

Document Status: Draft Update

Students

7:150 Government Agency and Law Enforcement Interviews of Students at School

The Superintendent shall develop procedures to manage requests by agency officials or police officers to interview students at school. Procedures will: ~~(1)~~ [PRESSPlus1](#)

1. ~~f~~Recognize individual student rights and privacy,
2. Recognize the potential impact an interview may have on an individual student. ~~(2)~~
3. ~~m~~Minimize potential disruption. ~~(3)~~
4. ~~f~~Foster a cooperative relationship with public agencies and law enforcement, and ~~(4)~~
5. ~~e~~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: [PRESSPlus2](#)
 - 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)

ADOPTED: September 10, 2002

REVISED: May 5, 2016

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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.

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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**