



Rep. Allen Skillicorn

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10000SB1483ham002

LRB100 09127 MLM 27145 a

1 AMENDMENT TO SENATE BILL 1483

2 AMENDMENT NO. _____. Amend Senate Bill 1483 by replacing
3 everything after the enacting clause with the following:

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

6 (105 ILCS 10/5) (from Ch. 122, par. 50-5)

7 Sec. 5. (a) A parent or any person specifically designated
8 as a representative by a parent shall have the right to inspect
9 and copy all school student permanent and temporary records of
10 that parent's child. A student shall have the right to inspect
11 and copy his or her school student permanent record. No person
12 who is prohibited by an order of protection from inspecting or
13 obtaining school records of a student pursuant to the Illinois
14 Domestic Violence Act of 1986, as now or hereafter amended,
15 shall have any right of access to, or inspection of, the school
16 records of that student. If a school's principal or person with

1 like responsibilities or his designee has knowledge of such
2 order of protection, the school shall prohibit access or
3 inspection of the student's school records by such person.

4 (b) Whenever access to any person is granted pursuant to
5 paragraph (a) of this Section, at the option of either the
6 parent or the school a qualified professional, who may be a
7 psychologist, counsellor or other advisor, and who may be an
8 employee of the school or employed by the parent, may be
9 present to interpret the information contained in the student
10 temporary record. If the school requires that a professional be
11 present, the school shall secure and bear any cost of the
12 presence of the professional. If the parent so requests, the
13 school shall secure and bear any cost of the presence of a
14 professional employed by the school.

15 (c) A parent's or student's request to inspect and copy
16 records, or to allow a specifically designated representative
17 to inspect and copy records, must be granted within a
18 reasonable time, and in no case later than 10 business ~~15~~
19 ~~school~~ days after the date of receipt of such request by the
20 official records custodian.

21 (c-5) The time for response under this Section may be
22 extended by the school district by not more than 5 business
23 days from the original due date for any of the following
24 reasons:

25 (1) the requested records are stored in whole or in
26 part at other locations than the office having charge of

1 the requested records;

2 (2) the request requires the collection of a
3 substantial number of specified records;

4 (3) the request is couched in categorical terms and
5 requires an extensive search for the records responsive to
6 it;

7 (4) the requested records have not been located in the
8 course of routine search and additional efforts are being
9 made to locate them;

10 (5) the request for records cannot be complied with by
11 the school district within the time limits prescribed by
12 subsection (c) of this Section without unduly burdening or
13 interfering with the operations of the school district; or

14 (6) there is a need for consultation, which shall be
15 conducted with all practicable speed, with another public
16 body or school district or among 2 or more components of a
17 public body or school district having a substantial
18 interest in the determination or in the subject matter of
19 the request.

20 The person making a request and the school district may
21 agree in writing to extend the time for compliance for a period
22 to be determined by the parties. If the requester and the
23 school district agree to extend the period for compliance, a
24 failure by the school district to comply with any previous
25 deadlines shall not be treated as a denial of the request for
26 the records.

1 (d) The school may charge its reasonable costs for the
2 copying of school student records, not to exceed the amounts
3 fixed in schedules adopted by the State Board, to any person
4 permitted to copy such records, except that no parent or
5 student shall be denied a copy of school student records as
6 permitted under this Section 5 for inability to bear the cost
7 of such copying.

8 (e) Nothing contained in this Section 5 shall make
9 available to a parent or student confidential letters and
10 statements of recommendation furnished in connection with
11 applications for employment to a post-secondary educational
12 institution or the receipt of an honor or honorary recognition,
13 provided such letters and statements are not used for purposes
14 other than those for which they were specifically intended, and

15 (1) were placed in a school student record prior to
16 January 1, 1975; or

17 (2) the student has waived access thereto after being
18 advised of his right to obtain upon request the names of
19 all such persons making such confidential recommendations.

20 (f) Nothing contained in this Act shall be construed to
21 impair or limit the confidentiality of:

22 (1) Communications otherwise protected by law as
23 privileged or confidential, including but not limited to,
24 information communicated in confidence to a physician,
25 psychologist or other psychotherapist, school social
26 worker, school counselor, school psychologist, or school

1 social worker, school counselor, or school psychologist
2 intern who works under the direct supervision of a school
3 social worker, school counselor, or school psychologist;
4 or

5 (2) Information which is communicated by a student or
6 parent in confidence to school personnel; or

7 (3) Information which is communicated by a student,
8 parent, or guardian to a law enforcement professional
9 working in the school, except as provided by court order.

10 (g) No school employee shall be subjected to adverse
11 employment action, the threat of adverse employment action, or
12 any manner of discrimination because the employee is acting or
13 has acted to protect communications as privileged or
14 confidential pursuant to applicable provisions of State or
15 federal law or rule or regulation.

16 (Source: P.A. 96-628, eff. 1-1-10.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."