

Dunlap Community Unit School District 323
Board of Education Meeting
September 23, 2026

INFORMATION ITEM

TO: Members of the Board of Education

FROM: Mandy Ellis, Director of Student Services

SUBJECT: Memorandum of Understanding by and between Peoria County Sheriff and Dunlap Community Unit School District

BACKGROUND INFORMATION:

Background

Dunlap Community Unit School District #323 currently has an Intergovernmental Agreement (IGA) with Peoria County and the Peoria County Sheriff's Office for School Resource Officer (SRO) services. The current IGA was approved in March 2025 and provides for SRO services from August 13, 2025, through May 25, 2028. The District previously proposed revisions to the existing IGA to incorporate updated legal requirements related to SRO services and reciprocal reporting between the District and law enforcement.

Following review with the Sheriff's Office and legal counsel, the proposed revisions have instead been structured as a Memorandum of Understanding (MOU) that supplements the existing IGA. The MOU provides additional detail regarding the implementation of the SRO program, including SRO qualifications and duties, student records, reciprocal reporting, annual program evaluation, and SRO access to student information.

This update also responds to recent guidance from the Illinois State Board of Education (ISBE) regarding reciprocal reporting systems. Public Act 103-0896 directed ISBE to publish guidance to assist school districts and law enforcement agencies in developing and maintaining reciprocal reporting systems. Illinois School Code requires school districts, boards of education, parent-teacher advisory committees, and local law enforcement to establish procedures for reciprocal reporting regarding offenses committed by students.

Purpose of Reciprocal Reporting

Reciprocal reporting establishes a two-way framework for appropriate communication between the District and law enforcement. It is intended to ensure that information necessary to address student and school safety, meet legal reporting obligations, and provide appropriate intervention and support can be shared while maintaining the confidentiality protections required by state and federal student-record laws.

ISBE's guidance emphasizes that reciprocal reporting agreements should identify when information must be reported, when it may be shared, who is authorized to receive information, and the legal limitations surrounding student and juvenile records. ISBE also makes clear that misconduct that is not criminal, does not threaten health or safety, and is not otherwise legally required to be reported should generally remain a school disciplinary matter rather than be referred to law enforcement.

The proposed Dunlap MOU incorporates these principles.

District Reporting to the Sheriff

Under the proposed MOU:

- The District will continue to report student criminal conduct to the Sheriff when reporting is required by law.

- The District may also report other criminal offenses occurring on school property or at school-related functions when the District determines that reporting is warranted.
- When lawful and appropriate, the District may share additional student information to support preadjudicatory intervention, meaning intervention intended to assist a student before formal juvenile court adjudication.
- Student-record information may only be shared within the parameters of applicable laws, including the Illinois School Student Records Act and FERPA.

ISBE identifies several circumstances in which Illinois law requires or permits reporting to law enforcement, including certain incidents involving firearms, attacks on school personnel, drugs, hazing, clear and present danger determinations, and other specific safety-related circumstances.

The agreement does **not** give law enforcement unrestricted access to student records. ISBE specifically cautions that SROs are not automatically considered school officials for purposes of student-record access and that access must comply with FERPA, the Illinois School Student Records Act, and applicable exceptions to parental consent requirements.

Sheriff Reporting to the District

Reciprocal reporting also establishes responsibilities for the Sheriff's Office to communicate information back to the District.

The MOU provides that the Sheriff may share appropriate law enforcement records with designated District officials subject to the confidentiality requirements of the Juvenile Court Act. Additionally, Illinois law requires law enforcement to notify the school principal or designee when an enrolled student is detained for proceedings under the Juvenile Court Act, a criminal offense, or a municipal or county ordinance violation. The report includes the basis and circumstances of the detention and the status of the proceedings, with updates provided as significant developments occur and upon disposition of the matter.

ISBE guidance similarly notes that information received from law enforcement must be carefully protected. Certain information must be maintained separately from the student's official school record, may not be treated as a public record, and may only be used by appropriate school officials who have a legitimate educational or safety interest.

Emergency and Safety-Related Information

Both the MOU and ISBE guidance recognize that student information may be shared without prior parental consent when there is an articulable and significant threat to the health or safety of a student or other individuals and the information is necessary to address that emergency. Applicable law also establishes documentation and parent-notification requirements following such a disclosure.

Relationship Between the MOU and Existing IGA

A primary change in the current redline is clarification of how the new MOU relates to the District's existing SRO agreement.

Rather than replacing the current IGA, the MOU will supplement the existing agreement. The MOU will have the same term as the IGA, including any extensions. When the existing IGA is replaced with a successor agreement, the provisions contained within the MOU will be incorporated into that successor agreement.

This approach allows the District and Sheriff's Office to retain the existing contractual provisions governing the SRO program while immediately incorporating updated legal and operational provisions regarding SRO responsibilities, student records, reciprocal reporting, and related requirements.

Additional SRO Provisions

The MOU also provides additional clarification regarding the role of SROs within District schools. Among other provisions, it:

- Reinforces that SROs are responsible for criminal law and school safety matters, not routine school discipline. Incidents that are appropriately addressed through the District's student discipline process remain the responsibility of school administrators.
- Incorporates requirements for SRO qualifications, training, participation in school safety planning, threat assessment, emergency drills, and ongoing professional development.
- Establishes parameters for SRO access to student records and security footage consistent with state and federal confidentiality requirements.
- Provides for annual review and evaluation of the SRO program.
- Beginning with the 2027-2028 school year, requires the SRO and District administration to periodically review and confirm documentation of referrals to law enforcement to support required state reporting.

ISBE's guidance similarly references new reporting requirements regarding the number of students referred to law enforcement and the number of law enforcement referrals beginning with the 2027-2028 school year.

Summary

The proposed MOU does not fundamentally change the District's SRO program or replace the existing Intergovernmental Agreement. Rather, it supplements and modernizes the existing agreement by clearly defining the legal and operational framework under which the District and Peoria County Sheriff's Office work together.

The revisions are intended to:

- Maintain compliance with current Illinois law and ISBE guidance;
- Establish clear two-way reciprocal reporting procedures;
- Protect student confidentiality and appropriately limit access to student records;
- Distinguish school discipline from matters requiring law enforcement involvement;
- Clarify SRO roles, training, and responsibilities; and
- Prepare the District for upcoming state reporting requirements related to law enforcement referrals.

The MOU will remain in effect alongside the current IGA through May 25, 2028, and its provisions are intended to be incorporated into the successor SRO agreement at the time of renewal.