

Students

Administrative Procedure - Guidelines for Reciprocal Reporting of Offenses Committed by Students

State law requires a reciprocal reporting system between the School District and local law enforcement agencies regarding criminal and civil offenses committed by students. 105 ILCS 5/10-20.14(b), amended by P.A. 104-430. The Juvenile Court Act of 1987 (705 ILCS 405/1-1 *et seq.*), School Code (105 ILCS 5/1-1 *et seq.*), and various other laws set requirements for the management and sharing of law enforcement records and other information about students if they have contact with local law enforcement. Local implementation of reciprocal reporting procedures may be modified based upon the District's and local law enforcement's specific implementation needs.

Development and implementation of reciprocal reporting procedures relies heavily on the District's parent-teacher advisory committee and Building Principals, in cooperation with local law enforcement agencies. 105 ILCS 5/10-20.14. The parent-teacher advisory committee is a School Board committee and, thus, is subject to the Open Meetings Act. 5 ILCS 120/1.02. See Board policy 2:150, *Committees*.

Guidelines for Reporting and Records Disclosure from the District to Local Law Enforcement

Incidents reported from the District to local law enforcement agencies are managed under the School Code (105 ILCS 5/1-1 *et seq.*), 105 ILCS 127/2, and 720 ILCS 5/12C-50.1.

When sharing information, school officials should be aware of State and federal laws regarding *school student records*. Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99; Illinois School Student Records Act, 105 ILCS 10/; 23 Ill.Admin.Code Part 375. Information kept by law enforcement professionals working in a school is not considered a *school student record*. 105 ILCS 10/2. Also, law enforcement records maintained by law enforcement agencies are not considered a *school student record*. 105 ILCS 5/22-20. For more detailed information about *school student records* and its definition, see 7:340-AP1, *School Student Records*.

1. The Building Principal and/or the Police Department School Liaison Officer (Liaison Officer) will arrange meetings as needed between school officials and individuals representing law enforcement to share information. While not required by State law, meetings may enhance a cooperative relationship between the school and local law enforcement agencies. The following people should be invited to these meetings: dean, building principal, school counselor, State's Attorney, juvenile probation officer, and police department school liaison officer.
2. The Superintendent, Building Principal, and/or their designee(s) will immediately notify local law enforcement upon receiving a report of a student:
 - a. Committing a battery against school personnel. 105 ILCS 5/10-21.7.
 - b. In possession of a firearm on school grounds. 105 ILCS 5/10-27.1A.
 - c. Being involved in a drug-related incident on school property, including any conveyance used to transport students, or on any public way within 1000 feet of the school. 105 ILCS 5/10-27.1B; 105 ILCS 127/2.
 - d. Engaging in hazing resulting in death or great bodily harm. 720 ILCS 5/12C-50.1.

Guidelines for Reporting and Records Disclosure from Local Law Enforcement to the District

The information shared from local law enforcement agencies to the District and the confidentiality of shared juvenile law enforcement records are managed under the Juvenile Court Act of 1987 (705 ILCS 405/1-1 *et seq.*) and the School Code (105 ILCS 5/1-1 *et seq.*). These laws require the Building Principal

to maintain all information and records that the District receives from local law enforcement separate from a student's official *school student record*. Unless otherwise indicated, the information received from local law enforcement may only be used by school staff having a legitimate educational or safety interest in the information to support (1) the proper rehabilitation of the student, and/or (2) the protection and safety of students and employees in the school.

1. The State's Attorney shall provide the Building Principal a copy of any delinquency dispositional order concerning any student regardless of age where the crime would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the Criminal Code of 2012 (deadly weapon offenses). Access to this information is limited to only the Building Principal, the Superintendent, and any school counselor designated by either administrator. 705 ILCS 405/1-8(F).
2. Local law enforcement may disclose the identity of a victim of aggravated battery, battery, attempted first degree murder, or another non-sexual violent offense to appropriate school officials if the presiding judge of the juvenile court approves the disclosure to prevent foreseeable violence. 705 ILCS 405/5-905(2.5).
3. Local law enforcement may disclose juvenile law enforcement records relating to a minor who is investigated, arrested, or taken into custody before his or her 18th birthday only if law enforcement believes that there is imminent threat of physical harm to students, school personnel, or others. 705 ILCS 405/1-7(A)(8) and 405/5-905(1)(h). For an example of relevancy and implementation of this type of law enforcement information in a school building, see Board policy 4:190, *Targeted School Violence Prevention Program*.
 - a. Local law enforcement may allow the Building Principal or appropriate school official(s) to *inspect and copy* juvenile law enforcement records concerning a minor enrolled in the school who has been arrested or taken into custody for violating any of the following Ill. laws: Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 (deadly weapons); Ill. Controlled Substances Act; Cannabis Control Act; forcible felonies defined at Section 2-8 of the Criminal Code of 1961 or the Criminal Code of 2012; Methamphetamine Control and Community Protection Act; Section 1-2 of the Harassing and Obscene Communications Act; Hazing Act; Section 12 of the Criminal Code of 1961 or the Criminal Code of 2012 (bodily harm); or Article 25 of the Criminal Code of 1961 or the Criminal Code of 2012 (mob action and related offenses). 705 ILCS 405/1-7(A)(8)(A) and 405/5-905(1)(h)(A).
 - b. Local law enforcement may disclose only *oral information* about a minor who is the subject of a current police investigation that is directly related to school safety. 705 ILCS 405/1-7(A)(8)(B) and 405/5-905(1)(h).
4. Local law enforcement agencies and all courts must report to the Building Principal the fact that a student enrolled in the building has been detained for proceedings under the Juvenile Court Act of 1987 or for any criminal offense, including illegal gang activity, or any violation of a municipal or county ordinance. The report must include the basis for detaining the child, circumstances surrounding the events which led to the child's detention, and status of proceedings. The report must be updated as appropriate to notify the Building Principal of developments and the disposition of the matter. 105 ILCS 5/22-20.
5. Local law enforcement must notify the Building Principal when an agency investigation of an alleged incident of sexual abuse is complete or has been suspended, including information on the outcome of the investigation. 105 ILCS 5/22-85(k).

6. Local law enforcement shall provide a copy of all arrest records, and the State's Attorney shall provide a copy of all conviction records, to the Building Principal if the record involves a student who is arrested or taken into custody *after* his or her 18th birthday.
7. Local law enforcement and the State's Attorney may share or disclose information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders. 705 ILCS 405/1-8(G).

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 5/10-20.14, 5/22-20, and 5/22-85.
5 ILCS 120/1.02, Open Meetings Act.
105 ILCS 10/, 10/2, 10/6(6.5), Ill. School Student Records Act.
705 ILCS 405/1-7, 1-8(F), 1-8(G), and 5-905, Juvenile Court Act of 1987.
23 Ill. Admin. Code Part 375, Student Records.

CROSS REF.: 2:150 (Committees), 4:190 (Targeted School Violence Prevention Program), 7:150 (Agency and Law Enforcement Requests), 7:340 (Student Records)

ADMIN PROC.: 7:150-AP (Managing Agency and Law Enforcement Requests), 7:340-AP1 (School Student Records)