

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 renumbering and
5 changing Section 22-85, as added by Public Act 101-478, as
6 follows:

7 (105 ILCS 5/22-88)

8 Sec. 22-88 ~~22-85~~. Parental notification of law enforcement
9 detainment and questioning on school grounds.

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

14 (b) Before ~~detaining and questioning~~ a student on school
15 grounds who is under 18 years of age and who is suspected of
16 committing a criminal act is detained and questioned by a law
17 enforcement officer, a school resource officer, or other school
18 security personnel or by any person in the presence of a law
19 enforcement officer, a school resource officer, or other school
20 security personnel, the, — a law enforcement officer, school
21 resource officer, or other school security personnel must do
22 all of the following:

23 (1) Ensure that notification or attempted notification

1 of the student's parent or guardian is made.

2 (2) Document the time and manner in which the
3 notification or attempted notification under paragraph (1)
4 occurred.

5 (3) Make reasonable efforts to ensure that the
6 student's parent or guardian is present during the
7 questioning or, if the parent or guardian is not present,
8 ensure that school personnel, including, but not limited
9 to, a school social worker, a school psychologist, a school
10 nurse, a school guidance counselor, or any other mental
11 health professional, are present during the questioning.

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

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

26 (1) Prevent bodily harm or injury to the student or any

1 other person.

2 (2) Apprehend an armed or fleeing suspect.

3 (3) Prevent the destruction of evidence.

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

5 (Source: P.A. 101-478, eff. 8-23-19; revised 10-21-19.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.