

ROSEVILLE AREA SCHOOLS
Independent School District No. 623

**Regulations 576 – Use of Peace Officers and Building Crisis Teams to Remove Students
With IEPs From School Grounds**

- 1.0 The purpose of these regulations is to describe the legal requirements and considerations to implement District Policy 576.
- 2.0 Definitions – For purposes of implementing District Policy 576, the following terms have the meaning given them in this section:
 - 2.1 “Building crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
 - 2.2 “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual family service plan (IFSP).
 - 2.3 “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
 - 2.4 “School Resource Officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
 - 2.5 The phrase “remove the student from school grounds” may include the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located. This definition applies only to removal by peace officers or crisis teams and does not apply to removal by school employees. The use of restrictive procedures by school staff including securing the person of a student with an IEP is governed by the school district’s restrictive procedures plan and by applicable state law.
 - 2.6 “Emergency” means a situation where immediate intervention is needed to protect a student or other individual from physical injury or to prevent severe property damage.

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- 2.7 “Physical holding” means physical intervention intended to hold a child immobile or limit a child’s movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.
 - 2.8 All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.
- 3.0 Removal of Students with IEPs From School Grounds
- 3.1 Removal By School Resource Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, a building administrator may request that the school resource officer or a peace officer remove the student from school grounds in accordance with Policy 520: Student Discipline, state and federal laws. If a student with an IEP is removed from a classroom, school building or school grounds by a peace officer at the request of a school administrator during the school day twice in a 30-day period, the student’s IEP team must meet to determine if the student’s IEP is adequate or if additional evaluation is needed.
 - 3.2 Removal By Building Crisis Team
 - 3.2.1 If a student with an IEP engages in behavior that endangers or may endanger the health, safety, or property of the student, other students, school personnel or school property, a county crisis team, if available, may be summoned. The building crisis team may refer to the student’s IEP or behavior intervention plan if available or may use other lawful means to de-escalate the student’s behavior. If a student with an IEP is removed from a classroom, school building, or school grounds by a county crisis team in collaboration with the school administrator during the school day twice in a 30-day period, the student’s IEP team must meet to determine if the student’s IEP is adequate or if additional evaluation is needed.
- 4.0 Prohibited Actions
- 4.1 In removing a student with an IEP from school grounds, peace officers or crisis team members are prohibited from engaging in the following conduct:
 - 4.1.1 Corporal Punishment prohibited by Minn. Stat. § 121A.58;
 - 4.1.2 Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain;

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- 4.1.3 Totally or partially restricting a child’s senses as punishment;
 - 4.1.4 Denying or restricting the student’s access to equipment and devices such as walkers, wheelchairs, hearing aids and communication boards that facilitate the student’s functioning except when temporarily removing the equipment or device is needed to prevent injury to the student or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible;
 - 4.1.5 Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
 - 4.1.6 Physical holding (as defined in Minn. Stat. § 125A.094)
- 5.0 SROs, police or security officers shall not be responsible for school discipline issues. They shall be responsible only for responding to serious criminal law matters where it is mandated by law that such offenses be referred to the criminal justice system. Absent a “real and immediate” threat of serious physical injury to a student, teacher, or other member of the community, school discipline issues must be handled by school personnel and not by SROs, police, security officers or other law enforcement.
- 6.0 Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts’ progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

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