

1 AN ACT in relation to children.

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

4 Section 5. The Illinois School Student Records Act is
5 amended by changing Section 2 as follows:

6 (105 ILCS 10/2) (from Ch. 122, par. 50-2)

7 Sec. 2. As used in this Act,

8 (a) "Student" means any person enrolled or previously
9 enrolled in a school.

10 (b) "School" means any public preschool, day care
11 center, kindergarten, nursery, elementary or secondary
12 educational institution, vocational school, special
13 educational facility or any other elementary or secondary
14 educational agency or institution and any person, agency or
15 institution which maintains school student records from more
16 than one school, but does not include a private or non-public
17 school.

18 (c) "State Board" means the State Board of Education.

19 (d) "School Student Record" means any writing or other
20 recorded information concerning a student and by which a
21 student may be individually identified, maintained by a
22 school or at its direction or by an employee of a school,
23 regardless of how or where the information is stored. The
24 following shall not be deemed school student records under
25 this Act: writings or other recorded information maintained
26 by an employee of a school or other person at the direction
27 of a school for his or her exclusive use; provided that all
28 such writings and other recorded information are destroyed
29 not later than the student's graduation or permanent
30 withdrawal from the school; and provided further that no such
31 records or recorded information may be released or disclosed

1 to any person except a person designated by the school as a
2 substitute unless they are first incorporated in a school
3 student record and made subject to all of the provisions of
4 this Act. School student records shall not include
5 information maintained by law enforcement professionals
6 working in the school.

7 (e) "Student Permanent Record" means the minimum
8 personal information necessary to a school in the education
9 of the student and contained in a school student record.
10 Such information may include the student's name, birth date,
11 address, grades and grade level, parents' names and
12 addresses, attendance records, and such other entries as the
13 State Board may require or authorize.

14 (f) "Student Temporary Record" means all information
15 contained in a school student record but not contained in the
16 student permanent record. Such information may include
17 family background information, intelligence test scores,
18 aptitude test scores, psychological and personality test
19 results, teacher evaluations, and other information of clear
20 relevance to the education of the student, all subject to
21 regulations of the State Board. The information shall include
22 information provided under Section 8.6 of the Abused and
23 Neglected Child Reporting Act. In addition, the student
24 temporary record shall include information regarding serious
25 disciplinary infractions that resulted in expulsion,
26 suspension, or the imposition of punishment or sanction. For
27 purposes of this provision, serious disciplinary infractions
28 means: infractions involving drugs, weapons, or bodily harm
29 to another.

30 (g) "Parent" means a person who is the natural parent of
31 the student or other person who has the primary
32 responsibility for the care and upbringing of the student.
33 All rights and privileges accorded to a parent under this Act
34 shall become exclusively those of the student upon his 18th

1 birthday, graduation from secondary school, marriage or entry
2 into military service, whichever occurs first. Such rights
3 and privileges may also be exercised by the student at any
4 time with respect to the student's permanent school record.

5 (Source: P.A. 90-590, eff. 1-1-00.)

6 Section 10. The Abused and Neglected Child Reporting Act
7 is amended by changing Section 7.9 and adding Section 8.6 as
8 follows:

9 (325 ILCS 5/7.9) (from Ch. 23, par. 2057.9)

10 Sec. 7.9. The Department shall prepare, print, and
11 distribute initial, preliminary, and final reporting forms to
12 each Child Protective Service Unit. Initial written reports
13 from the reporting source shall contain the following
14 information to the extent known at the time the report is
15 made: (1) the names and addresses of the child and his
16 parents or other persons responsible for his welfare; (1.5)
17 the name and address of the school that the child attends (or
18 the school that the child last attended, if the report is
19 written during the summer when school is not in session), and
20 the name of the school district in which the school is
21 located, if applicable; (2) the child's age, sex, and race;
22 (3) the nature and extent of the child's abuse or neglect,
23 including any evidence of prior injuries, abuse, or neglect
24 of the child or his siblings; (4) the names of the persons
25 apparently responsible for the abuse or neglect; (5) family
26 composition, including names, ages, sexes, and races of other
27 children in the home; (6) the name of the person making the
28 report, his occupation, and where he can be reached; (7) the
29 actions taken by the reporting source, including the taking
30 of photographs and x-rays, placing the child in temporary
31 protective custody, or notifying the medical examiner or
32 coroner; (8) and any other information the person making the

1 report believes might be helpful in the furtherance of the
2 purposes of this Act.

3 (Source: P.A. 84-611.)

4 (325 ILCS 5/8.6 new)

5 Sec. 8.6. Reports to a child's school. Within 10 days
6 after completing an investigation of alleged physical or
7 sexual abuse under this Act, if the report is indicated, the
8 Child Protective Service Unit shall send a copy of its final
9 finding report to the school that the child who is the
10 indicated victim of the report attends. If the final finding
11 report is sent during the summer when the school is not in
12 session, the report shall be sent to the last school that the
13 child attended. The final finding report shall be sent as
14 "confidential", and the school shall be responsible for
15 ensuring that the report remains confidential in accordance
16 with the Illinois School Student Records Act. If an
17 indicated finding is overturned in an appeal or hearing, or
18 if the Department has made a determination that the child is
19 no longer at risk of physical or sexual harm, the Department
20 shall request that the final finding report be purged from
21 the student's record, and the school shall purge the final
22 finding report from the student's record and return the
23 report to the Department. If an indicated report is expunged
24 from the central register, and that report has been sent to a
25 child's school, the Department shall request that the final
26 finding report be purged from the student's record, and the
27 school shall purge the final finding report from the
28 student's record and return the report to the Department.