

HOW SCHOOL PADDLING VIOLATES TITLE IX

What is Title IX?

Title IX is a federal law that was passed in 1972, as an amendment to the Civil Rights Act of 1964. Title IX prohibits sex discrimination in all schools (K-12 and college) that receive funds from the federal government. In practice, schools must avoid not only intentional favoritism toward one gender over the other in their treatment of students, but also any policies that *automatically* impact male students and female students differently to a significant degree—whether or not the difference in impact is intentional. Title IX also applies to cases of school sexual harassment.



What is school paddling?

Paddling is the standard form of school corporal punishment in the U.S, currently practiced by some schools in 21 states, including North Carolina. It involves striking a student with great force on the buttocks with a solid wood paddle in order to inflict pain. The paddle may have holes drilled through it to reduce wind resistance and thereby maximize the velocity with which it can be swung. Generally, the student being paddled is required to bend forward at the waist to receive the blows, often with their pelvis braced against a desk.

Is school paddling consistent with Title IX?

No, because it inherently impacts boys and girls differently. Unlike boys, girls who have entered puberty would have to reveal intimate personal information in order to avoid the chance of this punishment being unfairly compounded by menstrual discomfort, or of being a risk factor where there is the possibility of pregnancy or other female-specific vulnerabilities. Either the school callously and/or recklessly does not address such concerns when paddling girls (concerns which many students may be too embarrassed or intimidated to volunteer), or it intrusively does inquire about them.

Insofar as male principals are spanking female students, moreover, school corporal punishment runs counter to prevailing sexual harassment codes which bar male employers from spanking female employees (as students who are in the work force may be well aware). Young women in particular don't need these mixed messages

if they're going to be confident of their right not to be touched in certain places by men in authority. Nobody will dispute that the buttocks qualify as a sexual private area, or that paddling makes intensive contact with that area. Just because it's painful contact against someone who was caught breaking the rules doesn't make it less of a violation.

Have there been any documented cases where paddling had worse consequences due to the student being female?

There are at least two known incidents, one in Dunn, N.C. from 1981 and another in Scioto County, Ohio from 1997 (see online articles at

www.nospank.net/shelly2.htm and www.nospank.net/n-g84.htm).

What can be done about this violation of Title IX?

1. Contact and advise your school's Title IX Coordinator (which every school is required to have). The Title IX coordinator for Robeson County Schools is Mr. Walter Jackson (phone: 910-735-2231; email: jacksonw.psrc@robeson.k12.nc.us).
2. File a complaint with the Office of Civil Rights. For instructions, call OCR at 1-800-421-3481, or go the U.S. Dept. of Education's website at www.ed.gov/about/offices/list/ocr/docs/howto.html.

Who can make a Title IX complaint?

A complaint of discrimination can be filed by anyone who believes that an education institution that receives Federal financial assistance has discriminated against someone on the basis of race, color, national origin, sex, disability, or age. *The person or organization filing the complaint need not be a victim of the alleged discrimination, but may complain on behalf of another person or group.*

Is conflict with Title IX the only problem with school paddling?

Hardly! Learn more about its drawbacks and efforts to have it banned in North Carolina at www.nospank.net/bancp-nc.htm and www.thehittingstopshere.com.

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