

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 22-85 as follows:

6 (105 ILCS 5/22-85 new)

7 Sec. 22-85. Parental notification of law enforcement
8 detainment and questioning on school grounds.

9 (a) In this Section, "school grounds" means the real
10 property comprising an active and operational elementary or
11 secondary school during the regular hours in which school is in
12 session and when students are present.

13 (b) Before detaining and questioning a student on school
14 grounds who is under 18 years of age and who is suspected of
15 committing a criminal act, a law enforcement officer, school
16 resource officer, or other school security personnel must do
17 all of the following:

18 (1) Ensure that notification or attempted notification
19 of the student's parent or guardian is made.

20 (2) Document the time and manner in which the
21 notification or attempted notification under paragraph (1)
22 occurred.

23 (3) Make reasonable efforts to ensure that the

1 student's parent or guardian is present during the
2 questioning or, if the parent or guardian is not present,
3 ensure that school personnel, including, but not limited
4 to, a school social worker, a school psychologist, a school
5 nurse, a school guidance counselor, or any other mental
6 health professional, are present during the questioning.

7 (4) If practicable, make reasonable efforts to ensure
8 that a law enforcement officer trained in promoting safe
9 interactions and communications with youth is present
10 during the questioning. An officer who received training in
11 youth investigations approved or certified by his or her
12 law enforcement agency or under Section 10.22 of the Police
13 Training Act or a juvenile police officer, as defined under
14 Section 1-3 of the Juvenile Court Act of 1987, satisfies
15 the requirement under this paragraph.

16 (c) This Section does not limit the authority of a law
17 enforcement officer to make an arrest on school grounds. This
18 Section does not apply to circumstances that would cause a
19 reasonable person to believe that urgent and immediate action
20 is necessary to do any of the following:

21 (1) Prevent bodily harm or injury to the student or any
22 other person.

23 (2) Apprehend an armed or fleeing suspect.

24 (3) Prevent the destruction of evidence.

25 (4) Address an emergency or other dangerous situation.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.