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EDUC 6380  
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Assignment #7 – Child Discipline

Respond to "The Spanking" Case Study provided by your instructor. Be sure to consider the following questions in your response:

1. Do schools have a right to determine how parents may discipline their children?
2. Do you believe Mr. Buck's actions constitute child abuse?
3. Should Mr. Parker report this incident to the authorities? Why or why not?
4. What is the most caring solution to this problem? Would it be caring to report Mr. Buck? What solution would be in Robert's best interest? In the best interests of all students?
5. Thirty states (including Utah) prohibit the use of corporal punishment in schools. Is there a difference between corporal punishment in schools and similar kinds of "discipline" at home? Explain.

This was an incredibly tough call, because I believe that Mr. Buck is a good father, and wants to do right by his son. However, we as admins also have legal responsibilities, and sometimes, that requires us to make decisions that are not easy. Principal Parker is struggling with how to react, and I believe I would be in a similar situation myself. I was personally spanked and belted as a young man, and I never felt abused by my dad. Did it cause pain and fear? Certainly, but I also learned that certain actions are not ok, and I believe that I am a better man for it. Thus, I personally feel that such discipline has a rightful place, but (just as my father did) it must be controlled, limited, and focused as a response directly to incorrect behavior, and it should also be supplemented by other responses and efforts.

The facts and research regarding spanking are problematic. While some claim that spanking undoubtedly leads to negative outcomes, these same proponents also usually acknowledge that there are holes in such assumptions (Shpancer, 2018, par. 9), and no easy or ethical way to clearly eliminate other factors. Others disagree with these "clear facts", and argue that the research is... cloudy. Despite decades of asking the question, the remaining chicken-or-egg question exists: "Are kids spanked because they act out or do they act out because they are spanked—or both?" (Moyer, 2016, par. 7).

And thus we return to Mr. Parker's dilemma: what to do regarding the incident he saw. Regarding parental discipline outside of school, specifically at home, the school, teachers, principal, etc., have minimal to no influence. They can make suggestions of course, and even share ideas and techniques that illustrate other, productive methods of child discipline, but they cannot dictate what happens when the child goes home with mom and / or dad. However, we educators are responsible for potential **negligence** if we were to do nothing in such a situation (Rebore, 2014, p. 173), and if an admin "reasonably suspects child abuse" by a parent or others, we have a legal responsibility to act by immediately notify[ing] the nearest peace officer, law enforcement agency, or DCFS" ("Rule R277-401", 2019). If we do not, we may be held criminally liable for negligence, and while that undoubtedly isn't Mr. Parker's primary concern, it is a real threat.

Obviously, such corporal abuse is not allowed by school employees, and an exception to that, with parental written permission, was struck down in 2017 ("Rule 277-608", 2019; "HB0092", 2017). Here's

another part of the issue: in Utah, the Supreme Court most recently upheld that spanking by parents is legal, and is not abuse, unless there is proof of harm (Caldwell, 2017). So here is the issue: do these actions constitute child abuse? In that most recent case, the children were also belted by their parents, just as Mr. Buck belted his own son. So it could be argued that Robert Buck, the student who was disciplined by his father, was not abused.

I am not a lawyer, and neither is Mr. Parker. I believe that the first thing he ought to do is talk with another administrative colleague, and get some feedback. That's exactly what I did, discussing this case with two other interns here at Lehi. While I personally was not quite ready to accuse Mr. Buck of child abuse, the other two budding admins I consulted believed that such actions warranted a report to DCFS (Division of Child and Family Services). After consulting with them, I decided that if I were Mr. Parker, I would make the call.

Many questions remain: Can we know for certain that Mr. Buck will not continue his discipline at home? Will that discipline cross the line into abuse? Was the incident at the school only discipline or was it abuse? Did other children / teachers hear and or witness the discipline / abuse in the hallway? Would they interpret Mr. Buck's actions as reasonable discipline or abusive? There are simply too many unknowns, and while Mr. Parker is right to carefully consider this decision, making the call is the right one. Worst-case scenario if he doesn't: Mr. Buck continues his "discipline" with Robert at home, and injures / kills him. Mr. Parker is sued by Robert's mother for negligence, and other students who witnessed the discipline are afraid to come to school, etc. Mr. Buck ends up either losing his son's custody, or ends up killing him. And so it goes.

The point is, there are far too many unknowns here. Mr. Parker risks ruining his and the school's relationship with Mr. Buck, and possibly getting Robert taken away from Mr. Buck, yet the risks are too great. Let DCFS know, and they can figure out the details. And although I might like to communicate with Mr. Buck, to apologize, explain, etc., legally that is not allowed, per Rule R277-401-3 Policies and Procedures:

an LEA employee shall cooperate with social service and law enforcement agency employees authorized to investigate charges of child abuse and neglect, including...making no contact with the parents or legal guardians of children being questioned by DCFS or law enforcement authorities (2019).

Ultimately, while a difficult and painful decision that may forever damage / destroy the relationship with Mr. Buck, the best interests of Robert, as well as the rest of the students at Sandalwood Elementary outweigh such considerations. Perhaps it was not abuse, and I pray that it was not; but there are too many unknowns, and this act leaves the door open to such a possibility. DCFS will make that determination, and Mr. Parker should rest assured that he is making the right decision. When Mr. Buck decided to strike Robert in a public setting, he gave up any right to privacy and left his actions open to all sorts of interpretations by all that may have seen the action. And most reasonable people who witnessed such an act would likely interpret it as abuse, in my opinion.

Sources:

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