

EMPLOYEES AND CORPORAL PUNISHMENT OF STUDENTS

Corporal punishment of a student by any employee is prohibited. Corporal punishment means the intentional physical punishment of a student that is inflicted or caused to be inflicted by the employee.

Physical contact with the body of a student by an employee shall not be considered corporal punishment if it is reasonable and necessary under the circumstances and is not designed or intended to cause pain.

Employees may use reasonable and necessary force for the protection of the employee(s), or the student(s) in order to: (a) put an end to a disturbance or prevent an act of violence; (b) defend oneself or defend others; (c) remove a disruptive student from the classroom or another area of school premises; (d) remove a student from a school-sponsored activity that occurs off school premises; (e) protect a student from self-inflicted harm; (f) obtain the possession of a weapon or other dangerous object within the students control; or (g) protect property.

Using incidental, minor, or reasonable physical contact to maintain order and control is permitted but the employee shall consider: (a) size and the physical, mental and psychological condition of the student; (b) the nature of the students behavior or misconduct causing a need for using physical force; (c) the way in which the physical force may be applied; (d) the extent and nature of the resulting injury, if any, to the student; and (e) the motivation of the employee using physical force. Upon request, the student's parent/guardian shall be given an explanation of the reason(s) for using physical force.

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; 704.3; 704.4; 704.5 (1993).
18980 Op. Att'y Gen. 275.
281.IAC 12.3(8), 103.

Adopted: 12/20/94
Revised: 07/24/07
Reviewed: 01/10/00, 5/29/12, 9/26/16