

# SB0117



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB0117

Introduced 1/29/2019, by Sen. Jason A. Barickman

#### SYNOPSIS AS INTRODUCED:

105 ILCS 10/4

from Ch. 122, par. 50-4

Amends the Illinois School Student Records Act. Provides that if the rights and privileges accorded to a parent under the Act have been transferred to a student, a school must give reasonable prior notice to the student (rather than the parent) before any school student record is destroyed or any information is deleted from that record. Provides that a school may provide reasonable prior notice to a parent or student through (i) notice in the school's parent or student handbook, (ii) publication in a newspaper, (iii) U.S. mail delivered to the last known address of the parent or student, or (iv) other means provided the notice is confirmed to have been received.

LRB101 05516 AXK 50531 b

A BILL FOR

1 AN ACT concerning education.

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 4 as follows:

6 (105 ILCS 10/4) (from Ch. 122, par. 50-4)

7 Sec. 4. (a) Each school shall designate an official records  
8 custodian who is responsible for the maintenance, care and  
9 security of all school student records, whether or not such  
10 records are in his personal custody or control.

11 (b) The official records custodian shall take all  
12 reasonable measures to prevent unauthorized access to or  
13 dissemination of school student records.

14 (c) Information contained in or added to a school student  
15 record shall be limited to information which is of clear  
16 relevance to the education of the student.

17 (d) Information added to a student temporary record after  
18 the effective date of this Act shall include the name,  
19 signature and position of the person who has added such  
20 information and the date of its entry into the record.

21 (e) Each school shall maintain student permanent records  
22 and the information contained therein for not less than 60  
23 years after the student has transferred, graduated or otherwise

1 permanently withdrawn from the school.

2 (f) Each school shall maintain student temporary records  
3 and the information contained in those records for not less  
4 than 5 years after the student has transferred, graduated, or  
5 otherwise withdrawn from the school. However, student  
6 temporary records shall not be disclosed except as provided in  
7 Section 5 or 6 or by court order. A school may maintain  
8 indefinitely anonymous information from student temporary  
9 records for authorized research, statistical reporting or  
10 planning purposes, provided that no student or parent can be  
11 individually identified from the information maintained.

12 (g) The principal of each school or the person with like  
13 responsibilities or his or her designate shall periodically  
14 review each student temporary record for verification of  
15 entries and elimination or correction of all inaccurate,  
16 misleading, unnecessary or irrelevant information. The State  
17 Board shall issue regulations to govern the periodic review of  
18 the student temporary records and length of time for  
19 maintenance of entries to such records.

20 (h) Before any school student record is destroyed or  
21 information deleted therefrom, the parent or the student, if  
22 the rights and privileges accorded to the parent under this Act  
23 have been transferred to the student, shall be given reasonable  
24 prior notice ~~at his or her last known address~~ in accordance  
25 with rules ~~regulations~~ adopted by the State Board and an  
26 opportunity to copy the record and information proposed to be

1 destroyed or deleted. A school may provide reasonable prior  
2 notice under this subsection to a parent or student through (i)  
3 notice in the school's parent or student handbook, (ii)  
4 publication in a newspaper published in the school district or,  
5 if no newspaper is published in the school district, in a  
6 newspaper of general circulation within the school district,  
7 (iii) U.S. mail delivered to the last known address of the  
8 parent or student, or (iv) other means provided the notice is  
9 confirmed to have been received.

10 (i) No school shall be required to separate permanent and  
11 temporary school student records of a student not enrolled in  
12 such school on or after the effective date of this Act or to  
13 destroy any such records, or comply with the provisions of  
14 paragraph (g) of this Section with respect to such records,  
15 except (1) in accordance with the request of the parent that  
16 any or all of such actions be taken in compliance with the  
17 provisions of this Act or (2) in accordance with regulations  
18 adopted by the State Board.

19 (Source: P.A. 90-590, eff. 1-1-00; 90-811, eff. 1-26-99.)