

USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPs)

I. PURPOSE

The purpose of this policy is to establish guidelines governing the use of peace officers and crisis response personnel when removing a student with an Individualized Education Program (IEP) from school premises due to behavioral or safety concerns.

Augsburg Fairview Academy is committed to ensuring that students with disabilities are treated with dignity and respect and that responses to behavioral incidents are consistent with federal and state law governing students with disabilities.

II. GENERAL STATEMENT OF POLICY

Augsburg Fairview Academy will use positive behavioral supports, de-escalation strategies, and other appropriate interventions to address behavioral concerns involving students with disabilities.

The use of peace officers or external crisis response personnel to remove a student with an IEP from school shall occur only when necessary to protect the safety of the student or others and when less restrictive interventions have been unsuccessful or are not feasible.

The school shall ensure that actions involving students with disabilities comply with applicable special education laws and do not deny the student a free appropriate public education (FAPE). The school shall not use law enforcement or crisis response personnel in a manner that circumvents procedural protections afforded to students with disabilities.

III. DEFINITIONS

A. Student with an Individualized Education Program (IEP): A student who has been determined eligible for special education services and has a current Individualized Education Program developed in accordance with the Individuals with Disabilities Education Act (IDEA).

B. Peace Officer: A licensed law enforcement officer as defined under Minnesota law who is authorized to enforce criminal laws and maintain public safety.

C. Crisis Response Personnel: Professionals trained to respond to behavioral health or safety crises, which may include crisis intervention teams, mobile crisis response teams, or other emergency responders.

D. Removal: Removal is the act of requiring a student to leave school premises or a school activity due to behavior that presents a safety concern or significant disruption. For purposes of this policy, removal refers specifically to physical removal from school premises by external personnel and does not replace disciplinary definitions under applicable law.

IV. LIMITATIONS ON USE OF PEACE OFFICERS OR CRISIS TEAMS



Augsburg Fairview Academy shall not use peace officers or crisis response personnel as a routine disciplinary measure for students with disabilities. Any use of restrictive procedures shall comply with Minnesota law and be limited to emergency situations as defined in statute.

Peace officers or crisis response personnel may be contacted only when:

1. a student's behavior presents an immediate threat to the safety of the student or others;
2. the behavior cannot be safely managed through school-based interventions;
3. the situation constitutes a medical or behavioral health emergency; or
4. the school reasonably believes that outside assistance is necessary to restore safety.

Whenever possible, school staff should first attempt appropriate interventions, including:

- de-escalation strategies,
- behavioral supports,
- consultation with special education staff,
- contacting a parent or guardian, or
- accessing available school support resources.

De-escalation and positive behavioral interventions shall be the primary response to behavioral incidents whenever feasible.

V. CONSIDERATION OF THE STUDENT'S IEP

When responding to behavioral incidents involving students with IEPs, school staff shall consider:

1. the student's disability and behavioral needs;
2. the behavioral supports identified in the student's IEP or Behavior Intervention Plan (BIP);
3. whether the student's behavior may be a manifestation of the student's disability; and
4. whether additional supports or interventions are needed.

If removal of a student with an IEP occurs, the school may review the student's IEP to determine whether modifications or additional supports are necessary. If the removal results in a disciplinary change of placement, the school shall conduct a manifestation determination review in accordance with applicable law.

VI. PARENT OR GUARDIAN NOTIFICATION

If a student with an IEP is removed from school premises by a peace officer or crisis response personnel acting in their official capacity, Augsburg Fairview Academy shall make reasonable efforts to notify the student's parent or guardian as soon as possible.

The school shall document the circumstances of the incident and maintain appropriate records consistent with applicable privacy laws.

VII. POST-INCIDENT REVIEW



When a student with an IEP is removed from school due to a behavioral or safety incident, the school may conduct a review to determine whether additional supports or interventions are necessary.

This review may include:

- consultation with the student's IEP team,
- review of behavioral supports,
- consideration of additional interventions or services, and
- planning to prevent recurrence of similar incidents.

VIII. STAFF TRAINING

Augsburg Fairview Academy shall provide training for appropriate staff regarding:

- positive behavioral interventions and supports,
- de-escalation techniques,
- responding to behavioral crises,
- the legal protections for students with disabilities, and
- appropriate use of external emergency responders.

IX. DATA PRIVACY

Information regarding incidents involving students with disabilities shall be maintained in accordance with Minnesota data privacy laws and school policy.

Student educational data shall be protected under Minn. Stat. §13.32 and may only be disclosed as permitted by law.

X. RESPONSIBILITIES

A. Executive Director: The Executive Director or designee is responsible for implementing this policy and ensuring compliance with applicable laws governing students with disabilities.

B. School Staff: School staff shall follow this policy when responding to behavioral incidents involving students with disabilities and shall prioritize safe, supportive, and legally compliant interventions.

XI. LEGAL REFERENCES

- Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.)
- Minn. Stat. §125A.0941 – Restrictive Procedures Definitions
- Minn. Stat. §125A.0942 – Restrictive Procedures
- Minn. Stat. §13.32 – Educational Data Privacy