



Frequently Asked Questions about Senate File 2360: Safe Classroom Learning Environments

This resource answers common questions from educators regarding [Senate File 2360](#) and [state guidance](#). The Iowa Department of Education (Department) anticipates this document will expand as it works through the rules writing process, the Therapeutic Classroom Grant, and development of standards and guidelines for response to classroom behavior. This represents the most current official position of the Department related to these questions and supersedes previous Department guidance on this topic. The Department will continue to review previous and new FAQs to include here and to ensure complete alignment with these responses. If your question is not answered in this resource, please email your question to barb.anderson@iowa.gov and we will update this list regularly.

Limitations on Classroom Clears

1. Do the limitations and requirements regarding classroom clears pertain to any setting? Can a classroom clear be used in a special education setting?

A. The restrictions on use of classroom clears pertains to all classrooms, general and special education, ages 3-21, when a child is served in a setting that is using public funds for educational purposes.

This list is non exhaustive and applies to:

- comprehensive school settings,
- alternative schools and programs,
- preschool programs that are operated by or under authority of a school district (i.e., Statewide Voluntary Preschool Programs in district and partner locations including community preschools, Head Start grantees, Shared Visions preschool programs operated by or under authority of a school district),
- agencies/schools/programs providing special education including early childhood special education services,
- non-traditional settings when the education is provided directly by a public school district or is provided through a contractual agreement by the public entity, including, but limited to, shelter or detention facilities, foster group care facilities, substance-abuse facilities, and PMIC facility,
- education provided in state-operated programs, state training school for boys, state mental health institutes, state resource centers, and
- adult correctional facilities, when students are provided a FAPE under Iowa Code Ch 256B.

This does not apply to:

- accredited non-public schools,
- private schools,
- exempt schools,
- special accredited college preparatory schools, or
- private residential facilities for children (defined under Iowa Code section 282.34/IAC 281 - 35) if the private residential facility is not contracting with the LEA where the facility is located

2. If a classroom clear is written in an IEP, does it need to be taken out immediately with formal processes?
 - A. The use of classroom clears should be discontinued immediately and removed from the individual's IEP as soon as reasonably possible. If a classroom clear was the only strategy provided in the IEP, the IEP team should meet as soon as possible to identify alternate strategies. The IEP may be changed through an amendment or IEP review process.
3. Can a classroom clear be part of a safety plan for a BIP?
 - A. No. A classroom clear may however be part of a building's response to an imminent threat of bodily injury as part of a school/district's crisis response plan. If a classroom clear is included within a school/district's crisis response plan, schools must also follow the additional requirements outlined in Senate File 2360.
4. Can any teacher clear a classroom? Should it be the classroom teacher or can a special education teacher also make that decision?
 - A. If there is an imminent threat, the adult who is responsible for the classroom or setting has the authority to take appropriate action to keep everyone safe.
5. Can a classroom clear be used when other means might escalate the situation and potentially result in bodily injury?
 - A. Yes, as long as the additional requirements outlined in Senate File 2360 are followed. Senate File 2360 does not preclude educators from using a classroom clear to prevent or terminate an imminent threat of bodily injury. However, when a student has a history of escalating social-emotional concerns, it is effective practice to have an instructional plan to support the learner in developing and using social-emotional skills. Additionally, if a classroom clear is implemented to prevent an imminent threat, it is important that strategies/supports to eliminate or reduce the likelihood of recurrence are included in the plan developed by the school and parent/s.
6. Can schools use a classroom clear when a student has a health issue?
 - A. This legislation does not address/alter the emergency procedures a school/district may use in the event of a medical emergency/health related situation. Schools may use a classroom clear to preserve a student's dignity/privacy in the event of a medical emergency and/or health issue.
7. How does a classroom clear fit within a school/district crisis response plan?
 - A. This legislation does not specifically address school/district crisis response plans. If a classroom clear is included within a school/district's crisis response plan, schools must also follow the additional requirements outlined in Senate File 2360.
8. What alternatives might a teacher use when a student's behavior is not an imminent threat of bodily injury, but is severely disruptive, verbally aggressive and/or disrespectful and the student refuses to leave the classroom? (e.g., student is repeatedly swearing at the teacher and continues being verbally aggressive).
 - A. Over the next year, the Iowa Department of Education will be developing, establishing, and distributing standards, guidelines, and expectations for appropriate and inappropriate response to classroom behavior that poses an imminent threat of bodily injury.

Response to Classroom Clear

1. I understand that the principal must request a meeting with the parent/guardian of the student whose behavior caused the classroom clear. In the event the learner has an IEP and/or BIP, does the classroom teacher need to call the parent to request a meeting or could the principal do this when they contact the parent?
 - A. When the student has an IEP and/or BIP it is the teacher's responsibility to request and participate in a meeting to review and consider revisions to the IEP and/or BIP. The process for requesting a meeting may vary by school/district. The classroom teacher should follow the procedures established by their school/district. When the learner has an IEP, educators must also follow due process procedures for providing meeting notice.
2. After a classroom clear, which parents must be invited to attend a meeting?
 - A. The principal must request a meeting with the parent/s of the student whose behavior caused the classroom clear. This applies to both students with and without an IEP and/or BIP.
3. Must a parent attend the meeting that the principal requests following a classroom clear? Can they decline to participate?
 - A. The parent may choose not to attend. However, when the student has an IEP and/or BIP the school must move ahead to consider revisions to the IEP and/or BIP. Additionally, when the student has an IEP, the school must follow IEP procedures to document efforts to invite the parent and inform them of proposed changes to the IEP and/or BIP.
4. In regards to meeting requirements following a classroom clear, does the request for a meeting keep the student out of school until the meeting occurs? Can a student attend while the meeting is being set up?
 - A. This legislation does not address/alter disciplinary actions or school policies on suspension/expulsion. Additionally, schools must ensure a student shall not be suspended or expelled if the suspension or expulsion would violate the federal Individuals with Disabilities Education Act. See also IAC 281-41.530(5).

Annual Reporting

1. What is the limit or definition of property damage?
 - A. Property damage must be the result of violence and must be intentional not accidental (e.g., cell phone falling on the floor and breaking). This legislation is not intended to document/report minor incidents of property damage such as kicking a ball into the street, breaking your pencil and/or tearing up your own paper. Further guidance in defining property damage will be addressed as part of data-collection for reporting and rule writing.
2. What is the limit or definition of injury?
 - A. Injury has been defined in other comparable situations as:
 - intentional. It must be on purpose and may not be accidental, AND
 - physical. It must be an injury to a person's body. Mental or verbal insult is not covered by this definition, however may be reportable under bullying legislation, AND
 - apparent 24 hours after the incident and may include damage to any bodily tissue to the extent that the tissue must undergo a healing process in order to be restored to a sound and healthy condition. If it is sore or bruised after 24 hours report it. Example: A student who was pushed up against a locker and still has back pain 24 hours later even though there is no visible sign of injury.

3. Will the IDOE provide a form for districts to document incidents of violence that result in injury, property damage or assault and incidents of referral or transfer to a therapeutic classroom?
- A. During 2020-2021 districts should keep a record of these incidents in preparation for reporting to the IDOE during spring BEDS. The data elements required for spring BEDS reporting can be found in [Reporting Requirements for Senate File 2360](#).
4. For annual reporting of violence and referral/transfer to a therapeutic classroom, who reports incidents involving out-of-district/open enrolled students?
- A. During 2020-2021 districts should document all incidents that occur in a school building, on school grounds, or at a school-sponsored function by students attending school in the district. Attending students includes all students who are actively attending school, suspended and/or expelled during the reporting school year. Below are a set of examples:

Example #	Location of Incident	District Perpetrator/s Attend	District Victim/s Attend	District Who Reports
Example 1	In a school building/on school grounds of District A	District A	District A	District A reports the incidents of perpetrators and victims that attend their district.
Example 2	In a school building/on school grounds of District A (e.g., at a school sponsored sporting event between District A and B)	District A	District A	District A reports the incidents of perpetrators and victims that attend their district.
		District B	None	District B reports the incidents of perpetrators who attend their district.
Example 3	School sponsored function (e.g., tournament at the event center where District A and District B are competing).	District A	District A	District A reports the incidents of perpetrators and victims that attend their district.
		District B	None	District B reports the incidents of perpetrators who attend their district.
Example 4	School sponsored function (e.g., tournament at the event center where District A and District B are competing).	District C (a student spectator)	District B	District B reports their victim. District C reports nothing as this event was not a school sponsored event for District C.
Example 5	School sponsored function (e.g., tournament at the event center where District A and District B are competing).	District A (student spectator)	District A	District A reports the incidents of perpetrators and victims that attend their district as this is a District A sponsored event.
		District B (student athlete)	District A	District B reports the incidents of perpetrators who attend their district. District A reports the incidents of victims that attend their district.

Example #	Location of Incident	District Perpetrator/s Attend	District Victim/s Attend	District Who Reports
Example 6	In a school building/on school grounds of District A. (e.g., nonstudent injures a student on school grounds)	Nonstudent	District A	District A reports the incident of the victim that attends their district. They do not report the perpetrator as they are not an attending student.
Example 7	In a school building/on school grounds of District A. (e.g., student injures nonstudent on school grounds)	District A	Nonstudent	District A reports the incidents of the perpetrator that attends their district. They do not report the victim as they are not an attending student.

Therapeutic Classrooms

1. What are the features/characteristics of a therapeutic classroom?
 - A. "Therapeutic classroom" means a classroom designed for the purpose of providing support for any student whose emotional, social, or behavioral needs interfere with the student's ability to be successful in the current educational environment, with or without supports, until the student is able to successfully return to the student's current education environment, with or without supports, including but not limited to the general education classroom. Critical features of a therapeutic classroom will be provided through the grant application process.
2. Do these therapeutic classrooms need to be "new" classrooms? If we started one this year, could we apply?
 - A. The therapeutic classroom grant incentive fund is for the establishment of therapeutic classrooms. While more guidance will be provided through the grant application process, it is recognized that a district may currently have a classroom that they are developing into a therapeutic classroom. In this case, they may apply to the grant to seek funds to develop and put in place critical therapeutic classroom components.

General Questions

1. Does Senate File 2360 influence the disciplinary actions a school may take when there is a serious injury due to violence?
 - A. This legislation does not address disciplinary action. Whether a student is suspended and/or expelled or not as a result of a serious injury is dependent on state law and local board policy.
2. Can assault charges be filed by a victim's family if the assault results in injury?
 - A. This legislation does not address/alter disciplinary actions or school policies on suspension/expulsion/legal action. It does not affect the ability of a victim, or victim's family from taking legal action.
3. Does this Senate File change any types of training procedures such as CPI (Crisis Prevention Institute)?
 - A. When selecting crisis response training, please collaborate with the vendor to ensure training follows legal requirements. The IDOE does not have authority to require such vendors to align resources/training materials.

4. What is the definition of “bodily injury” as it relates to classroom clears and a “threat of bodily injury”?
 - A. “Bodily injury” means physical pain, illness, or any other impairment of physical condition.