

1 AMENDMENT TO HOUSE BILL 3055

2 AMENDMENT NO. _____. Amend House Bill 3055 by replacing
3 lines 4 through 31 on page 1 and lines 1 through 29 on page 2
4 with the following:

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

7 (105 ILCS 10/2) (from Ch. 122, par. 50-2)

8 Sec. 2. As used in this Act,

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

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

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

20 (d) "School Student Record" means any writing or other
21 recorded information concerning a student and by which a
22 student may be individually identified, maintained by a

1 school or at its direction or by an employee of a school,
2 regardless of how or where the information is stored. The
3 following shall not be deemed school student records under
4 this Act: writings or other recorded information maintained
5 by an employee of a school or other person at the direction
6 of a school for his or her exclusive use; provided that all
7 such writings and other recorded information are destroyed
8 not later than the student's graduation or permanent
9 withdrawal from the school; and provided further that no such
10 records or recorded information may be released or disclosed
11 to any person except a person designated by the school as a
12 substitute unless they are first incorporated in a school
13 student record and made subject to all of the provisions of
14 this Act. School student records shall not include
15 information maintained by law enforcement professionals
16 working in the school.

17 (e) "Student Permanent Record" means the minimum
18 personal information necessary to a school in the education
19 of the student and contained in a school student record.
20 Such information may include the student's name, birth date,
21 address, grades and grade level, parents' names and
22 addresses, attendance records, and such other entries as the
23 State Board may require or authorize.

24 (f) "Student Temporary Record" means all information
25 contained in a school student record but not contained in the
26 student permanent record. Such information may include
27 family background information, intelligence test scores,
28 aptitude test scores, psychological and personality test
29 results, teacher evaluations, and other information of clear
30 relevance to the education of the student, all subject to
31 regulations of the State Board. The information shall include
32 information provided under Section 8.6 of the Abused and
33 Neglected Child Reporting Act. In addition, the student
34 temporary record shall include information regarding serious

1 disciplinary infractions that resulted in expulsion,
2 suspension, or the imposition of punishment or sanction. For
3 purposes of this provision, serious disciplinary infractions
4 means: infractions involving drugs, weapons, or bodily harm
5 to another.

6 (g) "Parent" means a person who is the natural parent of
7 the student or other person who has the primary
8 responsibility for the care and upbringing of the student.
9 All rights and privileges accorded to a parent under this Act
10 shall become exclusively those of the student upon his 18th
11 birthday, graduation from secondary school, marriage or entry
12 into military service, whichever occurs first. Such rights
13 and privileges may also be exercised by the student at any
14 time with respect to the student's permanent school record.

15 (Source: P.A. 90-590, eff. 1-1-00.)"; and

16 on page 2, line 31, by changing "Sections 7.8 and 7.9" to
17 "Section 7.9"; and

18 on page 3, by deleting lines 1 through 30; and

19 on page 4, by replacing lines 26 through 32 with the
20 following:

21 "Sec. 8.6. Reports to a child's school. Within 10 days
22 after completing an investigation of alleged physical or
23 sexual abuse under this Act, if the report is indicated, the
24 Child Protective Service Unit shall send a copy of its final
25 finding report to the school that the child who is the
26 indicated victim of the report attends. If the final finding
27 report is sent during the summer when the school is not in
28 session, the report shall be sent to the last school that the
29 child attended. The final finding report shall be sent as
30 "confidential", and the school shall be responsible for
31 ensuring that the report remains confidential in accordance
32 with the Illinois School Student Records Act. If an
33 indicated finding is overturned in an appeal or hearing, or

1 if the Department has made a determination that the child is
2 no longer at risk of physical or sexual harm, the Department
3 shall request that the final finding report be purged from
4 the student's record, and the school shall purge the final
5 finding report from the student's record and return the
6 report to the Department. If an indicated report is expunged
7 from the central register, and that report has been sent to a
8 child's school, the Department shall request that the final
9 finding report be purged from the student's record, and the
10 school shall purge the final finding report from the
11 student's record and return the report to the Department.";

12 and

13 on page 5, by deleting lines 1 and 2.