

Education Advocacy Coalition

for Students with Disabilities

WAYS AND MEANS COMMITTEE

HOUSE BILL 185: NONPUBLIC SCHOOLS AND CHILD CARE PROVIDERS—CORPORAL PUNISHMENT—PROHIBITION

FEBRUARY 1, 2023

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 40 organizations and individuals concerned with education policy for students with disabilities in Maryland strongly supports House Bill 185, which would prohibit corporal punishment in nonpublic schools receiving state funds and in child care programs. EAC members have a particular interest in House Bill 185 because, given the extensive and disproportionate use of restraint and seclusion with students with disabilities, we are concerned that children with disabilities in child care programs and nonpublic schools are at a higher risk of being subjected to the use of corporal punishment.

According to the World Health Organization, “[c]orporal punishment is linked to a range of negative outcomes for children across countries and cultures, including physical and mental ill-health, impaired cognitive and socio-emotional development, poor educational outcomes, increased aggression and perpetration of violence.”¹

In 1985, the American Bar Association passed a resolution opposing the use of corporal punishment in childcare and education institutions and recommending that state laws be amended accordingly.² In 2008, the American Psychological Society enacted a similar resolution opposing the use of corporal punishment in “schools, juvenile facilities, child care nurseries and all other institutions, public or private, where children are cared for or educated...”³

Maryland banned the use of corporal punishment in public schools statewide in 1993; previously, the decision to prohibit this aversive and harmful mode of discipline was made on a jurisdiction-by-jurisdiction basis. Maryland law did not at that time, however, address nonpublic schools and child care centers. House Bill 185 offers the opportunity to do what should have been done 30 years ago and

¹ <https://www.who.int/news-room/fact-sheets/detail/corporal-punishment-and-health#:~:text=Corporal%20punishment%20is%20linked%20to,aggression%20and%20perpetration%20of%20violence>.

² https://www.americanbar.org/groups/public_interest/child_law/resources/attorneys/corporal_punishment_in_child_care_education_institutions/

³ <https://www.apa.org/about/policy/corporal-punishment>

ensure that our state's youngest children and those who attend nonpublic schools are protected from corporal punishment.

Please contact Leslie Seid Margolis, Chairperson, at lesliem@disabilityrightsmd.org 410-370-5730 with questions.

Respectfully submitted,

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