

STUDENTS

Series 500

Policy Title: Corporal Punishment

Code No. 503.05

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. No employee is prohibited from:

- Using 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 pupil'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 pupil 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.
- Using incidental, minor, or reasonable physical contact to maintain order and 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 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 are given an explanation of the reasons for physical force. It is the responsibility of the superintendent to develop administrative regulations regarding this policy.

NOTE: A corporal punishment policy is no longer mandated. A policy addressing physical restraint of a student, however, is still mandated. This policy outlines when it may be appropriate for an employee to physically restrain a student. The policy does not need to be amended to reflect the new DE rules on physical restraint unless the board wants to go beyond the rules minimum requirements. For more detailed discussion of this issue, see IASB's Policy Primer, Dec. 4, 2008

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 (2011).

281 I.A.C. 12.3(8); 103.

1980 Op. Att'y Gen. 275.

Cross Reference:

402.03 Abuse of Students by School District Employees

502.00 Student Rights and Responsibilities

503.00 Student Discipline

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