

## **PROCEDURE 532 – USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS FROM SCHOOL GROUNDS**

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### **I. Definitions**

For purposes of this policy, the following terms have the meaning given them in this section:

#### **A. Student with an IEP**

A student with an IEP means a student who is eligible to receive special education and related services pursuant to the terms of an individual education program (IEP) or an individual interagency intervention plan (IIIP).

#### **B. Peace Officer**

A 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.

#### **C. School Resource Officer**

A 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.

#### **D. Crisis Team**

A crisis team means crisis services that may be available in accordance with an agreement regarding procedures to coordinate crisis services for Hennepin County implementing the Minnesota Children's Mental Health Act.

#### **E. Remove the Student from School Grounds**

The phrase remove the student from school grounds is the act of securing the person of a student and escorting that student from the school building or school activity at which the student is located.

#### **F. Other**

All other terms and phrases used in this policy and procedures will be defined in accordance with applicable state and federal law or ordinary and customary usage.

### **II. Removal of Students from School Grounds**

#### **A. Removal by Crisis Team**

If the behavior of a student endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the Site Administrator may summon a county crisis team if one is available. If the student is a student with an IEP, the site leader may provide the student's IEP or behavior intervention plan to the Crisis Team. The Crisis Team may attempt to de-escalate the

student's behavior through any legal means. If such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

B. Removal by School Resource Officer or Peace Officer

If a student engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, members of the county crisis team, building administrator, or the building administrator's designee, may request that the school resource officer or a peace officer remove the student from school grounds.

C. Reporting a Crime

1. Whether or not a student engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student to appropriate authorities.
2. If the school district reports a crime committed by a student, school personnel will transmit copies of disciplinary records and, if applicable, relevant special education records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and Policy 515 - Protection and Privacy of Education Records.

D. Reasonable Force Permitted

In removing a student from school grounds, a building administrator, crisis team members, or the school resource officer or other agents of the school district, may use reasonable force when it is necessary under the circumstances to correct or restrain a student who, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property.

In removing a student with an IEP from school grounds, school resource officers and school district personnel shall not use the prohibited procedures listed in Policy 543 - The Use of Regulated Conditional Procedures as Behavioral Interventions with Special Education Students.

E. Parental Notification

The building administrator or designee will make reasonable efforts to notify the student's parent/guardian of the student's removal from school grounds as soon as possible following the removal.

F. Continued Removal of a Student with an IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or Individual Interagency Intervention Plan. If a student with an IEP is removed from a classroom, school building, or school grounds during the school day by a county crisis team or school resource officer at the request of a school administrator or school personnel twice in a

thirty (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.

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***Legal References***

20 U.S.C. 1415(k)(9) (Individuals with Disabilities Education Act (IDEA))  
34 C.F.R. 300.529 (IDEA Regulation Regarding Involvement of Law Enforcement)  
20 U.S.C. 1232g et seq. (Family Educational Rights and Privacy (FERPA))  
M.S. 13.01, et seq. (Minnesota Government Data Practices Act)  
M.S. 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
M.S. 121A.582 (Student Discipline; Reasonable Force)  
M.S. 121A.61 (Discipline and Removal of Students from Class)  
M.S. 121A.67 (Aversive and Deprivation Procedures)  
M.S. 125A094-.0924 (Restrictive Procedures for Children with Disabilities)  
M.S. 245.487-.4889 (Children's Mental Health Act)  
M.S. 609.06 (Authorized Use of Force)  
M.S. 609.379 (Permitted Actions)

***Cross References***

District Policy 506 (Student Discipline)  
District Policy 507 (Corporal Punishment)  
District Policy 515 (Protection and Privacy of Education Records)  
District Policy 543 (The Use of Regulated Conditional Procedures as Behavioral Interventions with Special Education Students)

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