

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

May 2, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 7:150-Agency and Police Interviews

This policy is revised to update all legal and cross-references. The new policy adds requirements to the old one for the recognition of student privacy issues and rights, minimizes potential disruption, complies with state law, and fosters cooperation with public agencies and law enforcement.

We can use this as our first reading and place this on the consent agenda for next time.

## Students

### Agency and Police Interviews

The Superintendent shall manage requests by agency officials or police officers to interview students at school through procedures that: (1) recognize individual student rights and privacy, (2) minimize potential disruption, (3) foster a cooperative relationship with public agencies and law enforcement, and (4) comply with State law. <sup>1</sup>

LEGAL REF.: 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.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Discipline)

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**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State or federal law controls this policy’s content. The listed standards for procedures, other than compliance with State law, are at the local school board’s discretion and may be omitted altogether.

An excellent resource is the *Guidelines for Interviews of Students*, published by the Ill. Council of School Attorneys (ICSA) and available at: [www.iasb.com/law/ICSAGuidelinesInterviews.pdf](http://www.iasb.com/law/ICSAGuidelinesInterviews.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](http://www.aclu.org/racial-justice/policing-schools-developing-governance-document-school-resource-officers-k-12-schools). It, like the ICSA *Guidelines*, highlights the need for collaboration between law enforcement and school officials. It recommends that school officials provide law enforcement agencies with information about the school’s mission to ensure a safe school environment while respecting student rights. To accomplish this, the white paper recommends that school officials create a “model governance document” (e.g., 7:150-AP, *Administrative Procedure - Agency and Police Interviews*) and provide it to the law enforcement authorities with whom they work.