

New Pupil Spanking Controversy Swirling Around Georgian

By AL KUETTNER
United Press International
Atlanta — (UPI) — There's a verse in the book of Proverbs that reads "Foolish-

ness is bound up in the heart of a child but the rod of correction shall drive it from him."
Another writer translat-

ed it this way: "Spare the rod and spoil the child."
In this modern age, however, teachers who translate this admonition to the posters of unruly school children often find themselves in a hornet's nest of public reaction — and sometimes in a law suit.

A new pupil spanking controversy is swirling around Leroy H. Fargason, 53, the principal of the public school at Taylorsville, Ga. (Enrollment 500).
Spanked Several Pupils
Since coming to the school in September, Fargason has spanked several pupils, including the son of Mayor M. J. Holstein. The mayor says the county school board will be asked to fire the principal. Fargason also has been charged with assault and battery for reddening the backside of a third grade pupil. The case is set for an April hearing.

"With me, spanking is a last resort," Fargason told a reporter. "Sometimes I go a year without any of it."
Fargason once used a hickory switch but gave that up for a broad flat paddle which, he says, "doesn't humiliate the child like a switch and doesn't hurt him much either."

Receives Strong Support
He said he has received strong support locally for his disciplinary action and the pupils involved "are behaving fine now." He said his mail also has backed his stand. A stock broker wrote he had three sons and had "rather see them spanked when they get out of line than become juvenile delinquents later."

"My problem here is that you just don't spank a Holstein and get away with it," Fargason said.

Like most other states, Georgia leaves the disciplining of school children up to local school boards. Only New Jersey has a state law banning corporal punishment.

Still Permit Spanking
Dr. Allen Smith, associate state school superintendent in Georgia, said most boards in his state still permit spanking. He viewed the main problem of school discipline this way:

"Many boards don't set clear regulations and teachers don't know where they stand. Teachers need to know that the rug is not going to be pulled from under them."

The Atlanta school system has a strict rule against corporal punishment, a rule not entirely acceptable to some school authorities.

Businessman Harold F. Jackson, a member of the school board, argues that "more children need discipline than are getting it."
"When I went to school in Atlanta, the language I understood best from my teacher was a peach tree switch. We need to get back to it."

Mourning Problem
The spotlight has been thrown recently on mourning school discipline problems in Washington, D.C., where the school board has refused to budge from its policy of no corporal punishment.

Dr. Carl Hansen, superintendent of schools in the nation's capital, has advocated lifting the ban and also wants an easier way to expel students.
Hansen said a written survey among 1,308 teachers showed that most have no desire to spank pupils.

Skeleton Found in Park Along River

Jackson county Sheriff's Deputy Lee Rice turned archaeologist Thursday when he investigated what appeared to be an Indian skeleton at the new Rogue river state park between Rogue River and Grants Pass.

The skeleton was found five feet under the soil. It was on its back with what appeared to be the remains of a shell necklace on its chest.

The skeleton was reported to the sheriff's office by Charles Richard Pierce, route 1, box 64A, Rogue River, one of the workmen doing some excavation at the park.

"Workmen at the park have been finding a lot of arrowheads in that area and we believe this is an Indian skeleton," Rice said. "The bones are under my desk if anyone wants to look at them," he added. "I will send them to Washington along with a skull found earlier."

PLACEMENT INCREASE
Salem — (UPI) — The Oregon State Employment Service reported a 10 per cent increase in job placements in February, compared to the same period a year ago.

but want to be relieved of the rule against it.

"It is high time to release public education from the pillory to which it has long been fastened and to define the purpose of education and the pupils' responsibility to make use of it," Hansen said.

Some Uncontrollable
"It is inevitable that some children will be so uncontrollable as to receive no benefit from school attendance."

Nine states — Virginia, Florida, Iowa, Massachusetts, Montana, Oklahoma, Pennsylvania, Texas and Vermont — have state laws or school codes specifically allowing teachers to spank pupils. North Carolina and Nevada have laws permitting but discouraging practice. Most states, however, simply rely on laws protecting children from mistreatment.

Massachusetts provides for "reasonable and moderate punishment, never to be excessive." Recently a

teacher was accused of grabbing a pupil and throwing him to the floor. A lower court found this to be excessive but a higher state court upheld the teacher.

Hawaii is one of several states requiring the presence of "another responsible adult" when a whipping is administered.

William Coulter, assistant superintendent of public education in Hawaii, said the "flat of the hand" or any other suitable instrument could be used but that an even more effective weapon of discipline had been found — withdrawal of student privileges.

While Iowa has no state law on the subject, the state supreme court has upheld reasonable corporal punishment necessary to maintain order in the classroom.

Judge Willard Dillard, a municipal court jurist who dismissed an assault case against a superintendent accused of slapping a 14-year-old boy, said that

many parents allow their children to "go loose" and if teachers cannot use proper discipline, "we might as well close up the schools."

In a number of states the courts have been inclined to rule in favor of the teachers and their parents. They base their thinking on an old-established principle known in the law as "In Loco Parentis" — the teacher standing in the place of the parents.

Courts in Alabama have ruled many times that teachers may punish children so long as there is no criminal intent, malice or excessive beating. Texas courts, which permit spankings that are not assaults, accept the fact that blood was drawn as evidence of assault.

New York state has an exception to its penal law against assault and battery to cover discipline. Teachers are allowed to "restrain or correct" pupils provided that the force used is "rea-

sonable in manner and moderate in degree."

Most states acknowledge that the pupils who need extreme measures of discipline make up a small percentage of the student body but often disrupt the entire class if not dealt with. In Washington, Hansen refers to the group as the "uncontrollable 1 per cent."

Teachers sometimes find themselves on the firing line, particularly when they try to enforce discipline in the upper grades.

A New York official recalled a case of some years ago when four 16-year-old pupils ganged up on a teacher who was not a big man and appeared to the youths to be no match for them. To their surprise the teacher, a former Golden Gloves champion, beat them all up.

The boys' parents appealed to the state education commissioner who dismissed the case on grounds the teacher had been under attack and simply defended himself.

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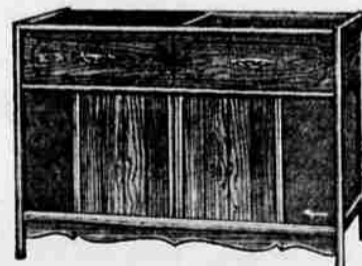
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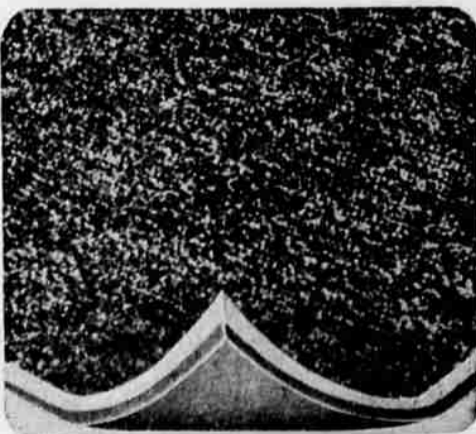
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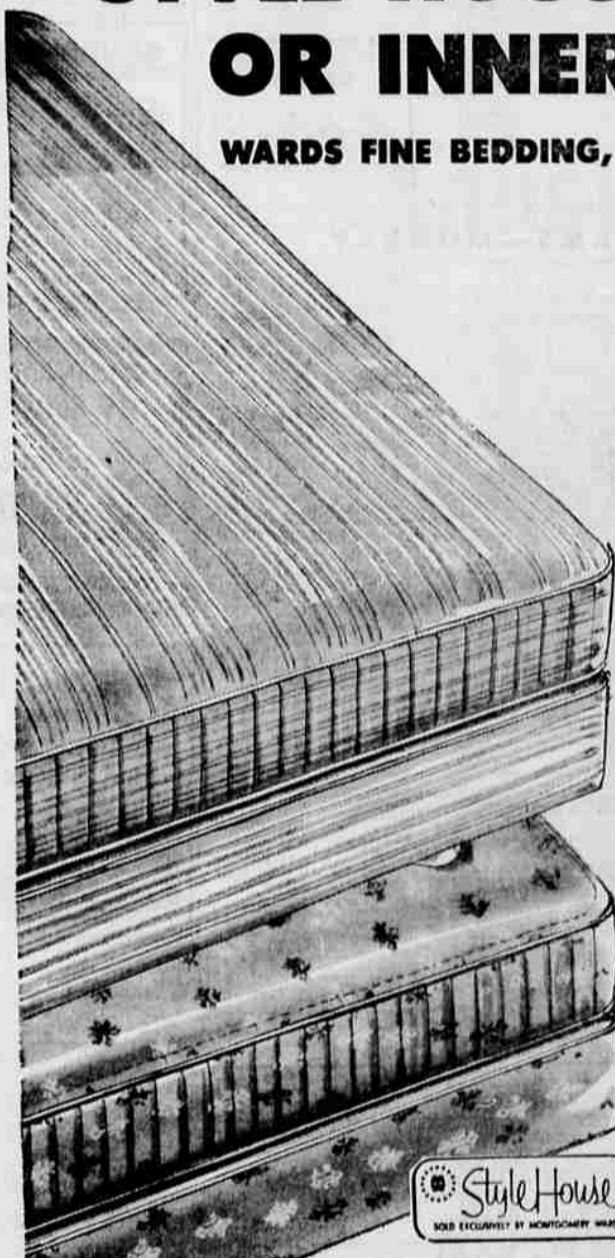
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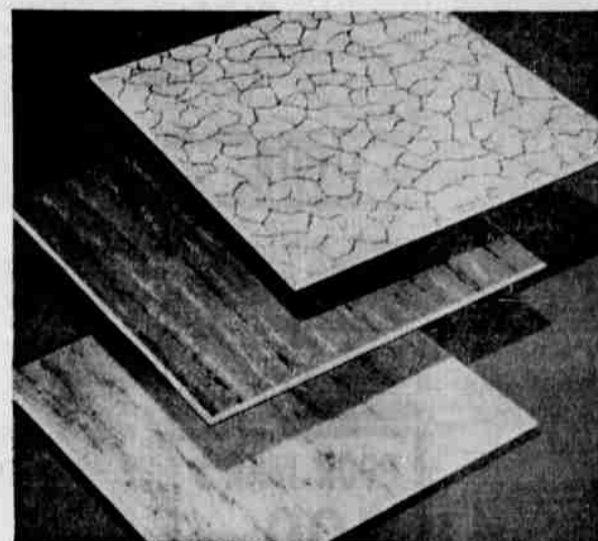
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