

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 or 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 within the intent to harm or cause pain.

Legal Reference: Ingraham v. Wright, 430 U.S. 651 (1977)
Gross 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

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