**Section 401.270 Student Records**

a) A separate student record file shall be maintained for each student served under Section 14-7.02 of the School Code. Files shall be maintained in a secured central location on the premises of the facility. Each student's file shall contain the information listed in this subsection (a), or the information shall be made readily accessible for inspection.

1) Documentation of the date of the student's most recent enrollment in the program in question under Section 14-7.02 of the School Code.

2) Copies of the most recent reports that address the domains covered in the student's most recent evaluation, documentation of the IEP Team's determination of the domains that would be included (see 23 Ill. Adm. Code 226.75 (Definitions) and 226.110 (Evaluation Procedures)), and a copy of the most recent eligibility determination.

3) Evidence of compliance with 23 Ill. Adm. Code 226.330(d).

4) The student's current IEP developed for the placement in accordance with 23 Ill. Adm. Code 226, Subpart C (The Individualized Education Program (IEP)).

5) Reports of review procedures conducted with respect to the student's progress as specified in Section 401.230(b), including copies of all progress reports provided to parents and the placing public school district.

b) All material in the student record file shall be signed as required, dated, and placed in chronological order for the purpose of inspection and evaluation by representatives of the State Board of Education and the public school district of the student's residence.

c) The record of a student enrolled in a program at a facility subject to this Part pursuant to Section 14-7.02 of the School Code shall be the property of the student's public school district of residence and shall be subject to the policies and procedures established by that public school district to govern school student records and to the provisions of the Illinois School Student Records Act [105 ILCS 10] regarding confidentiality of those records.

d) When a student is no longer served in a facility under this Part for any reason, and regardless of any monetary amount due to the provider from the public school district that placed the student, all the student's records shall be returned or provided to the district within 20 business days, and staff of the facility shall maintain a record of having returned them. The records to be returned include, but are not limited to the following:

1) The temporary public school records that were provided by the district at the time of the student's placement.

2) Other records of an academic or instructional nature that have accumulated during the student's enrollment at the nonpublic facility, including the following:

A) Records of behavior management plans; and

B) Records of all psychological and social work and any therapeutic tests related to goals and objectives included in the student's IEP.

3) A transcript of any academic credits earned while the student was served at the facility.

1. Records of the student's attendance while served at the facility.

(Source: Amended at 42 Ill. Reg. 6471, effective March 21, 2018)