS:

- RUDOLPH BINION 457 Art Nouveau in Fin-de-Siecle France (Silverman)
- DAN DERVIN 460 The Interpersonal World of the Infant (Stern)
- PETER PETSCHAUER 463 Die Geschichte der Kindheit bei L. deMause. (Nyssen); Zur Geschichte der Kindheit bei Lloyd deMause. (Schuster-Keim and Keim); Lieben Eltern ihre Kinder? (Nyssen); Lebensraume fuer Kinder (Buttner and Ende)

## The Gentle Revolution: Childhood Origins of Soviet and East European Democratic Movements

LLOYD  
DEMAUSE

An eighteenth-century French visitor to Russia wrote the following description in his diary of a traditional baptism ceremony he had just attended:

Melissino and I were present at an extraordinary ceremony [on the river Neva], then covered with five feet of ice.

After the benediction of the waters, children were baptized by being plunged into a large hole which had been made in the ice. On the day on which I was present the priest happened to let one of the children slip through his hands.

"DRUGOI!" he cried. That is, "GIVE ME ANOTHER."

But my surprise may be imagined when I saw that the father and mother of the child were in an ecstasy of joy; they were certain that the babe had been carried straight to heaven.<sup>1</sup>

The incident was typical of Russian childrearing practices until well into this century—practices that were still medieval compared to those of the West. Most Russian parents, for instance, believed that subjecting infants to extreme heat and cold properly "hardened" them and "weeded





## **HB 2163: PROHIBITING CORPORAL PUNISHMENT**

**Testimony presented before the House Education Committee**

**by  
Brilla Highfill Scott, Associate Executive Director  
United School Administrators of Kansas**

**February 28, 1991**

**Mister Chairman and Members of the House Education Committee:**

United School Administrators of Kansas supports HB 2163 which prohibits corporal punishment in the schools. We appreciate the provisions of the bill which allow the school employee to protect him/herself and other students in volatile confrontations.

Today building-level administrators have access to support personnel (counselors, school psychologists, social workers, nurses, teachers, and special education staff) who can assist with positive interventions. Many districts have in-school suspension rooms and provide alterative schools for their non-traditional students.

Disciplining students by physical punishment accomplishes nothing. United School Administrators supports your favorable action on this bill.

(t:hb2163)

HOUSE EDUCATION  
Attachment 4  
February 28, 1991

ACLU on H.B. #2163

I am Dr. Gordon Risk, representing the American Civil Liberties Union of Kansas. We support this bill.

There are a number of reasons for opposing the use of corporal punishment with children, some of which have to do with its violation of their civil liberties. Corporal punishment violates their right to equal protection of the laws. The state does not punish adults by beating them and should not beat children. Corporal punishment also violates their right to be treated with due process, since the individuals who decide on the punishment and inflict it are typically the aggrieved parties. In other contexts, when society thinks an individual has committed a punishable act, it attempts to make an impartial finding of fact, a judgement of culpability, and a decision about the proper punishment by enlisting individuals, who are not parties to the matter, to make these difficult decisions. This is not the case in schools. The aggrieved party is intimately involved in some or all of these decisions, and may even carry out the punishment. The decision to inflict corporal punishment will, thus, have much to do with the temper and idiosyncrasies of the aggrieved individual, e.g., whether he was beaten as a child, and much less to do with the infraction itself. The civics lesson that children learn in this context is that justice can be arbitrary, capricious, and brutal, not what we want to be teaching.

HB 2163

February 28, 1991

I am appearing on behalf of the Topeka USD 501 Board of Education and urge support HB 2163 because of proven results. Our district is in the fifth year of not having Corporal Punishment. We are happy to share the differences this policy has made for students, staff, and parents. We have over 15,000 students K through 12.

School the place where students spend the most waking hours is now a safe place for all students. Cutting school has dropped.

Our dropout rate has decreased. It is so low that a grant we wrote to eliminate all drop outs was rejected because our drop out rate is "too low".

Teachers have more time to spend with students. The time spent in discipline has decreased.

Teachers use more effective ways of dealing with students. Ways that keep their interest in school.

Not one teacher has asked us to return to the previous policy.

Students who did not like to come to school now come because it is safe, challenging and attracts their interest.

Students now learn Conflict Resolution beginning in elementary schools. Result is that students are learning another way of behaving.

Students self esteem has increased resulting in less acting out and vandalism.

Parents have noticed that their students who previously did not want to go to school now want to go to school.

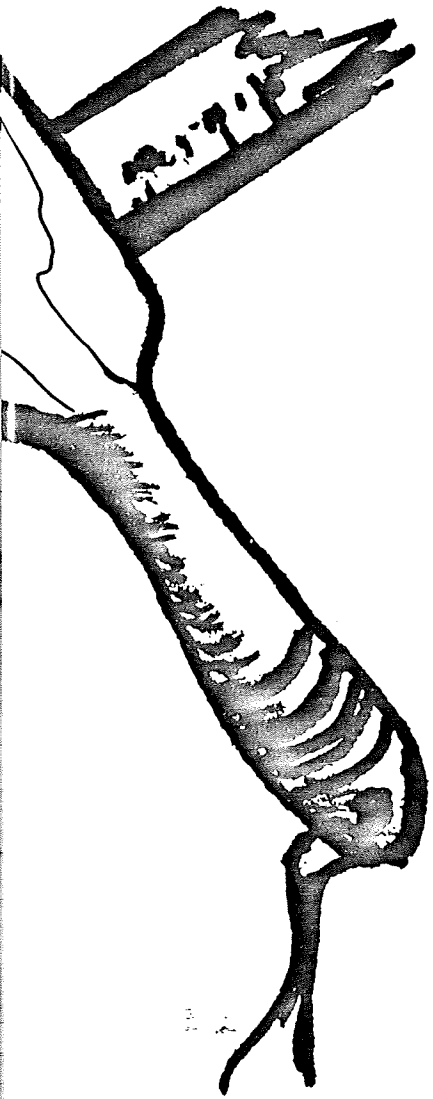
Families move into our district because of this policy.

Test scores have continued to increase in all of our buildings.

The amount of scholarships earned by seniors has increased each year in the past five years.

Curtis E. Hartenberger  
2109 S.W. Huntoon  
Topeka, Kansas 66604

HOUSE EDUCATION  
Attachment **b**  
February 28, 1991



**O**ne side of the hotly debated issue frames its argument this way: Corporal punishment in schools allows teachers and principals to beat children.

The other side shifts the focus: It's not a question of beating children, they say, but the right of local school boards—not the Kansas Legislature—to set policy on the issue.

This conflict has erupted for the past four years on the floor of the KASB delegate assembly. When delegate assembly convenes at this year's annual December convention, KASB members again will debate the issue. That's because the KASB legislative committee has recommended (as it has unsuccessfully since 1986) that the association lobby for a ban on corporal punishment.

An official vote has not been recorded in KASB's delegate assembly, but the number of ayes and nays is close. Last year, about 60 percent of the delegates voted to retain a policy that would make corporal punishment a local issue; 40 percent voted against it.

Curtis Hartenberger, a Topeka school board member, was one of four people who pleaded with the delegate assembly during last year's convention to change KASB's stance.

"The punishment used in schools would not be allowed to be used in the home—families would be reported for abuse and neglect," said Hartenberger, who also is a clinical social worker with the Kansas Department of Social and Rehabilitation Services.

It may be unlikely, however, that the delegate assembly will change its mind this year, according to John Koepke, KASB executive director.

"There hasn't been a school board election since delegate assembly last year, so unless there's been a change of heart among some of the delegates, I don't know that the result will be significantly different than it was a year ago," Koepke said.

### A CLOSE CALL

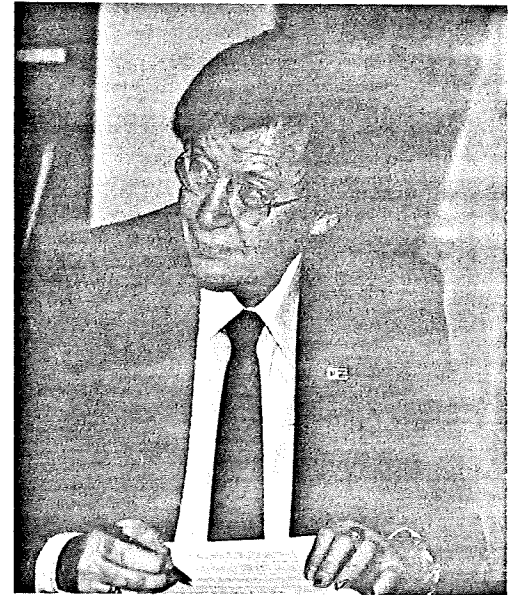
Despite KASB's opposition to a ban, the issue is becoming a close call in the Kansas Legislature as more groups push for a ban. Just last year, for instance, the state's largest teachers' union, the Kansas-National Education Association, switched its previous stance and joined with other

groups to support legislation outlawing corporal punishment. Last year, legislators held hearings in the education subcommittee of the Kansas House, which is chaired by KASB Past President Don Crumbaker.

More than 20 people urged legislators to forbid corporal punishment. KASB was the sole organization to testify against a ban. The bill died in committee.

"I think we got a fair and open hearing," said Jim McHenry, executive director of the Kansas Child Abuse Prevention Council, who testified on the measure. "But quite candidly, the opposition from the Kansas Association of School Boards helped ensure the bill did not move out of committee. It seems very, very important that KASB support this legislation because many legislators place great stock in what the Kansas Association of School Boards says."

Corporal punishment may force temporary compliance, McHenry said, "but you haven't imparted the lesson you think you have. When children are struck, it sets up the wrong

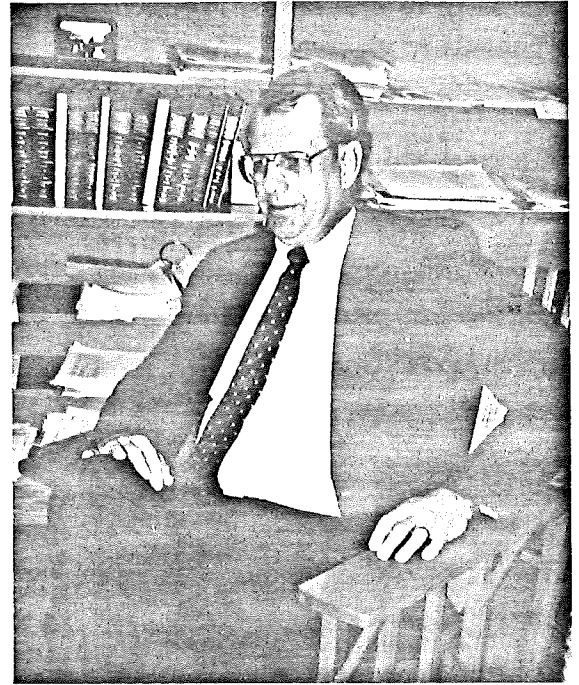


**"The punishment used in schools would not be allowed to be used in the home—families would be reported for abuse and neglect."**

**Curtis Hartenberger  
Board Member  
USD 501 (Topeka)  
KASB Board of Directors**

"Laws should be made on philosophical beliefs and this is where two basic philosophical beliefs conflict. There are some who believe corporal punishment is an appropriate form of discipline."

**John Koepke**  
KASB Executive Director



signal. It says that if you're in a position of power over someone else, you can hit them and it's all right.

"The late psychologist, B.F. Skinner, once said that punitive measures, whether administered by police, teachers, spouses or parents, have well-known standard effects. One is escape, and education has its own name for that: truancy.

Another is counterattack, such as a vandalism of schools and attacks on teachers; and a third is apathy, a sullen, do-nothing withdrawal."

McHenry and others who deal with issues of corporal punishment have cited recent instances of extreme punishment in Kansas schools. In one case, a boy who was hemophiliac was spanked, an action that held potentially fatal consequences. In another, a 10-year-old boy "looked like raw hamburger" after a spanking at school, according to relatives.

The problem, Koepke says, is that "horror stories rarely make good law."

"Laws should be made on philosophical beliefs and this is where two basic philosophical beliefs conflict," he said. "There are some who believe corporal punishment is an appropriate form of discipline."

The problem, McHenry argues, is that when it comes to effective discipline, hitting children is counter-productive.

"What the debate about local control overlooks is society's broader interest in public policy that encourages alternatives to violence in any form," McHenry said. "If you take the local control argument and put it under a microscope, it's not quite as strong as it appears on first blush. There are a lot of issues where the state has an overarching interest and sets policy. And corporal punishment is an issue where the state has an overarching interest."

Why haven't delegates to KASB's

delegate assembly supported a ban? Hartenberger suggests there's a split between larger and smaller districts.

"I think it has to do with the rugged individualist spirit that we find in the rural areas of our state—we don't want anybody telling us what's good for us," Hartenberger said.

If Kansas prohibits corporal punishment, it would join 20 other states that have banned paddling.

The national PTA and other groups are lobbying hard on Capitol Hill to get the federal government to impose a nationwide ban. The United States is practically alone in permitting corporal punishment. The practice has been abolished in most of continental Europe and Japan and Israel.

## POLICY CONSIDERATIONS

McHenry believes that school districts that insist on having corporal punishment will pay—either in higher insurance premiums for allowing the risky practice; for lost lawsuits; or for out-of-court settlements.

And despite KASB's opposition to legislative control of the issue, KASB recommends that districts prohibit corporal punishment by policy.

"Our advice to boards is to prohibit it for both liability and philosophical reasons," Koepke said. "However, a great many school districts, if not a majority, already abolish corporal

ishment by policy. The districts who authorize it use it very sparingly, if at all, and only under very stringent guidelines." (See **Policies for punishment** on this page.)

McHenry also sees public relations problems for schools that retain corporal punishment, even though district officials work hard to convince the public that schools are good places.

"The way they handle discipline is just one example of how progressive they are. If you are a school district and trying to market yourself as a progressive institution, then why are you hanging on to a discredited practice that is banned in nearly half the states?" he asks.

Hartenberger believes KASB should take the lead in lobbying for a corporal punishment ban.

"I think that if our legislative committee, which has studied the issue, recommends it year after year, then we are remiss not to be leading the pack in the legislature," Hartenberger said.

And he remains optimistic that a ban will pass the legislature soon.

"It's going to be like child labor laws. I'm sure when we had kids working in coal mines in Kansas, people were saying 'It's a local issue.' And enough people finally said, 'But it's bad for kids,' and we have child labor laws to prevent those abuses.

"I think, some day, corporal punishment will be seen in that same light." ■

*Katharine Weickert is the director of communications for the Kansas Association of School Boards.*

## *Policies for punishment*

# **KASB suggests two policy options**

*When school districts call KASB, staff members recommend adopting this policy concerning corporal punishment:*

### **Policy JDA: Corporal Punishment**

Corporal punishment shall not be permitted in the school district.

*If, however, a district retains the right to discipline by using corporal punishment, KASB recommends using this policy and these regulations:*

### **Policy JDA: Corporal Punishment**

Principals, designated representatives and teachers are authorized to impose corporal punishment on students for disciplinary reasons whenever, in their judgment, the act or acts of a student warrant such punishment. Such punishment shall be administered in private either by the principal, designated representative or teacher, but in the presence of another adult witness.

### **JDA-R: Corporal Punishment**

Corporal punishment will not be used as first line of discipline for misbehavior, but shall be used only after alternative disciplinary measures such as counseling with students and/or parents or detention

have been used without success, except for those acts of misconduct which are severely antisocial and disruptive in nature. Corporal punishment shall be used only in relation to behavior arising in the student-school relationship.

No corporal punishment shall be cruel, unusual or excessive. Such punishment shall be administered by striking the student on the buttocks with a paddle. No such punishment shall be inflicted so as to cause any permanent or disabling injury to the student. No punishment shall be administered in anger or with malicious intent. The extent of the punishment shall correspond to the seriousness of the offense as is possible. The punishment shall also take into account the general health and physique of the student.

Corporal punishment may also be administered for any violation of the behavior code (policies JCDA and JCDA-R). In addition to the foregoing, each building principal may adopt rules for corporal punishment which specify offenses which may result in the use of corporal punishment. Any such rules must be approved by the board.

The superintendent shall receive a written report from the person administering any such punishment within 24 hours of the administration of the punishment. The report shall be kept in a file in the central office. Reports may be given to the board or upon request by the board. ■

## **What to consider if your district bans paddling**

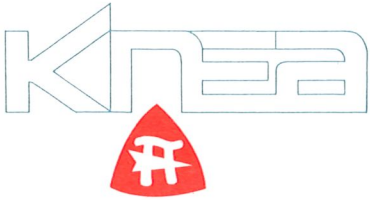
**P**roponents of a ban say the strongest argument against corporal punishment is that there are alternatives for disciplining children.

"There's an abundance of empirical evidence that suggests physical discipline is counterproductive," said Jim McHenry, executive director of the Kansas Child Abuse Prevention Council. "Public education strives to implement the 'best practice.' We feel the definition of 'best practice' involves putting away the paddle and using alternatives to physical punishment."

Consider these alternatives to paddling:

- Deny participation in special school activities.
- Assign detention.

- Require conferences with parents.
- Assign in-school or out-of-school suspension supervised by an adult with academic activities to be performed by the student.
- Establish contracts with disruptive students and their parents that commit students to control their behavior.
- Refer students to a counselor, social worker or psychologist.
- Evaluate and arrange proper placement of students who need academic acceleration, special education, alternative education and services for achieving English proficiency.
- Consider suspension or expulsion. ■



Craig Grant Testimony Before The  
House Education Committee  
Thursday, February 28, 1991

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee about HB 2163.

Kansas-NEA supports HB 2163. At our Representative Assembly in April of 1989, our delegates overwhelmingly added the following paragraph to our resolution on discipline:

K-NEA further believes that corporal punishment should not be used as a means of disciplining students.

When added to the preceding paragraph and the paragraph after, one can get the true flavor of our position. The three paragraphs state:

Kansas-NEA believes discipline is essential in promoting optimum learning in the school, and K-NEA recognizes the concern for the discipline problem.

K-NEA further believes that corporal punishment should not be used as a means of disciplining students.

K-NEA also believes that boards of education, in conjunction with local affiliates (teachers' associations), should develop policies which would provide necessary administrative support to the teacher for the maintenance of a positive learning environment.

In essence, our local delegates believe that the local boards should be able to exercise local control in developing policies on discipline, but that those policies should not include hitting children.

Because of our policies, Kansas-NEA supports HB 2163 and hopes the committee acts favorably on the bill.

HOUSE EDUCATION  
Attachment 7  
February 28, 1991

House Education Committee February 28, 1991  
Arthur Cherry, M.D.

Why Should the State of Kansas abolish corporal punishment in the Public Schools?

What is it? Corporal Punishment is punishment which employs the deliberate infliction of pain. Examples include striking with a hand, paddle or other instrument; excessive discomfort such as forced standing or confinement in an uncomfortable place; or forcing to eat obnoxious substances.

It is not: force or physical restraint used to protect from physical injury, obtain possession of a weapon or protect property from damage.

Where is it legal?

The United States is one of the few countries which still allow corporal punishment in public schools. Others include Iran, Uganda, parts of Australia, Canada and New Zealand. Kansas Law allows the local school board to use corporal punishment at their discretion.

Where is it not legal?

Corporal Punishment is banned by law in other countries and 21 states including our neighbors of Nebraska, Iowa, Minnesota and North Dakota. 140 school districts in Kansas including Topeka, Kansas City and Wichita have banned corporal punishment.

Is Corporal Punishment used?

There were over a million recorded cases in the U.S. in 1985-86. The actual incidence is probably 2 - 3 times that. We have documented reports of corporal punishment in Kansas Schools.

What other state institutions in Kansas allow corporal Punishment? Corporal punishment is not allowed in mental hospitals, the military, in prisons, foster homes or any facilities under the supervision of SRS. The only state institution in Kansas which allows corporal punishment is the public school.

Does abolishing corporal punishment mean no discipline?

It absolutely does not. Our responsibility as physicians, psychologists and educators is to help educators and parents teach children acceptable behavior using methods which are not harmful.

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behaving appropriately. Studies in Ohio show no lawsuits in schools which have banned corporal punishment.

School superintendents were surveyed. 98% said they wanted to keep corporal punishment as a local option before the study.

After a ban 66% of school superintendents reported that behavior problems were the same or better.

At least 12 interventions were more effective than corporal punishment. These included parent conferences, behaviors contracts, student conferences, and in-school suspensions. (Ohio School Psychologist Association 1/89)

References Hyman I, Wise, J: Corporal Punishment in American Education Philadelphia: Temple University Press. 1979

Gil, David: Violence against Children. Cambridge Massachusetts: Harvard University Press

Gordon, T: Teacher Effectiveness Training. New York, Wyden 1970

Taylor, L: Think Twice: The Medical Effects of Physical Punishment. Berkley, CA. Generation Books 1985

Material on Discipline and Classroom Management is available from The National Education Association Public Library P.O. Box 509, West Haven, CT 06516

TESTIMONY BEFORE HOUSE EDUCATION COMMITTEE

FEBRUARY 28, 1991

RE: HB 2163 PROHIBITING CORPORAL PUNISHMENT

I am Jo Bryant, Chair of the Children's Coalition. The Children's Coalition was organized in 1984 to increase the power of children by joining many different voices into one strong, united voice. Currently, there are fifty-one member organizations.

Each year through a consensus building process the Coalition membership establishes an agenda representing policy choices and specific initiatives. These choices represent a broad array of services the Coalition has identified as being necessary if families and communities are able to meet the needs of children.

The Coalition focuses its energies in five areas: **BASIC SURVIVAL NEEDS; ACCESS TO QUALITY HEALTH CARE; EDUCATION FOR FAMILIES AND CHILDREN; LEGAL RIGHTS FOR CHILDREN; AND PREVENTION AND INTERVENTION.**

This year, in the area of Legal Rights for Children, the Children's Coalition has chosen the elimination of corporal punishment in schools as its top priority.

Out of all the possible and worthy issues concerning children's rights, the elimination of corporal punishment in schools was chosen.

Our process of establishing priorities is not dissimilar to yours as you weigh competing interests and concerns. It is noteworthy that member groups of the Coalition from the areas of child health, child safety and abuse, education and child care all perceive this issue to be paramount. Coalition members agreed that the elimination of corporal punishment in schools is an important public policy position for Kansas. We feel it carries an important message about children and an important message to children.

The Children's Coalition urges you to act favorably on HB 2163.

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# CHILDREN'S COALITION

ADVOCATES FOR KANSAS CHILDREN



HAPPY BIRTHDAY, 104!

104 children will be born in Kansas today.

Of these, it is estimated that 40 will attend public schools that have not prohibited corporal punishment.

Mike Jones and Damon Banks will attend such a school. In the 8th grade, they receive a "paddling" for playfully hitting each other with chalkboard erasers. The principal doesn't notice that Mike's file clearly states he is a hemophiliac. Despite the potential risk, he suffers no permanent physical damage. However, Mike feels humiliated by the incident and begins to look forward to his sixteenth birthday, when he can drop out of school. Damon's reaction is one of anger, and for him this is the first of a long series of confrontations with authority.

Corporal punishment is not limited to the striking of a child. It could mean any infliction of pain (or extreme discomfort) as a penalty for behavior which has been disapproved by the punisher. Other examples include: confinement in an uncomfortable space (such as sitting in a wastebasket or a closet), standing for a prolonged time, or forcing a child to eat an obnoxious substance. Corporal punishment is NOT implied when force is used to: protect someone from physical injury, obtain a weapon or other dangerous object, or to protect property from damage.

The US Department of Education estimates that between one and two million incidents of corporal punishment occur each year. No job is more demanding, or more important, than teaching. Educators need access to every tool that furthers the learning process. The paddle is not such a tool. Corporal punishment should be removed from every school in Kansas.

FOR MORE INFORMATION CONTACT:

Terri Roberts, J.D., R.N.  
Executive Director  
Kansas State Nurses' Association  
700 S.W. Jackson Suite 601  
Topeka, Kansas 66603-3731  
(913) 233-8638

## H.B. 2163 - ELIMINATION OF CORPORAL PUNISHMENT IN KANSAS SCHOOLS.

Chairman and members of the Education Committee, my name is Terri Casey, ARNP, and I am an advanced registered nurse practitioner representing the Kansas State Nurses' Association.

Today, I am here on behalf of the Kansas State Nurses' Association to support House Bill 2163. The association has a formal position statement adopted by the KSNA membership at their annual meeting. A copy of that position statement is attached for your review. Corporal punishment should not be used as a means of disciplining students in Kansas schools. Schools are the only institution in America in which striking another person is allowed and condoned. It is not allowed in prisons, the military, nor in mental hospitals. As healthcare advocates we are concerned about the public policy statement that is reflected when such conduct is condoned.

We believe that the local control issue is important, but the public policy statement abolishing corporal punishment is of greater significance.

Corporal punishment brings with it the threat of uncontrolled violence. "Injuries occur, bruises are common. Broken tailbones, fingers, and other injuries are not unusual," (National Coalition to Abolish Corporal Punishment in Schools). Cases have been documented in which children have been roped together and tied to the teacher's motorcycle and dragged about the parking lot. A second grade boy had his nose slammed down onto a desk so hard that it was broken. More than one pre-schooler has been beaten to death for being unable to attend to the ABC's.

There have been seven deaths in this country as a result of school inflicted corporal punishment. Two deaths occurred in 1986; one, a kindergarten girl in 1985 (National Coalition to Abolish Corporal Punishment in Schools, p.3).

Research has shown that children learn by modeling adults behavior especially those whom they are most dependent upon. The use of corporal punishment does not teach children self-discipline. Corporal punishment does teach children that violence is socially acceptable. How can we ever hope that child abuse will be eliminated when it is a legally and socially sanctioned procedure in American Schools. We say that the United States is the greatest country of all. Yet, we are only one of four countries in the developed world that continues to allow teachers to hit children.

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H.B. 2163 - Elimination of Corporal Punishment

Page 2

Currently, 20 states and over 21 countries have banned corporal punishment. We would encourage Kansas to be one of the states promoting a better and healthier form of discipline with the elimination of corporal punishment.

I would like to leave you with a poem to reflect on:

- A child hits a child  
and we call it aggression.
- A child hits and adult  
and we call it hostility.
- An adult hits an adult  
and we call it assault and battery.
- An adult hits a child  
and we call it discipline.

Gnott  
(Paper by Norris E. Class)

## Kansas State Nurses' Association Statement Against the Use of Corporal Punishment in Kansas Schools

Corporal punishment should not be used as a means of disciplining students in Kansas schools. Research has shown that children learn by imitating adults' behavior, especially those whom they are most dependent upon. The use of corporal punishment by adults is likely to teach children to use physical violence to control behavior rather than rational persuasion, education, or intelligent forms of reinforcement. Corporal punishment intended to influence desirable responses may create in the child the impression that he or she is an undesirable person. This impression lowers self-esteem and may have chronic consequences.

Nurses, in conjunction with Boards of Education, national and state education associations, and local affiliates must work toward developing policies and standards which will provide alternative methods of discipline within schools in order to promote effective physical, emotional, and social growth of children in Kansas. Educational programs should be developed which would provide knowledge of the alternative disciplinary techniques and their benefits to administrators, teachers, educational support personnel, and parents. Such programs should be supported by and attended by nurses, especially school nurses. Nursing's assistance with the development of such policies, standards, and programs and their support should be accomplished through formal and informal relationships, between nurses and persons/groups within the educational community.

The Kansas State Nurses' Association supports the prohibition of corporal punishment as a means of discipline in Kansas schools, public and private.

Maternal/child nurses, school nurses, public health nurses, psychiatric nurses and nurse educators should work with state legislators to educate them to the negative impact of the use of corporal punishment on children and to the availability of more positive alternative disciplinary techniques. Nurses should work with other child advocacy groups such as Kansas Children's Coalition, Kansas Action for Children, Kansas Children's Service League, and Kansas Child Abuse Prevention Council, via intensive lobbying and presenting testimony to support the establishment of a Kansas statute which would address the use of corporal punishment in Kansas schools. Also by ensuring public knowledge of specific abuse instances related to allowing corporal punishment in schools, nurses will heighten public awareness of the need for changing disciplinary techniques in schools and will potentiate the necessary legislative changes.

Prepared by the Parent/Child Conference Group October 1990  
Adopted by the KSNA Convention Body October 1990

### Resources:

*Class, Norris E. and Norris, Shirley. "Prohibition of Corporal Punishment in Day Care Centers in the United States." A paper presented at the National Association for Education of Younger Children Annual Conference in Los Angeles, November 1984.*  
*Class, Norris E. "A Policy Planning Paper on Issues in the Prohibition of Corporal Punishment on Child Day Care Licensing Standards." Presented at the National Association of Education for Young Children in Detroit, Michigan, November 1981.*  
*Corporal Punishment in Schools: Its use is Abuse. Cryon, John R., Editor. The University of Toledo College of Education and Allied Professions. 1981 Educational Comment.*  
*National Education Association present guidelines and regulations. pg. 221.*  
*Kansas - NEA present guidelines and regulations. Subsection C-8, Discipline.*

# Kansas Congress of Parents and Teachers



Branch of the National Congress  
STATE OFFICE, 715 S. W. 10TH STREET  
TOPEKA, KS 66612  
913-234-5PTA

TO: Representative Bowden and Committee Members

FROM: Jo Scott, Kansas PTA  
715 SW 10th St.  
Topeka, KS 66612  
(913) 234-5782

My name is Jo Scott and, on behalf of the 60,000 members of the Kansas Parent Teacher Association, I am here to speak in favor of the ban on corporal punishment.

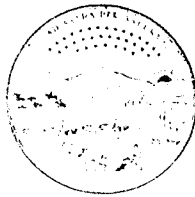
One of the current focuses of the Kansas PTA is the importance of parental education; teaching parents "how to be better parents". The objectives of this education are improved communication between parent and child, understanding on the part of both parent and child for each other's feelings, and a more comfortable relationship between the parent and the child. Another secondary objective is to break the cycle of child abuse brought on by the stress of parenting.

Some parents say that there are times they are so angry that hitting is the only way to gain relief. Other parents say that they never hit a child in anger. They wait until they are calm and then they hit (spank) to teach the child a lesson. The lesson children learn is that it is all right to hit people, or more specifically, that it is okay for bigger people to hit smaller people. Whether the parent is or is not hitting in anger, they are damaging the child's physical and emotional well-being and are not teaching them better ways to behave.

Parents do need to set necessary limits for children, but discipline need never be humiliating or harmful to a child's body or emotional well-being. True discipline is teaching and guiding children; relying on constructive, positive, and helpful approaches.

I believe that our legislators should set the example for all parents by banning corporal punishment in our schools.

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STATE OF KANSAS

CHILDREN AND YOUTH ADVISORY COMMITTEE

SMITH-WILSON BLDG.  
300 S.W. OAKLEY  
TOPEKA, KANSAS 66606-1898

(913) 296-2017

KANS-A-N 561-2017

TESTIMONY BEFORE THE HOUSE EDUCATION COMMITTEE

Rep. Rick Bowden, Chairperson

HB #2163 - February 28, 1991

Mr. Chairman and members of the committee, thank you for the opportunity to testify today. My name is Doug Bowman, and I am representing the Children and Youth Advisory Committee.

In preparing our planning document, "Toward The Year 2000", we gathered information from many different sources. We found a growing consensus to abolish corporal punishment from schools. More people are recognizing the indirect effects of paddling our students. When adults role model the use of force to control behavior, the message to our young people is: "Might makes right".

We have an opportunity to make a positive impact upon the well-being of our children without expending any of our scarce fiscal resources. No job is more demanding, or more important, than teaching. Educators need access to every tool that furthers the learning process. The paddle is not such a tool. Corporal punishment should be abolished in every Kansas school.

HOUSE EDUCATION  
Attachment 12  
February 28, 1991



NATIONAL ORGANIZATIONS THAT OPPOSE  
CORPORAL PUNISHMENT IN SCHOOLS

Action for Child Protection  
American Orthopsychiatric Assoc  
American Civil Liberties Union  
American Humanist Assoc  
American Medical Assoc  
American Public Welfare  
American Prosecutors Institute  
American Humane Assoc  
American Assoc for Counselling  
and Development  
American Academy of Pediatrics  
SCAN Assoc  
American Bar Assoc  
American Public Health Assoc  
American Psychological Assoc  
Americans for Democratic Action  
Assoc of Junior Leagues  
Assoc for Childhood Education  
International  
Assoc for Humanistic Education  
Boys Clubs of America  
Camp Fire, Inc.  
Child Abuse & Family Violence  
Child Welfare League  
Childhelp USA  
Children's Defense Fund  
Council for Exceptional Children  
Friends Comm. on National Legislation  
General Federation of Women's Clubs  
C. Henry Kempe national Center for  
Prev and Treatment of Child Abuse  
and Neglect  
National Black Child Development  
Institute  
National Council of Teachers of  
English  
National Education Assoc  
National Crime Prevention Council  
National Assoc of Social Workers  
National Child Abuse Coalition  
National Assoc for Advancement  
of Colored People  
National Council of Jewish Women  
National Mental Health Assoc  
National Indian Education Assoc  
National Assoc of School Psychologists  
National PTA  
National Exchange Club  
Network of Runaway & Youth  
Parents United  
Parents Anonymous  
Society for Adolescent Medicine  
Unitarian Universalist Assembly



1176 Warren, Topeka, Kansas  
66604

Testimony of William J. Lucero

To House Education Committee

In support of HB 2163

February 28, 1991

Mr. Chairman and Members of the Committee:

I am Bill Lucero, State Coordinator of the Unitarian Universalist Service Committee Unit of Kansas, speaking in favor of passage of House Bill 2163. I also address you as a psychologist at the Youth Center at Topeka.

(Parenthetically, I am not speaking on behalf of the Youth Center or S.R.S., but rather as a concerned children's advocate.)

In speaking with various legislators about this bill, some have informed me that although their particular school districts do not currently impose corporal punishment, they wish to retain it in case it may be needed. Every day I am part of a delivery system that works with some of the most angry and disturbed teenage boys in the state. These fellows attend our institutional Lawrence Gardner High School. Corporal punishment is not only prohibited; it is considered absolutely detrimental to any form of therapeutic process we are trying to develop with these guys. Let me explain. All adolescents who are assigned to my primary caseload upon admission to YCAT have been classified as violent offenders adjudicated of such crimes as murder, aggravated robbery, aggravated battery, etc. After a few weeks of orientation, these students are given personality inventories which include past history questionnaires. To the question, "Have you ever been abused?", approximately 90% will answer, "No." Then when I ask how they were disciplined, most will reveal that they were beaten with boards, whips, belts, cords, switches and/or paddles. Some show me scars left by hot lighters or cigarettes. Very few

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1176 Warren, Topeka, Kansas  
66604

Testimony, William J. Lucero  
Page 2

consider these measures abusive, but rather as just the way they were raised. And from the violence inflicted on them, they have learned violence as a way of life.

Legislators and reporters constantly reveal their frustrations with the juvenile justice system. Concerned over having to make room in the front door, we have to shove others out the back, frequently much sooner than we'd like. Later, we often hear that they have committed more violent crimes as adults, and we wonder why, in their few months stay, we can't undo the violent histories and attitudes with which these kids entered.

But we can do something. We can educate Kansas parents to stop hitting their children. One good way to begin is to end the legitimization of hitting kids in the schools. The availability of corporal punishment in school sends a clear message to parents that hitting kids is okay. And believe me, when these kids get hit, they later find a way to hit back.

Of course, by prohibiting corporal punishment in schools, we won't end child abuse in this state. But we will make a strong statement that we have no tolerance for it. Don't we owe our kids and ourselves this much?



Testimony before the House Education  
Committee in Support of HB 2163  
February 28, 1991

**Kansas  
Child Abuse  
Prevention Council**

715 West 10th Street  
Topeka, Kansas 66612  
(913) 354-7738

428 S. Broadway, Suite 204  
Wichita, Kansas 67202  
(316) 262-8434

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**EXECUTIVE DIRECTOR**

James McHenry, Ph.D.

KCAPC is proud to join many other organizations in support of HB 2163. We believe that Kansas should join the 21 other states in our nation that have moved to abolish corporal punishment in their public schools. As a state with an international reputation for pioneering our understanding of mental health, it behooves us to bring our discipline practices into line with what available research confirms about the benefits of positive discipline.

The most eloquent spokespersons for this point of view are individual teachers. I attach to my testimony a recent letter and information I received from Ms. Kim Desmarteau, an elementary school teacher in a small school just south of Hays. According to Kim, a significant number of the students she works with are considered at-risk. She believes strongly that her district's positive discipline plan has worked to the advantage of everyone.

I would also draw the Committee's attention to the remarks of Shawnee Heights USD 450 Superintendent Stephen McClure. In recommending to his Board on February 4, 1991 a ban on corporal punishment, Mr. McClure noted that some insurance companies won't write insurance for school districts that allow corporal punishment. We understand that Ins. North America (INA) is one such firm.

We believe the testimony of these two Kansas educators illustrates the reasons why the staff of the Kansas Association of School Boards routinely advise school districts to ban corporal punishment for both philosophical and liability reasons.

KCAPC believes that all school children in Kansas deserve the benefits of positive discipline policies already in existence in the 92 districts that have moved to ban corporal punishment. If the study of Kansas History can be mandated, then it is not unreasonable to suggest that a mandate banning an outmoded and potentially harmful form of punishment is similarly in society's interest. Arguments based upon the notion of "local control" should, in this instance, take a back seat to the pursuit of effective methods of positive discipline.

We thank the sponsors of HB 2163, and we urge the House Education to recommend the measure favorably.

Testimony submitted by James McHenry, Ph.D.  
Executive Director

HOUSE EDUCATION  
Attachment 14  
February 28, 1991



RECEIVED FEB 25 1991

Schoenchen Elementary School  
Schoenchen, Kansas 67667  
(913) 625-6391

Feb. 22, 1991

Dear Dr. McHenry,

I enjoyed visiting with you on your recent trip to Hays. Enclosed you will find a copy of the Behavior Contract we use in our school. Our policy is that student, teacher, and principal sign the contract for each problem and then every third contract requires parent involvement. We use this as part of our Positive Discipline Plan. By using this contract, we hope to make students aware of their behavior problems and help them become more self-disciplined.

I do believe that as educators, we send a mixed message to children and adults, if we allow corporal punishment to be used in our schools and then instruct our students about child abuse. I do affirm that teachers and administrators can use positive discipline methods to make an effective example to children and parents.

Enclosed you will also find a copy of our U.S.D. 489 Policy on Discipline. Our policy states: "Paddling or other corporal punishment is not to be used as a corrective measure."

Thank you for the opportunity to share my experiences with you. I would be honored to assist with testimony concerning this corporal punishment issue. In addition, I have visited with my Principal and Superintendent and both are in favor of my possible testimony and support of this important issue for all Kansas children. Please let me know if I can be of any further help now or in the future.

Sincerely,

A handwritten signature in cursive script that reads "Kim Desmarteau".

Kim Desmarteau

BEHAVIOR CONFIDENT

NAME: \_\_\_\_\_ Date: \_\_\_\_\_

Please answer the following questions as honestly and carefully as possible. Use complete sentences.

1. Where and when did the problem happen? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. Who was involved? \_\_\_\_\_

\_\_\_\_\_

3. Explain what happened during the incident. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Did your behavior break our class rules? \_\_\_\_\_

Which one(s)? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Did your behavior help you or anyone else? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. What steps do you think should be taken as a result of this problem? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. How do you plan to change the problem and your behavior?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Student's Name/Date

\_\_\_\_\_  
Parent's Name/Date

\_\_\_\_\_  
Teacher's Name/Date

\_\_\_\_\_  
Principal's Name/Date

# **S** ECTION III

## **PUPIL PERSONNEL**

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### **3.100 ROLE OF THE PROFESSIONAL STAFF IN PUPIL PERSONNEL ADMINISTRATION**

#### **3.110 DISCIPLINE**

##### **3.111 Introductory Statement**

The Board of Education recognizes that corrective measures are sometimes essential to maintain an atmosphere conducive to learning in our schools. It will be the practice in the District to administer discipline that is student welfare oriented.

The professional staff is expected to maintain a positive approach in aiding students in their development of acceptable behavioral patterns. The Board affirms the competency of teachers in administering the classroom effectively and reinforces the concept that the individual teacher is not only capable of handling matters of discipline, but is the person most likely to have the best judgment concerning the type of discipline necessary in a given situation.

The Board realizes that fairness, consistency, and mutual support of the entire professional staff in its treatment of student misbehavior are major factors in the maintenance of acceptable student behavior. Whenever disciplinary action is taken to correct a student's behavior, such action will be supported by all professional staff members and the Board of Education so long as this action is not cruelly harsh or outside the guidelines set forth in the Board of Education Policies or unless the action is appealed and replaced with a more appropriate disciplinary action. (Adopted 5/9/81)

##### **3.112 Specific Corrective Action**

The following are guidelines for the professional staff in the employment of corrective actions:

- A. **Deprivation of privileges.** This form of discipline is encouraged. It is particularly encouraged when the student has developed a pattern of repeating minor offenses.
- B. **Detention.** After school detention is encouraged, however, parents are to be notified before a student is kept after school. The building Principal will determine supervisory responsibilities when detentions are assigned.
- C. **Parent-School Conferences.** The need of close cooperation between the parent and the school is obvious. This type of communication is highly encouraged. When the Principal or teacher becomes concerned that the student is developing a potentially serious behavioral problem, the parent-school conference should be held. Ideally, the parent would be informed of all accomplishments and/or problems experienced by the student. However, parents should not expect a report on each and every problem that arises.
- D. **Restitution.** When a problem of destruction of property is noted, restitution is highly recommended.
- E. **Suspensions.** Student suspension procedures will be conducted in accordance with K.S.A. 72-8901--06 together with any amendments thereto.
- F. **Restraint.** The District fully recognizes that in some instances the use of special restraint or force may be necessary to prevent injury to the students or teachers, and to protect District property or maintain a good learning environment. Nothing in this policy is to be construed as limiting that use of force or restraint.
- G. **Corrective Measure.** Paddling or other corporal punishment is not to be used as a corrective measure.
- H. **Other Forms of Discipline.** The professional staff is encouraged to develop other effective means of correction within the following guidelines:
  - 1. All methods of discipline should refrain from promoting an attitude unfavorable to academic or other school work.



2. The academic grades are not to be lowered as a punitive measure for disciplinary reasons.
  3. Methods of discipline that would tend to ridicule the student are not permitted.
- I. **Specific Corrective Action.** Each building Principal shall develop rules of conduct for students on an annual basis. These rules of conduct shall be made available to all students and parents. (Revised 1/15/90)

STATE OF KANSAS

JO ANN POTTORFF  
REPRESENTATIVE, EIGHTY-THIRD DISTRICT  
6321 E. 8TH STREET  
WICHITA, KANSAS 67208-3611

STATE CAPITOL  
ROOM 181-W  
TOPEKA, KANSAS 66612



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER: APPROPRIATIONS  
EDUCATION  
TAXATION  
JOINT COMMITTEE ON SPECIAL CLAIMS  
AGAINST THE STATE  
NCSL ASSEMBLY ON THE LEGISLATURE  
TASK FORCE ON EDUCATION  
EDUCATION CONSOLIDATION AND  
IMPROVEMENT ACT (ECIA) ADVISORY  
COMMITTEE

I am pleased to be a co-sponsor for House Bill 2163.

I know we have heard this issue before and last year it died in committee. But this year we have a new committee and I am hopeful that the bill banning corporal punishment will be passed.

I urge you, committee members, to listen carefully to the testimony. The testimony you hear in opposition to this bill will be from some school districts.

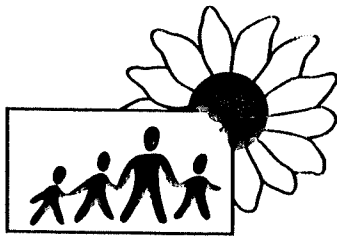
I served on the Wichita School Board when the policy to prohibit corporal punishment was proposed locally. I had hoped that each individual district would also take this action. I am disappointed that it has not happened and now we must propose legislation for Kansas to ban corporal punishment.

I feel corporal punishment sends a mixed message to children. It reinforces that it's O.K. to hit a child. Corporal punishment is only a short term solution for a long term problem. It stops disruption for the moment but it does not teach students better ways of solving problems.

I would like to leave you with this thought that my friend, John Valusek, made famous: "Kids are not for hitting."

Teachers need to find non-violent ways to handle behaviour problems.

HOUSE EDUCATION  
Attachment 15  
February 28, 1991



**KAEYC**  
Kansas Association for the  
Education of Young Children

Testimony on House Bill 2163  
presented to the  
House Education Committee

by  
Shirley A. Norris  
Representing the Kansas Association for the Education of Young Children  
131 Greenwood  
Topeka, Kansas 66606  
Ph. 913-232-3206

My name is Shirley Norris. I represent the Kansas Association for the Education of Young Children, (KAEYC) an organization of over 1000 members who nurture, educate, and protect thousands of Kansas children of all ages who are in care away from their parents for part or all of the day.

Since 1951, the state of Kansas has had a policy of prohibiting corporal punishment in child care settings. Physical punishment has been continuously prohibited in child care centers, residential facilities, and family foster homes through licensing regulations promulgated by the Kansas Department of Health and Environment, and after a ten year hiatus, the prohibition was reinstated for day care homes and registered family day care homes in February, 1990.

Members of KAEYC have consistently supported the regulations banning corporal punishment because they believe that such punishment is not in the best interests of children. It is demoralizing, humiliating, and frightening, and has the potential for inflicting both physical and emotional harm. Also, there are no reputable academic studies which support corporal punishment as an effective learning or disciplinary tool. Child care providers have successfully demonstrated that other methods of behavior management appropriate to the age of the children enrolled can be effective means of discipline.

The state mandates other measures which protect children in public school settings including safe construction of the school buildings, adequate fire protection, and current immunizations. KAEYC believes that the state should extend to these same children protection against corporal punishment.

KAEYC supports the passage of HB 2163.

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

Testimony on H.B. 2163  
before the  
House Committee on Education

by  
John W. Koepke, Executive Director  
Kansas Association of School Boards

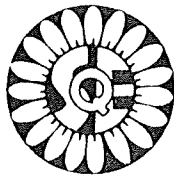
February 28, 1991

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the member boards of education of the Kansas Association of School Boards with regard to the provisions of H.B. 2163. The issue of corporal punishment in the public schools is one that has been the subject of intense study and debate within our organization during the past year. Discussions similar to those that have been held in this Committee occurred on our Delegate Assembly floor this past December.

As a result of those discussions, our Delegate Assembly overwhelmingly reiterated our position that the issue of corporal punishment in the public schools is one that is best determined by local boards of education and not by state statute. Members of our organization who have themselves prohibited corporal punishment by policy still believe that it is an issue they should decide and not one that should be dictated by the legislature.

With that background, we would urge that you report H.B. 2163 adversely and continue to leave the determination of this issue to the locally elected public officials who are in charge of the operation of our schools. We appreciate the opportunity to express these views and I would be happy to attempt to answer any questions.

HOUSE EDUCATION  
Attachment 17  
February 28, 1991



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## Schools for Quality Education

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Bluemont Hall    Manhattan, KS 66506    (913) 532-5886

February 28, 1991

TO: HOUSE EDUCATION COMMITTEE

SUBJECT: H.B. 2163

I am Jacque Oakes representing Schools For Quality Education, an organization of 91 rural schools.

We appear today in opposition to H.B. 2163 prohibiting corporal punishment in local school districts.

We believe that elected school board members should decide policy according to their own district's philosophy. Statistically, about 50% of the districts prohibit corporal punishment and 50% still continue it.

We believe that we should have the right to make this decision at the local level.

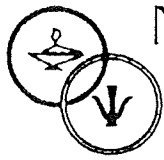
Thank you for your time and consideration.

HOUSE EDUCATION  
Attachment 18  
February 28, 1991

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**"Rural is Quality"**

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# NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS

8455 Colesville Road, Suite 1000, Silver Spring, Maryland 20910  
(301) 608-0500 FAX (301) 608-2514

TO: Representative Rick Bowden, Chairman House Education Committee  
FROM: Dr. Marlene Merrill, Delegate for Kansas

National Association of School Psychologists  
316-284-6580

Testimony In Support of a Bill to Abolish the use of Corporal Punishment  
In Kansas Schools (HB 2163). February 28, 1991

Pictures say a thousand words; what we learn from observing others puts an indelible imprint upon our lives. We model the behavior of our parents and other significant adults in our lives. Educators have a major impact upon a child's development. We all share stories about our favorite teacher or the teacher that shaped the direction of our lives.

Students spend a significant amount of time in school so it is critical that educators - the teachers, the principals, and the school's support staff - all provide a positive role model about how people should treat one another. If a child sees that when people have conflicts with one another they hit each other, then that is exactly what the child learns. When the child grows up it is that example that is used when he or she is in conflict with another or has their own child to discipline.

I support the bill to abolish corporal punishment in Kansas schools because there are proven and effective alternatives that can be used in its place and because we all need to provide a positive example and educate our children in non-violent ways of resolving conflicts or dealing with others' misbehavior.

There are many discipline methods that are effective and non-violent. Methods that reinforce the concept that the student is in control of his behavior and can be responsible for behavior include having the child develop a plan for corrective action that he/she presents to the teacher or principal. Also in-school suspension, loss of recess time or the opportunity to lunch with peers provide effective discipline. Schools have many resources for dealing with discipline problems. Teams (teachers, administrators, aides) can problem solve situations, provide counseling services, or develop a school discipline alternatives. School-wide programs such as Assertive Discipline or peer conflict mediation training and in-service staff training are available.

I urge you to help Kansas schools provide positive discipline through your passage of this bill to abolish corporal punishment in Kansas schools.

HOUSE EDUCATION  
Attachment 19  
February 28, 91

HB2818

Written Testimony  
by  
Kansas Association of School  
Psychologists

February 28, 1991

KASP POSITION PAPER  
ON  
CORPORAL PUNISHMENT

The Kansas Association of School Psychologists serves the mental health and educational needs of all children and youth. The use of corporal punishment as a disciplinary procedure in the schools can negatively affect the social, educational, and psychological development of students. The use of corporal punishment by school officials provides a model of behavior for children that sanctions hitting as an appropriate reaction to rule breaking. Many alternative strategies exist that have been proven to be effective in maintaining school discipline. Given the potential consequences (on student development) of using corporal punishment, the documented failure of corporal punishment to teach appropriate behavior, and the existence of effective, nonviolent methods of school discipline, the Kansas Association of School Psychologists advocates the prohibition of corporal punishment in the schools.

Position Statement approved at General Membership-Executive Board Meeting on Saturday, November 8, 1986.



## KANSAS ASSOCIATION OF SCHOOL PSYCHOLOGISTS SUPPORTS

### HOUSE BILL NO. 2818

#### Definition

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

#### Use and Effectiveness of Corporal Punishment

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

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

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

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

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

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

The consequences of allowing schools to use physical force on children go beyond adversely affecting a child's development or even a single classroom of children who witness a paddling. Schools serve as examples for parents and children, often influencing a broader spectrum of familial attitudes and practices. Continued use of corporal punishment in the schools sanctions its use in the home. Parents often learn disciplinary techniques from teachers. If a child is "paddled" at school, the parent may assume that corporal punishment is a proven effective method of discipline which should be used freely at home. Educators thus indirectly become teachers of potentially harmful disciplinary practices.

Supporters of a ban on corporal punishment are not advocating the end of discipline, just the end of using physical force to control students. Classroom discipline is essential; without it very little teaching or learning can take place. A positive disciplinary approach, one not dependent on violence, can maintain order while enhancing a student's ability to learn personal, social, and academic skills.

#### Alternatives to Corporal Punishment

The Kansas Association of School Psychologists advocates a positive, preventive approach to classroom management and school discipline. The availability of alternatives and adequate support services have been shown to be important factors influencing classroom disciplinary procedures. The following are just a few of the alternatives:

- a. Quiet places (corners, small rooms, retreats).
- b. Teaming of adults- teachers, administrators, aides, volunteers to take students aside when they are disruptive and listen to them, talk to them, and counsel them until periods of instability subside.
- c. Social workers, psychologists, and counselors to work on a one-to-one basis with disruptive students or distraught teachers.

d. Provisions of alternative experiences for students who are bored, turned off, or otherwise unreceptive to particular educational experience. i.e. independent projects, work-study experience, drop out -- drop back-in programs.

e. Class discussion of natural consequences of good and bad behavior (not threats or promises) of what behavior is right or what behavior achieves desired results.

f. In-Service programs to help teachers and other school staff learn a variety of techniques for building better interpersonal relations between themselves and students.

g. Training for students and teachers in crisis intervention.

h. Training for students on student advocacy.

i. Staff-student jointly developed discipline policy and procedures.

j. Staff-student committee to implement discipline policy.

Many of these techniques are mostly directed toward classroom atmosphere and school climate. Research has documented, however, that increase student involvement and decreased discipline problems directly result from a positive school environment. A positive school environment sets the stage for effective instruction. Secondary benefits included improved self-esteem among students and faculty, higher levels of self-control and discipline, increased awareness of alternative coping strategies, and understanding of how to use resources to help solve problems.

### Conclusion

The use of physical punishment in the classroom both physically and emotionally damages children. Even though physical punishment may sometimes stop a student's undesirable behavior in the short run, its detrimental effects far outweigh the benefits of momentarily restoring classroom order.

As long as corporal punishment is a legal option in our schools, other alternatives cannot be fully implemented. Alternative positive means of discipline cannot succeed if both teachers and children know the ultimate weapon is the paddle.

To continue using this unnecessary, thoughtless, and unkind practice is inconsistent with our proclaimed concerns about human rights, human respect and human dignity. And we don't have to wait until tomorrow; we can start right now.

Juanita K. Decker  
KASP Legislative Chairperson



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN  
ATTORNEY GENERAL

February 28, 1991

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
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Representative Rick Bowden, Chair  
House Education Committee  
Room 281-W, State Capitol  
Topeka, Kansas 66612

RE: House Bill 2163

Dear Representative Bowden:

On behalf of my Victims' Rights Task Force, I encourage your support of House Bill 2163 which prohibits corporal punishment in all school districts.

According to the National Association of Social Workers, corporal punishment permits violence and aggression as a method of problem solving. These actions are performed by teachers who are the role models of the children. Children are reinforced to use physical violence to resolve conflicts.

Corporal punishment is a quick response to a behavioral problem, but it has short-term effects. Children punished physically do not learn how to act or behave in a positive manner.

Children in Kansas have a right to education without being subjected to physical violence or aggression. Corporal punishment should be banned in all school districts in Kansas. House Bill 2163 will allow this to take place.

Sincerely,

Robert T. Stephan  
Attorney General

RTS:mr

HOUSE EDUCATION  
Attachment 20  
February 28, 1991