

PHYSICAL RESTRAINT: PHYSICAL CONFINEMENT AND DETENTION

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain.

School district employees, however, are not prohibited from:

- Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
 1. to quell a disturbance or prevent an act that threatens physical harm to any person.
 2. to obtain possession of a weapon or other dangerous object within a student's control.
 3. for the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3.
 4. for the protection of property as provided for in Iowa Code section 704.4 or 704.5.
 5. to remove a disruptive student from class or any area of school premises or from school-sponsored activities off school premises.
 6. to protect a student from the self-infliction of harm.
 7. to protect the safety of others.
- Using incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force and physical confinement should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force and confinement for the reasons stated in this policy:

1. the size and physical, mental, and psychological condition of the student;
2. the nature of the student's behavior or misconduct provoking the use of physical force;
3. the instrumentality used in applying the physical force;
4. the extent and nature of resulting injury to the student, if any;
5. the motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasons for physical force.

No district employee may use unreasonable or unnecessary force with a student. No district employee shall make physical contact with a student with the intent to harm or cause pain.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Ref.: Ingraham v. Wright, 430 U.S. 651 (1977).
Goss v. Lopez, 419 U.S. 565 (1975).
Tinkham v. Kole, 252 Iowa 1303, 110 N.W.2d 258 (1961).
Lai v. Erickson, PTPC Admin. Doc. 83-12 (1983).
 Iowa Code §§ 279.8; 280.21 (2013).

281 I.A.C. 12.3(6), .3(8); 103.
1980 Op. Att'y Gen. 275.

Cross Ref.: 402.3 Abuse of Students by School District Employees
504.3 Student Conduct Code

ADOPTED: 6/11/90
11/94
8/25/97
9/27/99
4/14/03
7/14/08
8/10/09

Reviewed: 7/97, 8/18/99, 3/6/03, 6/5/08, 6/4/09, 6/9/14, 1/3/19