

### **Physical Restraint**

In order to provide for the safety and security of all students, an employee may use reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:

- to quell a disturbance or prevent an act that threatens physical harm to any person;
- to obtain possession of a weapon or other dangerous object within a student's control;
- for the purposes of self-defense or defense of others as provided for in Iowa Code section 704.3;
- for the protection of property as provided for in Iowa Code section 704.4 or 704.5;
- to remove a disruptive student from class or any area of school premises or from school-sponsored activities off school premises;
- to protect a student from the self-infliction of harm;
- to protect the safety of others.

In addition, no employee is prohibited from using incidental, minor, or reasonable physical contact in order to maintain order or control.

Reasonable physical force should be commensurate with the circumstances of the situation.

The following factors should be considered in using reasonable physical force 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 means or method used in applying the physical force;
4. the potential of injury to the student which may result from use of physical force;

5. the motivation of the school employee using physical force.

The principal or designee shall attempt to notify a student's parent or guardian on the same day the student is subjected to physical restraint or physical confinement or detention, and will send written documentation within three school days.

It is the responsibility of the superintendent to develop administrative guidelines regarding this policy.

Note: Physical restraint should not be confused with corporal punishment. Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. This includes the use of unreasonable or unnecessary force or physical contact made with the intent to harm or cause pain.

Adopted: June 8, 2009  
Reviewed: May 6, 2014

Legal Reference:  
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 (2007)  
281 I.A.C. 12.3(6); 103.  
1980 Op. Att'y. Gen. 275

### **Administrative Guidelines for Use of Physical Restraint**

In implementing this policy, staff members will comply with the guidelines listed below.

1. Any physical force or contact employed in the restraint or detention of a student must be reasonable and necessary under the circumstances.
2. No employee shall inflict, or cause to be inflicted, any intentional physical (or corporal) punishment upon a student.
3. Corporal punishment does not include the following:
  - a. verbal chastisement directed at a student;
  - b. reasonable requests or requirements of a student engaged in activities associated with physical education class or extracurricular athletics;
  - c. activities consistent with and included in a student's individualized education program developed under the Individuals with Disabilities Education Act;
  - d. reasonable periods of detention, not in excess of school hours, or brief periods of before- and after-school detention, in a seat, classroom or other part of a school facility.
4. If a student is physically confined and detained in a "time-out room" or some other enclosure from which the student's egress is restricted, the conditions of the confinement must meet all requirements of Iowa Code 281-103.6.
5. The Iowa Department of Education's rules prohibit the use of prone restraint except in an emergency situation and the "public agencies" must take immediate steps to terminate the prone restraint, subrule 103.8(1).
6. The principal or designee shall attempt to notify a student's parent or guardian on the same day the student is subjected to physical restraint or physical confinement or detention.

7. The student's parent or guardian must be provided a written copy of the documentation relating to physical restraint, confinement, or detention as required by law postmarked within three school days of the occurrence. Reports of physical restraint, confinement or detention will also be filed with the superintendent or designee at the same time documentation is sent to parents/guardians.
8. While an employee may use reasonable and necessary force for the reasons outlined in this policy, it is expected that school employees, before using physical restraint or physical confinement and detention, shall receive adequate and periodic training, which shall be documented and include training relating to this policy, these guidelines, and applicable Iowa law. Training will include positive behavior interventions and supports, disciplinary alternatives to seclusion and restraint, crisis prevention and intervention, crisis de-escalation techniques, student and staff debriefing, and the safe and effective use of physical restraint and physical confinement and detention.
9. Guidelines for implementation will be reviewed annually and updated as necessary.