| Document ID  **403** | Title  **REMOVAL OF STUDENTS WITH IEPS** | Effective Date  **12/20/2021** |
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1. **PURPOSE**
   1. The purpose of this policy is to set forth provisions related to the removal of students with IEPs from school.
2. **GENERAL STATEMENT OF POLICY**
   1. NEW MILLENNIUM ACADEMY (NMA) expects all students to be in school so that learning can occur. However, when the behavior of a student endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school staff may remove the student from school grounds or may request that police remove the student from school grounds.
3. **PARTICULAR PROVISIONS**
   1. School personnel may report a crime committed by a student with an IEP to appropriate authorities in the same manner that school personnel would report a crime committed by a student without an IEP.
4. **LEGAL REFERENCES**

20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA)

34 C.F.R. § 300.535 (Referral to Law Enforcement and Judicial Authorities)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)

Minn. Stat. § 121A.67 (Removal of Student with IEP by Peace Officer)

Minn. Stat. § 609.06 (Authorized Use of Force)

Minn. Stat. § 609.379 (Permitted Actions)

Minn. Stat. § 124E.03 (Charter Schools – Applicable Law)

Minn. Stat. § 124E.11 (Charter Schools – Admission Requirements)

Minn. Stat. § 125A.091-092 (Restrictive Procedures for Children with Disabilities)