



## Top 10 Points About Chapter 103

### Amended Administrative Rules on Corporal Punishment, Physical Restraint, Seclusion, and Other Physical Contact with Students (Effective January 20, 2021)

**Purpose:** The State of Iowa amended its rules on corporal punishment, physical restraint (restraint) and physical confinement and detention (seclusion) in educational settings. The changes apply to employees of local public school districts, AEAs, and accredited nonpublic schools, and the children these employees serve. Incorporated within [Chapter 103](#), these changes are intended to:

- Promote dignity, care, safety, welfare, and security of each child and school community.
- Encourage the use of proactive evidence-based strategies to reduce the occurrence of challenging behaviors.
- Increase instructional time for all students and improve student achievement.

This resource highlights the Top Ten changes to Chapter 103 and includes guidance, key points, and a list of definitions (see [Appendix](#)). These guidelines are not intended to replace or supplant the legislative language of Chapter 103, nor are they a substitute for legal advice. Boards of schools or AEAs may adopt its own policies, but only if they **EXCEED** the minimum requirement of Iowa Rules.

#### 1. Continues Ban from Use

Corporal punishment, prone restraint, and mechanical restraints are banned.

- Corporal punishment** is “The **intentional** physical punishment of a student,” including “the use of **unreasonable** or unnecessary physical force, or physical contact made with the **intent** to harm or cause pain.”
- Prone restraint** is, “Any restraint in which the child is held face down on the floor.” Safe use of restraint does not include any restraint that restricts the student’s airway.
- Mechanical restraints**, previously known as material restraints, include misusing physical devices that are meant for safety, therapy, or another purpose (e.g., you may not use a Rifton chair to control a child’s misbehavior nor for discipline purposes).

#### 2. Adds Training Requirements

**Prior to using Physical Restraint or Seclusion, staff training must be provided.** Training is provided for:

- Staff who will, or who are likely to, have contact with a student(s) who may be restrained or secluded.
- Substitutes who may fill in for these roles. They must, at the minimum, be offered the training.

Training content must include:

- Understanding the law – Chapter 103 and employer’s policies, including documentation and

debriefing policies

- b. Duties and responsibilities of local responders (e.g. crisis team and other responders), and the techniques, strategies and procedures used by responders; and
- c. Research-based alternatives to physical restraint and seclusion;
  - Positive behavior interventions and supports and evidence-based approaches to student discipline and classroom management; and
  - Crisis prevention, crisis intervention, crisis de-escalation techniques.
- d. Safe, effective use of seclusion and/or restraint

### 3. Requires Prevention Practices

**Chapter 103 indicates that evidence-based practices are an important part of supporting student social-emotional-behavioral health and well-being.**

- a. Evidence-based practices are expected to be used proactively during behavior incidents and during debrief processes to reduce or eliminate the need for further seclusion and restraint.
- b. Consider professional learning that includes evidence-based practices related to therapeutic classrooms (*rules pending*).
- c. Although seclusion and restraint and classroom clear may be deemed necessary options to ensure the safety of students and staff, they are not considered evidenced-based practices for the development of social-emotional-behavioral health and per [IC 256B.2 \(3\)](#), classroom clear cannot be included in a student's Individualized Education Program or behavior intervention plan.
- d. Evidence-based practices include:
  - Implementation of a tiered system of supports to promote and address positive classroom behavior management,
  - Strategies that teach alternative behaviors that meet the student's needs based on the function of behavior,
  - Prevention strategies such as violence prevention, school climate work, and positive behavior supports,
  - Relationship building and intentional instruction in social-emotional learning, and
  - De-escalation and crisis response strategies.

### 4. Describes the Rare Use of Reasonable and Necessary Force

**Although rare, necessary and reasonable force are permitted under specific circumstances.**

- a. Both necessity and reasonableness must be weighed when using seclusion and restraint.
- b. *Necessary and reasonable* are defined by the context of the event (necessity), factors such as the size and physical, mental, psychological condition of the student, and instrument or degree of force (reasonable).
  - For example, when a behavior produces a situation where there is an imminent threat of bodily injury it may be reasonable and necessary to use restraint.
  - It is not reasonable or necessary to use restraint to stop a student from tearing up a paper, particularly when the disruption is fleeting or when less physical means of de-escalation have not been attempted.

- c. Force, as a term used in the law, requires the consideration of many factors and should be one of the last resorts in dangerous situations.
- d. To read about the specifics of this portion of the law, go to "[IAC 281.103.5\(256B,280\)](#) Use of reasonable and necessary force" directly.

## 5. Limits Physical Restraint

**In the rare occurrence when physical restraint is absolutely necessary, it may only be used as long as is needed.**

- a. To allow the student to regain control of their behavior,
- b. For the threat or behavior necessitating restraint to pass, or
- c. When a medical condition occurs that puts the student at risk of harm.

**Restraint beyond 15 minutes shall only be permitted by approval** from an administrator or administrator's designee; and **additional approval must be obtained every 30 minutes thereafter.**

## 6. Adds Specifications to Seclusion Rooms

**When using seclusion, the room must be dedicated for this purpose.** It shall be of adequate width, length, and height to allow the student to move about and recline safely and comfortably, considering the age, size, and physical and mental condition of the student being secluded.

- a. The room must be of **adequate size** (no less than 56 square feet and no less than 7 feet across opposing walls), sufficient light, adequate ventilation, and temperature similar to the **rest of the building**.
- b. The room must meet and comply with all applicable building, fire, safety, and health codes and standards. Local fire inspector approval is recommended. If the local fire inspector is not available, an external inspector with relevant knowledge or experience may be a reasonable alternative.
- c. The room may not contain furniture, loose or removable furnishings, or any items that could potentially cause harm/self-harm to the student.
- d. Door latches must be non-locking and allow for easy exit if pressure is released. Latches or locks may not be disabled by duct tape or chairs; No keyed locks.
- e. Additional room requirements are listed in [IAC 281.103.9](#)

## 7. Describes Seclusion Time Parameters

**Seclusion beyond 15 minutes requires approval from an administrator.** Additional approval from an administrator or administrator's designee must be obtained every 30 minutes thereafter.

- a. Periods of confinement should be reasonable and allow for bodily needs.
- b. Adequate and continuous adult supervision is necessary. Supervision includes visual and/or auditory monitoring that provides for student safety and allows immediate adult response to student needs and behavior.
- c. Seclusion does not include when a school employee is providing services to a child such as 1:1 instruction or crisis intervention.

## 8. Updates Parental Notification Timelines and Content

**Notice to Parents must be given as soon as practicable and a Written Documentation Report provided within 3 days.**

- a. If restraint or seclusion is used with a student, parents must be notified as soon as practical, within 1 hour, or by the end of the school day, whichever occurs first, using the information provided in emergency contacts.
- b. Documentation requirements per incident are outlined in [IAC 281.103](#)
- c. The school must mail the letter and report to the parent by first-class mail, postage prepaid, postmarked by the end of the third school day after the occurrence.
- d. A Written Documentation Report must include an invitation to Debrief Meeting and be provided to the parent no later than three days after the incident. See 103.8(2a-l) for the required contents of the Documentation Report.

## 9. Updates Timelines and Content for Seclusion Room Debriefing and Report

**A Debrief Meeting will be held within 5 days of the mailing of the Written Report.**

- a. The meeting must be held after an initial incident of Seclusion and/or Restraint, every subsequent seven incidents, and/or as agreed upon between school and parents (e.g. monthly). In addition, a debrief meeting shall be held in the instance of:
  - Injury,
  - Request by an educator, or
  - Request by the IEP team (If any)
- b. The parent may choose to receive the report electronically.

**Debriefing Report must include:**

- a. Date and location of meeting; Names and titles of participants
- b. As applicable, a review of the student's IEP, IHP, BIP and Safety Plan
- c. The Documentation Written Report including student and adult actions/behaviors prior, during and after the seclusion and/or restraint.
- d. Identification of patterns of behavior (if any) by the student and staff.
- e. Identification of possible alternative responses to seclusion and/or restraint (e.g., de-escalation strategies, appropriate responses related to function of behavior, staff and student positioning, offering choices, limited directions/adult verbal, reduced demands).
- f. Identification of possible resources for using alternative responses to Seclusion and/or restraint.
- g. Follow-up actions and steps (e.g., behavior assessments, BIP revisions, medical consultation).

## 10. Requires Annual Reporting

**An annual report of all instances of seclusion or restraint and an annual count of the number of students who were subjected to seclusion or restraint will be provided to the Iowa Department of Education through Spring BEDS reporting.**

## Appendix: Definitions for Chapter 103

**Bodily Injury:** physical pain, illness, or any impairment of physical condition.

**Corporal Punishment – Prohibited:** intentional physical punishment of a student; includes the use of unreasonable or unnecessary physical force, or physical contact made with the intent to harm or cause pain.

**Mechanical Restraint – Prohibited:** the use of a device as a means of restricting a student’s freedom of movement. Does not include therapeutic devices, car-seats, adaptive devices or mechanical supports to allow greater freedom of movement.

**Prone Restraint – Prohibited:** any restraint in which the child is held face down on the floor or the airway is restricted.

**Debriefings – Goal is to improve future outcomes:** meetings to collaboratively examine and determine what caused an incident(s) resulting in the use of physical restraints or seclusion or both could have been avoided and how future incidents could be avoided and to plan and implement positive, preventative supports.

**Physical Restraint – Safety:** personal restriction that immobilizes or reduces the ability of a child to move the child’s arms, legs, body or head freely.

**Reasonable and Necessary Force:** is that force **“And No More”** which a reasonable person would judge to be necessary under the circumstances that existed at the time, that is not intended to cause pain, and that does exceed the degree or duration required to accomplish the purposes set forth in rule 281--103.5 (256B,280).

**Seclusion Room:** room, area, or enclosure, whether within or outside the classroom, designated for seclusion.

**Seclusion – Involuntary:** confinement of a child in a seclusion room or area from which the child is prevented or prohibited from leaving; preventing a child from leaving a classroom or school building is not considered seclusion.

**Seclusion does not include** instances when a school employee is present with the room and providing services to the child, such as crisis intervention or instruction.

**Parent:** also includes an individual authorized to make decisions for the child pursuant to a power of attorney for temporary decisions of custody or for making educational decisions.