

STUDENTS

AGENCY AND POLICE INTERVIEWS

Interviews By Police

1. The Building Principal will check the police officer's credentials and any legal papers such as warrants for arrest, search warrants, or subpoenas to be served.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) if possible and inform them that the student is subject to an interview. In extreme emergency situations, DCFS employees, law enforcement personnel, or treating physicians may, in effecting temporary protective custody, request that the ROE not notify parents until the child's safety is ensured. The Building Principal should ask that such a request be put in writing. The parent(s)/guardian(s) will be given the opportunity to be present and be represented by legal counsel at their own expense. Interviews on minor students without permission of the parent(s)/guardian(s) is not permitted unless a legal process is presented or in emergency situations.
3. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal and one other adult witness, selected by the Building Principal, will be present during the interview.
4. Interview proceedings will be documented in writing for inclusion in the student's temporary records.
5. No minor student shall be removed from the school by the police officer without the consent of a parent(s)/guardian(s), except upon service of a valid warrant of arrest or in cases of warrant less temporary protective custody.

Interviews By the Illinois Department of Children and Family Services (DCFS)

1. The Building Principal will check the agent's credentials and any papers pertaining to a legal process.
2. The Building Principal will attempt to contact the student's parent(s)/guardian(s) and inform them that the student is subject to an interview, if appropriate.
3. If the DCFS agent does not want a parent(s)/guardian(s) present or notified during the interview, this stipulation must be in writing and signed by the DCFS agent.

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4. Interviews will be conducted in a private setting. If the parent(s)/guardian(s) are absent, the Building Principal and one other adult witness, a member of the ROE staff, will be present during the interview.
5. The DCFS agent may remove the student from school if case circumstances warrant. A local law enforcement agency officer, designated DCFS employee, or a physician treating a child may take or retain temporary protective custody of the child without the consent of the person responsible for the child's welfare, if (1) he or she has reason to believe that the child's circumstances or conditions are such that continuing in his or her place of residence or in the care and custody of the person responsible for the child's welfare, presents an imminent danger to that child's life or health; (2) the person responsible for the child's welfare is unavailable or has been asked and does not consent to the child's removal from his or her custody; and (3) there is not time to apply for a court order under the Juvenile Court Act for temporary custody of the child. The person taking or retaining a child in temporary protective custody shall immediately make every reasonable effort to notify the person responsible for the child's welfare and shall immediately notify the Department.
6. No ROE employee may act as a DCFS agent.

LEG. REF.: 325 ILCS 5/1 et seq.
 705 ILCS 80/1 et seq.

Approved: 07/01/01