

Government Agency and Law Enforcement Policy

The Executive Director shall develop procedures to manage requests by agency officials, police officers, or government officials to interview students at school. These procedures will:

1. Recognize individual student rights and privacy,
2. Recognize the potential impact an interview may have on an individual student,
3. Minimize potential disruption to the school environment,
4. Foster a cooperative relationship with public agencies and law enforcement, and
5. Comply with State and Federal law, including, but not limited to, the following:
 - **Law Enforcement Interviews:** 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 Executive Director 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;
 - 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.
 - **Search Warrants and Subpoenas:** School officials shall not grant access to school grounds, students, or student records unless presented with a valid judicial warrant or subpoena. School officials must consult with the Executive Director or the district's legal counsel before complying with such requests.
 - **Government Officials:** In the event that a government official arrives on campus requesting information or entry, and they are not an individual who has an appointment or business with anyone at the school, EMSA will follow these steps:

1. Do not allow entry. Use the intercom to communicate with the government official.
 - a. If the government official is already in the building, keep them at the front desk and place the school on a hold (all students and staff stay in classrooms/offices and doors are locked).
2. Over the intercom, ask the government official:
 - a. Which agency are you with?
 - b. What is your name and badge/ID number?
 - c. What is the purpose of your visit?
 - d. Do you have a criminal warrant signed by a judge?
 - i. If yes, can you provide the school with a copy?
 - ii. If not, ask the government official to leave and contact our legal team with questions.
 - e. Receiver shall document this information in writing and say "Please wait. I need to contact our Executive Director."
3. Ensure all administrators (leadership and front office) are aware of government officials on campus by text. Call the Executive Director immediately. The remainder of communication with the government official will be conducted with the Executive Director. If the Executive Director is not reachable after 15 minutes, contact should be made with the Principal. If the Principal is not available after 10 minutes, contact should be made with the Assistant Principal.
4. The Executive Director or designee will obtain documentation from the government official and make copies or take clear photos. This can include identification and any warrants or subpoenas.
5. The Executive Director or designee will inform the government official that we have a process regarding requests to speak to students or request student records (FERPA & Illinois Student Records Act). Our process requires that all school staff must first notify and consult with our legal team.
6. Executive Director or designee will call the legal team and send documentation.
7. Executive Director or designee will call the child's family.
8. Executive Director will wait for further instructions from the legal team. Do not physically impede, interfere with, or obstruct a government official in performing their duties. If the government

official does not comply with your directions, notify the legal team immediately.

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.

8 U.S.C. §1373, Communication between government agencies and the Immigration and Naturalization Service.