

AN ACT concerning children.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Missing Children Records Act is amended by changing Section 5 as follows:

(325 ILCS 50/5) (from Ch. 23, par. 2285)

Sec. 5. Duties of school or other entity ~~School duties~~.

(a) Upon notification by the Department of a person's disappearance, a school, preschool educational program, child care facility, or day care home or group day care home in which the person is currently or was previously enrolled shall flag the record of that person in such a manner that whenever a copy of or information regarding the record is requested, the school or other entity shall be alerted to the fact that the record is that of a missing person. The school or other entity shall immediately report to the Department any request concerning flagged records or knowledge as to the whereabouts of any missing person. Upon notification by the Department that the missing person has been recovered, the school or other entity shall remove the flag from the person's record.

(b) (1) Upon enrollment of a child ~~student~~ for the first time in a particular elementary or secondary school, public or private preschool educational program, public or private child

care facility licensed under the Child Care Act of 1969, or day care home or group day care home licensed under the Child Care Act of 1969, that school or other entity shall notify in writing the person enrolling the child ~~student~~ that within 30 days he must provide either (i) a certified copy of the child's ~~student's~~ birth certificate or (ii) other reliable proof, as determined by the Department, of the child's ~~student's~~ identity and age and an affidavit explaining the inability to produce a copy of the birth certificate. Other reliable proof of the child's ~~student's~~ identity and age shall include a passport, visa or other governmental documentation of the child's identity.

(2) Upon the failure of a person enrolling a child ~~student~~ to comply with subsection (b) (1), the school or other entity shall immediately notify the Department or local law enforcement agency of such failure, and shall notify the person enrolling the child ~~student~~ in writing that he has 10 additional days to comply.

(3) The school or other entity shall immediately report to the Department any affidavit received pursuant to this subsection which appears inaccurate or suspicious in form or content.

(c) Within 14 days after enrolling a transfer student, the elementary or secondary school shall request directly from the student's previous school a certified copy of his record. The requesting school shall exercise due diligence in obtaining the

copy of the record requested. Any elementary or secondary school requested to forward a copy of a transferring student's record to the new school shall comply within 10 days of receipt of the request unless the record has been flagged pursuant to subsection (a), in which case the copy shall not be forwarded and the requested school shall notify the Department or local law enforcement authority of the request.

(Source: P.A. 84-1430.)