

March 22, 2024

Dear Dakota County Legislators,

I am writing to express my concerns regarding the legislative movement to end seclusion for all students in Minnesota. I understand the intent behind such a proposal, and agree that there is a need to examine current practices, but I believe that an immediate blanket ban on seclusion may inadvertently harm both students and educators. As a Special Education Administrator I have worked in our most restrictive environment, a federal setting 4 school for the last 12 years. There are no other educational placements within our school district for the students we serve, and at Dakota Ridge we pride ourselves on “figuring out” how to help every student find success at school. For a student who has experienced significant trauma and physical abuse the worst thing we can do is physically restrain them, yet we must keep them safe. Keeping them safe is far more complex than it sounds. This looks like moments of mental health crisis including attempts to run into traffic, eloping or the use of objects to harm themselves or others. Through knowing our students and their stories we determine as teams when it is appropriate to consider the use of seclusion and we educate students on how to use the tools and skills we teach them to calm and regulate in a safe space. Once students have calmed we are able to enter these spaces with them, continue to co-regulate and utilize our strong relationships to help them move past the moment of crisis and find success as a student.

When used appropriately and as a last resort, seclusion can be a necessary tool to ensure the safety of students and staff in situations where behaviors pose an immediate risk of harm. It is crucial to recognize that every student is unique, and their individual needs and challenges must be addressed with a range of interventions and support strategies. By completely eliminating seclusion as an option, we risk:

- Escalated conflicts and increased risks to the safety of students and staff;
- Increased use of physical restraints with students who have experienced trauma and physical abuse;
- Staff who are ill-equipped to handle severe behavioral outbursts;
- Students unable to attend in-person learning as a result of significant behaviors that compromise safety, and
- Depriving students, families and educators of a valuable tool for managing crisis situations effectively.

A ban on seclusion could have unintended consequences for students with special needs who require additional support. For some individuals with certain disabilities or mental health conditions, seclusion is a part of their individualized education plan (IEP) and can be implemented in a manner that is both safe and respectful of their rights. Instead of prohibiting the use of seclusion, I urge policymakers to focus on:

- Improving training and oversight related to the use of seclusion;
- Investing in alternative strategies for de-escalation and behavior management, and
- Slow gradual elimination of seclusion starting with least restrictive environments to most restrictive environments (federal setting) where students demonstrate greater levels of need.
- Support expanded and enhanced mental health services.

This approach would ensure that seclusion is only utilized when absolutely necessary and that all efforts are made to prevent its use through proactive intervention and support.

Any legislative action in this area should involve meaningful input from educators, mental health professionals, parents, and advocates to ensure that the rights and safety of all students are upheld. In conclusion, I urge you to reconsider the proposed legislative movement to end seclusion for all students in Minnesota. While the goal of promoting safer and more supportive learning environments is commendable, a balanced approach that considers the diverse needs of students and the realities faced by educators is essential. Thank you for your attention to this important matter.

Sincerely;



Janet Fimmen
Director of Special Education



Andrea Engstrom
Special Education Coordinator

Cc: Mary Kreger, Superintendent