



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Ways and Means Committee

HB 185: Nonpublic Schools and Child Care Providers – Corporal Punishment - Prohibition

February 1, 2023

Position: Support

The Maryland Developmental Disabilities Council (Council) is an independent, public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. Our vision is that people with and without disabilities in Maryland live, learn, work, and play together. While we have no data on the use of corporal punishment in nonpublic schools or child care, we know that children with disabilities are subject to extensive and disproportionate use of restraint and seclusion and other discipline. Therefore, there is a logical assumption that children with disabilities in child care programs and nonpublic schools are at a higher risk of the use of corporal punishment.

- Maryland banned the use of corporal punishment in public schools statewide in 1993.

WHAT does this bill do?

- Requires nonpublic schools (private schools) have a policy prohibiting the use of corporal punishment.
- Prohibits the use of corporal punishment by all child care providers.
- Aligns all of Maryland’s educational programs – public, private, and child care – to protect children.

WHY is it important?

- **It protects Maryland’s children.** 30 years ago, Maryland protected its public school students from the use of corporal punishment. HB 185 takes the important step to protect our state’s youngest children and those who attend nonpublic schools.
- **It recognizes the negative impact 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.”ⁱ
- **It aligns with national resolutions already established.** 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.ⁱⁱ In 2020, the American Psychological Society enacted a similar resolution opposing the use of corporal punishment.ⁱⁱⁱ

For all these reasons, the Council supports HB 185.

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

ⁱⁱ https://www.americanbar.org/groups/public_interest/child_law/resources/attorneys/corporal_punishmentinchildcareeducationinstitutions/

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