

Ordinance No. 98-07

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
WITH THE BALL-CHATHAM COMMUNITY SCHOOL DISTRICT NO. 5
PERTAINING TO A RECIPROCAL REPORTING SYSTEM**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

SECTION 1: That certain intergovernmental agreement by and between the Village of Chatham, Illinois and Ball-Chatham Community School District No.5 pertaining to a reciprocal reporting system a copy of which is attached hereto, is hereby approved.


SECTION 2: The Village President is authorized and directed to execute the Agreement on behalf of the Village, and the proper officers of the Village are authorized and directed to carry out the Agreement according to its terms upon its adoption by the School District.

SECTION 3: This Ordinance is effective immediately.

PASSED this 10 day of February, 1998.


VILLAGE PRESIDENT

ATTEST:


Village Clerk

AYES: 6

NAYS: 0

**RECIPROCAL REPORTING SYSTEM AGREEMENT BETWEEN THE
VILLAGE OF CHATHAM, ILLINOIS AND BALL CHATHAM COMMUNITY
SCHOOL DISTRICT NO. 5**

This Agreement is entered into this ____ day of _____, 1998, between the Village of Chatham ("Village") and Ball-Chatham Community School District No. 5 ("School District").

Whereas, the Village and the School District have been granted the authority, pursuant to §10-20.14 of the Illinois School Code (105 ILCS 5/10-20.14) and §1-7 of the Juvenile Court Act (705 ILCS 405/1-7), to establish and maintain a reciprocal reporting system regarding minors enrolled in a school within the School District who have been arrested or taken into custody for certain criminal offenses; and

Whereas, the Village and the School District desire to enter into such agreements to foster cooperation and improve the flow of information between educators and law enforcement in the community; and

Whereas, the Village and the School District believe that cooperation and flow of information is essential to provide a safe, healthy and violence free school environment to which all students are entitled and which all students need to thrive and learn; and

Whereas, the Agreement has been developed in cooperation with the local parent-teacher advisory committees, applicable law enforcement agencies and the local school board; and

Whereas the Village and the School District recognize the need of educators and law enforcement to share information concerning the activities of minor students in and out of

school so that they may work together in an efficient manner to prevent, eliminate and discourage acts of crime, violence and intimidation; and

Whereas, the Agreement has been developed in response to the legislative authority granted in the statutes of the State of Illinois and in recognition of the responsibility to provide safe, orderly and predictable school environments.

Now, therefore, in consideration of the mutual covenants and obligations contained herein, it is agreed by and between the Village and the School District as follows:

1. Recitals. The above recitals are incorporated herein by reference as though fully set forth.

2. Law Enforcement Records. For the purposes of this Agreement, law enforcement records are those records as defined in the Juvenile Court Act, 705 ILCS 405/1-1 *et seq.*, maintained by the Village police department concerning a minor enrolled in a school in the School District who has been arrested or taken into custody before his or her 17th birthday for any of the following offenses:

- A. Unlawful use of weapons under §24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1);
- B. A violation of the Illinois Controlled Substances Act (720 ILCS 570/100 *et seq.*);
- C. A violation of the Cannabis Control Act (720 ILCS 550/1 *et seq.*);
- D. A forcible felony as defined in §2-8 of the Criminal Code of 1961 (720 ILCS 5/2-9); or
- E. Any other offense, including ordinance violations, for which information is a matter of public record.

3. Appointment of Reporting Official. The Village and the School District shall each designate in writing a person responsible for the transmission and receipt of law enforcement records from his/her agency. The Village and the School District may also appoint additional reporting officials who shall perform the duties of the reporting official in the event of his or her unavailability.

4. Duties of the Reporting Official. The reporting officials of each party shall transmit and receive law enforcement records, except as otherwise prohibited by law, in written form. Such law enforcement records may be further disseminated only to the extent necessary to further the objectives of this Agreement. Each reporting official shall develop procedures, subject to the review of the other party, which shall be designed to insure the appropriate level of confidentiality of all law enforcement records transmitted or received hereunder.

5. Transmission Methods. Law enforcement records subject to disclosure under this agreement shall be transmitted by United States Mail, hand delivery, or at meetings called for the purpose of transmitting such records between the designated reporting officials. Such meetings may be held according to a schedule, or on an as needed basis.

6. Confidentiality. Any law enforcement records subject to disclosure under this Agreement shall not be disclosed or made available in any form to any person or agency other than as set forth in this Agreement or as authorized by law.

In Witness Whereof, the parties hereto have caused this Agreement to be signed by their duly authorized representatives on the day and date indicated below.

Village of Chatham

By: Linda Koester, Village President

Date

Attest: Robert Krueger, Village Clerk

Date

Ball-Chatham Community School District No. 5

By: Its Superintendent

Date

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 98-_____, adopted by the President and Board of Trustees of said Village on the _____ day of _____, 1998, said Ordinance being entitled:

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
WITH THE BALL-CHATHAM COMMUNITY SCHOOL DISTRICT NO. 5
PERTAINING TO A RECIPROCAL REPORTING SYSTEM**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this _____ day of _____, 1998.

Village Clerk

PASSED:

APPROVED:

ABSENT:
