

Document Status: Draft Update

7:150 Agency and Police Interviews

The Superintendent shall develop procedures to manage requests by agency officials or police officers to interview students at school. Procedures will: [PRESSPlus1](#)

1. [Recognize individual student rights and privacy,](#)
2. [Recognize the potential impact an interview may have on an individual student,](#)
3. [Minimize potential disruption,](#)
4. [Foster a cooperative relationship with public agencies and law enforcement, and](#)
5. [Comply with State law including, but not limited to, ensuring that before a law enforcement officer, school resource officer, or other school security person detains and questions on school grounds a student under 18 years of age who is suspected of committing a criminal act, the Superintendent or designee will:](#)
 - a. [Notify or attempt to notify the student's parent/guardian and document the time and manner in writing;](#)
 - b. [Make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if they are not present, ensure that school employees \(including, but not limited to, a school social worker, psychologist, nurse, guidance counselor, or any other mental health professional\) are present during the questioning; and](#)
 - c. [If practicable, make reasonable efforts to ensure a trained law enforcement officer to promote safe interactions and communications with the student is present during questioning.](#) [PRESSPlus3](#)

LEGAL REF.:

[105 ILCS 5/10-20.64, 5/22-85 \(final citation pending\)](#)

[55 ILCS 80/](#), Children's Advocacy Center Act.

[325 ILCS 5/](#), Abused and Neglected Child Reporting Act.

[720 ILCS 5/31-1 et seq.](#), Interference with Public Officers Act.

[725 ILCS 120/](#), Rights of Crime Victims and Witnesses Act.

CROSS REF.: [5:90 \(Abused and Neglected Child Reporting\)](#), [7:130 \(Student Rights and Responsibilities\)](#), [7:140 \(Search and Seizure\)](#), [7:190 \(Student Behavior\)](#)

[ACCEPTED 5/22/23](#)

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-478, eff. 1-1-20.

Additional resources include:

- The *Guidelines for Interviews of Students*, published by the Ill. Council of School Attorneys (ICSA) at: www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf.
- The publication, *Policing in Schools, Developing a Governance Document for School Resource Officers in K-12 Schools*, was developed by the American Civil Liberties Union, and is available at: www.aclu.org/racial-justice/policing-schools-developing-governance-document-school-resource-officers-k-12-schools.
- *School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA)*, published by PTAC (2019), at: www.studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa.

Issue 102, October 2019

PRESSPlus 2. The statute does not specifically assign these duties to a school official, but instead states that "a law enforcement officer, school resource officer, or other school security personnel" must ensure these conditions are met before detaining and questioning a student on school grounds. For ease of implementation, this policy assigns these duties to a school official as they routinely contact parents/guardians and can arrange for the presence of school personnel during an interview. See the ICSA *Guidelines* at www.iasb.com/law/ICSAGuidelinesforInterviewsofStudents.pdf for further discussion of school officials' responsibilities when law enforcement authorities interview students at school. **Issue 102, October 2019**

PRESSPlus 3. A trained law enforcement officer is someone who: (1) received training in youth investigations approved or is certified by his/her law enforcement agency as a school resource officer per 50 ILCS 705/10.22, or (2) is a juvenile police officer per 705 ILCS 405/1-3(17). **Issue 102, October 2019**