**Section 375.75 Public and Nonpublic Schools: Transmission of Records for Transfer Students**

a) This Section implements Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a], Section 5 of the Missing Children Records Act [325 ILCS 50/5] and Section 5 of the Missing Children Registration Law [325 ILCS 55/5]. This Section is applicable to all public, private or nonpublic elementary and secondary schools in the State of Illinois.

b) Within 14 days after enrolling a transfer student, an elementary or secondary school shall comply with the requirements of Section 5 of the Missing Children Records Act and Section 5 of the Missing Children Registration Law regarding the records of that transfer student. The transfer of the record by a public school is subject to the prior notice to parents required by Section 375.70(a) of this Part.

c) The school district or private school holding the records shall transfer a certified copy of student's record, as defined in subsection (h) of this Section, to the school district or private school requesting the records and shall retain the original records in accordance with the requirements of Section 4 of the Act.

d) A request made pursuant to subsection (b) of this Section for a certified copy of a student's record shall satisfy the requirement of Section 2-3.13a(c) of the School Code regarding documentation of enrollment of a transfer student.

e) If, on or before July 31 following the school year in which a student leaves a school, the student's school or school district has not received a request for the student's record, or been presented with other documentation that the student has enrolled in another school, then the student shall be counted in the school's or school district's calculation of its annual dropout rate (see Section 2-3.13a(c) of the School Code). The school or school district from which a student transfers shall maintain any documentation of the student's transfer, including records indicating the school or school district to which the student transferred, in that student's temporary record.

f) As used in this Section, "Unofficial Record of Student Grades" means written information relative to the grade levels and subjects in which a student was enrolled and the record of academic grades achieved by that student prior to transfer. These records shall also include the name and address of the school, the name of the student to whom the records pertain, the name and title of the school official transmitting the records, and the date of transmittal.

g) As used in this Section, "Official Transcript of Scholastic Records" means the formal record showing dates of enrollment; courses studied; grades, credits, and awards received; and the unique student identifier assigned and used by the Student Information System; and bearing the signature and title of the certifying official, the seal of the school, if any, and the date of issue.

h) As used in this Section, "Certified Copy of Student's Record" means:

1) for public schools, the student's permanent and temporary record as defined in Section 375.10 of this Part; and

2) for private and nonpublic schools, the individual student information maintained by the schools for all of their students. This information may include:

A) Basic identifying information, including the student's name and address, birth date and place, and gender, and the names and addresses of the student's parents;

B) Academic transcript, including grades, class rank, graduation date, grade level achieved and scores on college entrance examinations;

C) Attendance record;

D) Accident reports and health record;

E) Honors and awards received; and

F) Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

i) If the student has unpaid fines, fees, or tuition charged pursuant to Section 10-20.12a of the School Code [105 ILCS 5/10-20.12a] and is transferring to a public school located in Illinois or any other state, the school may elect to include in the student's record transferred pursuant to this Section the unofficial record of the student's grades in lieu of the student's official transcript of scholastic records. If the school so elects, the school shall within 10 calendar days after the student has paid all of his or her unpaid fines or fees and at its own expense forward the student's official transcript of scholastic records to the student's new school.

j) If the student is transferring to another public school located in Illinois or any other state and at the time of the transfer is currently serving a term of suspension or expulsion for any reason, then the transferring school shall include with the transferred records:

1) the date and duration of the period of any current suspension or expulsion; and

2) whether the suspension or expulsion is for *knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act* (20 USC 8921 et seq.), *for knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis, or for battering a staff member of the school*. (Section 2-3.13a of the School Code)

(Source: Amended at 36 Ill. Reg. 2220, effective January 24, 2012)