

Memphis Academy of Health Sciences

To MAHS Parents about Corporal Punishment Issue

In light of a recent news reports concerning the autonomy of Charter Schools, and specifically, the discipline policies and procedures used at our school, we felt it necessary to clarify those policies and procedures, their communication and application, and their role in our overall education model. We also felt it necessary to address some of the inflammatory and defamatory accusations being widely disseminated about our school by the California-based non-profit organization, *The Hitting Stops Here*, who suggest that we are subjecting our students to “humiliation” and “degradation” through the use of corporal punishment and other disciplinary procedures. This statement represents our official response pertaining to their accusations.

Charter Schools

First, according to State Law, charter schools are publicly funded, independently operated schools of choice. A charter school is a free, nonsectarian, innovative public school that controls its own curriculum, staffing, organization, policies and budget. Students can attend a charter school only if they are assigned to a state identified “high priority” school (or failing school), or if they have performed below proficient on the state performance assessments in Language Arts or Mathematics. Charter schools are designed to deliver a unique program tailored to meet the needs of the students we serve. In exchange for the autonomy we are given, charter schools must deliver the academic results they have promised in their charter contract. In accordance with this, we at the Memphis Academy of Health Sciences (MAHS *pronounced MAUSE*) have most certainly delivered results and have been tremendous stewards of the autonomy and resources entrusted to us. We have an independent governing board which sets our policy, budgets, and operating procedures. This board operates much as the elected school boards of Memphis City Schools or the Shelby County School system.

Performance

Our student achievement and performance results demonstrate the success that we have had and continue to have here at MAHS. We invite the community to examine our results, compare them and understand the thoroughness of our model. Our instructional program is thoughtful, well structured, and uniquely suited for our students.

Last year, our school was a recipient of the Consumer Education Foundation Academic Achievement Award. Our achievement ranked 5th among all middle schools in Tennessee, the previous year (06-07) we ranked 3rd. No one is aware of this because it wasn’t as news worthy as perhaps the corporal punishment issue. We certainly wish we could get as much attention for our children’s academic achievement as we are getting from this issue.

Our policies and procedures are all created with high academic achievement and personal growth and development as our primary focus. We contribute the academic successes we have enjoyed to our ability to maintain a safe, orderly and nurturing environment. Our teachers are able to teach and our students are able to learn because there is order in our school.

Safe and Orderly Environment

In establishing MAHS, we understood that the maintenance of a safe and orderly environment would be critical to the academic success of our students and that begins with a strong commitment to discipline. We stress respect towards others and respect for the rights of others, among them the right to a school and classroom environment that is safe and orderly and facilitates learning. Our teachers must be able to teach each day without having to worry about their safety or the safety of the students they teach. Students, who by their disruptive behavior, consistently deprive others of these rights, are subject to the disciplinary actions outlined in our handbook, including parent or individual conferences, corporal punishment, suspension, and possible expulsion from school.

Each year, school policies are reviewed by both parents and students and they attest to their understanding of these policies by their signature on a form stating that they have received and reviewed the policies. These policies include the use of corporal punishment which is a standard option used judiciously in our disciplinary program. MAHS has created an environment that is safe and orderly and we are committed to maintaining such. Our teachers are able to teach each day and our students are able to enjoy the learning process without fear of intimidation or physical harm. Our policies have worked well for us and we pride ourselves on having a safe and orderly school environment.

Disciplinary Procedures

One of the processes that have helped improve the climate at MAHS has been our weekly grade-level disciplinary meetings with students and staff. These meetings are conducted by the principal and can last up to one hour. The meetings are sometimes referred to as "Chapel," a name given by one of our students because of the name plate on the door of the room in which these meetings previously took place. Each week a child may be referred by a teacher to the "Chapel" list for disciplinary reasons. The meetings consist of three phases: (1) a discussion of student misbehaviors and the administration of consequences for those on the list (usually corporal punishment), (2) recognition and celebration of the accomplishments of students who earn "Most Improved" and "Student of the Week" honors, and (3) announcements for the upcoming week and reiteration of academic and behavior expectations. These meetings have been most effective in reinforcing both academic and behavioral expectations and helping students learn ways of managing confrontation and conflict. While these meetings take a lot of time to conduct (4 per week for each grade level), the process we use has had a tremendous impact on students' behavior and understanding of what is and is not acceptable behavior at MAHS. But it has also been a great way to celebrate achievement, keep students informed of school activities, and get valuable feedback about the culture of our school. In no way is the intent of our disciplinary meetings to "humiliate" and "degrade" our children. That is a ridiculous assertion!

Most important in all of this is that we have created and maintained a safe, nurturing and loving environment for our students and staff. Even though the outside walls of our school building are peppered with gang graffiti, there is absolutely no gang or gang-like activity in our school. Our students do not fight here at MAHS, they have learned how to manage conflict and confrontation. But we are not perfect and neither are our children. We still have many of the same behavioral challenges that most urban schools contend with on a daily basis. But we have a system of dealing with those issues that has been successful for our school. Our students understand that we care about them collectively and individually and are committed wholeheartedly to their success now and into the future. We have 370 plus adolescents here at MAHS all going through puberty at the same time, which makes every day challenging and unpredictable. We are with our students 9 to 10 hours a day (regular schedule), nearly 50 hours or more a week, many times longer than they are with their parents each week. *Order in this type of environment is not an option, it is an absolute necessity.* But we also recognize that we have a

responsibility for helping to “raise” the youth that we serve. In teaching, guiding, and mentoring our children we must use every tool at our disposal to save and change their lives for the better.

Corporal Punishment

We are well aware of the pros and cons regarding corporal punishment. Our Board of Directors debated this issue 5 years ago during the same time it was being debated in the Memphis City Schools. They unanimously approved its use in our school.

In fact, in 2003, during our first year of operation, we did not use corporal punishment during the first half of the school year. Quite frankly, during that time our students perceived our disciplinary policies as weak and ineffective. We clearly did not have the order and discipline required to be a good school. Later in the school year, we made three critical changes: (1) we incorporated corporal punishment as a disciplinary option, (2) started our weekly grade-level disciplinary meetings, and (3) made fighting and gang related activity a zero-tolerance offense. As a result, our behavior problems diminished significantly. In addition, we spend an inordinate amount of time counseling our students in both our grade-level disciplinary meetings and in small group or one –on-one sessions. This, too, has contributed to the success of our discipline program. The bottom line is that corporal punishment is part of an overall disciplinary strategy that works for us.

Our parents are fully aware of the fact that corporal punishment is a part of our disciplinary procedures. This is made clear at the time of enrollment. We are a choice school and parents are free to choose another school to enroll their children if they disagree with our use of corporal punishment. But when parents enroll their children in MAHS, they entrust them to our care and we take that trust very seriously.

While we recognize that there are those who disagree with our use of corporal punishment, we are clearly within our rights, legally and otherwise, to do so. We made what we think was a good decision for our school and while some may disagree, they do not have the right to undermine our efforts to conduct school business. The California-based organization, *The Hitting Stops Here*, has recently vowed to completely destroy our school simply because we choose to discipline our children in a manner they find unacceptable. We take serious offense to their intent and will not tolerate such interference in our school.

The Law

Below are the comments from legal counsel of the Tennessee Department of Education pertaining to this matter. It is in response to a letter sent from *The Hitting Stops Here* to the Governor’s office and the Tennessee Department of Education. It speaks for itself:

The 1979 Tennessee General Assembly authorized corporal punishment in Tennessee pursuant Tenn. Code Ann. § 49-6-4103 which provides "(A)ny teacher or school principal may use corporal punishment in a reasonable manner against any pupil for good cause in order to maintain discipline and order within the public schools." Additionally, Tenn. Code Ann. § 49-6-4104 provides that "(E)ach local board of education shall adopt such rules and regulations as it deems necessary to implement and control any form of corporal punishment in the schools in its district."

As you can see from the above referenced statutes, the use of corporal punishment in individual school districts, including public charter schools, is a matter of local school board policy. Any effort to prohibit the practice of corporal punishment in an individual

Tennessee public school or statewide could only be accomplished through legislative action. Because charter schools in Tennessee may develop their own discipline policies that may or may not be different from the chartering authority's policy, and the State Department of Education has no legal authority to intervene, the Department encourages you to continue working with the Memphis Academy of Health Sciences to resolve your concerns.

Inflammatory and Defamatory Accusations by *The Hitting Stops Here* organization

We take offense to the inflammatory and defamatory accusations being leveled at our school from the this organization. They have, in pursuit of their cause, found it necessary to insult our school, our staff, the greater Memphis community, the Memphis City Schools, the state of Tennessee, and our region of the country (the South). They have used profane language, incendiary comments, innuendo, and lies to intimidate and frighten our parents and students. They choose to use the very same tactics they accuse us of using on our students to make their point. They have shown utter disrespect for our school and community. While we respect any organization that passionately believes in their cause, no one has the right to forcefully impose their will upon others simply because they disagree with their methods of operation. We do not "beat" nor "humiliate" our children here at MAHS as they claim we do. Quite the contrary. We love and respect our students and believe that one of the best ways to demonstrate that love is to provide them a safe and orderly learning environment in which to learn, free of fear and intimidation. This organization chooses to use fear and intimidation as a tactical strategy to impose their will on us. We simply cannot respect that. We have a safe, orderly, and nurturing learning environment here at MAHS, and it will remain as such.

Conclusion

This issue has been incredibly distracting to our entire school family. MAHS will continue to work harder than ever to provide the kind of learning environment that our children can thrive in. That, however, begins and ends with providing our children with a safe and orderly environment. We are staunchly committed to that goal and will not relent on our efforts to provide such an environment. We will pursue those outcomes within the framework of the law and within the context of what we feel is in the best interest of our school and the families we serve.

This statement represents our complete response to this issue. We hope it is helpful.