

HB4301



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4301

Introduced 1/14/2026, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

105 ILCS 10/2

from Ch. 122, par. 50-2

Amends the Illinois School Student Records Act. Provides that "school student record" also means any written or electronic communications and any accompanying attachments in whole or in part sent to or from a parent, guardian, or other family member of a student that are maintained by a school or at its direction or by an employee of the school and that relate to the education, health, safety, discipline, or well-being of the student, regardless of whether the student may be individually identified.

LRB104 17064 LNS 30479 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 2 as follows:

6 (105 ILCS 10/2) (from Ch. 122, par. 50-2)

7 (Text of Section before amendment by P.A. 104-356)

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 center,
12 kindergarten, nursery, elementary or secondary educational
13 institution, vocational school, special educational facility
14 or any other elementary or secondary educational agency or
15 institution and any person, agency or institution which
16 maintains school student records from more than one school,
17 but does not include a private or non-public school.

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

19 (d) "School Student Record" means any writing or other
20 recorded information concerning a student and by which a
21 student may be individually identified, maintained by a school
22 or at its direction or by an employee of a school, regardless
23 of how or where the information is stored. The following shall

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

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

21 (f) "Student Temporary Record" means all information
22 contained in a school student record but not contained in the
23 student permanent record. Such information may include family
24 background information, intelligence test scores, aptitude
25 test scores, psychological and personality test results,
26 teacher evaluations, and other information of clear relevance

1 to the education of the student, all subject to regulations of
2 the State Board. The information shall include all of the
3 following:

4 (1) Information provided under Section 8.6 of the
5 Abused and Neglected Child Reporting Act and information
6 contained in service logs maintained by a local education
7 agency under subsection (d) of Section 14-8.02f of the
8 School Code.

9 (2) Information regarding serious disciplinary
10 infractions that resulted in expulsion, suspension, or the
11 imposition of punishment or sanction. For purposes of this
12 provision, serious disciplinary infractions means:
13 infractions involving drugs, weapons, or bodily harm to
14 another.

15 (3) Information concerning a student's status and
16 related experiences as a parent, expectant parent, or
17 victim of domestic or sexual violence, as defined in
18 Article 26A of the School Code, including a statement of
19 the student or any other documentation, record, or
20 corroborating evidence and the fact that the student has
21 requested or obtained assistance, support, or services
22 related to that status. Enforcement of this paragraph (3)
23 shall follow the procedures provided in Section 26A-40 of
24 the School Code.

25 (g) "Parent" means a person who is the natural parent of
26 the student or other person who has the primary responsibility

1 for the care and upbringing of the student. All rights and
2 privileges accorded to a parent under this Act shall become
3 exclusively those of the student upon his 18th birthday,
4 graduation from secondary school, marriage or entry into
5 military service, whichever occurs first. Such rights and
6 privileges may also be exercised by the student at any time
7 with respect to the student's permanent school record.

8 (h) "Department" means the Department of Children and
9 Family Services.

10 (Source: P.A. 101-515, eff. 8-23-19; 102-199, eff. 7-1-22;
11 102-466, eff. 7-1-25; 102-558, eff. 8-20-21; 102-813, eff.
12 5-13-22.)

13 (Text of Section after amendment by P.A. 104-356)

14 Sec. 2. As used in this Act:

15 (a) "Student" means any person enrolled or previously
16 enrolled in a school.

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

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

25 (d) "School Student Record" means any writing or other

1 recorded information concerning a student and by which a
2 student may be individually identified, maintained by a school
3 or at its direction or by an employee of a school, regardless
4 of how or where the information is stored, and any written or
5 electronic communications and any accompanying attachments in
6 whole or in part sent to or from a parent, guardian, or other
7 family member of a student that are maintained by the school or
8 at its direction or by an employee of the school and that
9 relate to the education, health, safety, discipline, or
10 well-being of the student, regardless of whether the student
11 may be individually identified. The following shall not be
12 deemed school student records under this Act: writings or
13 other recorded information maintained by an employee of a
14 school or other person at the direction of a school for his or
15 her exclusive use; provided that all such writings and other
16 recorded information are destroyed not later than the
17 student's graduation or permanent withdrawal from the school;
18 and provided further that no such records or recorded
19 information may be released or disclosed to any person except
20 a person designated by the school as a substitute unless they
21 are first incorporated in a school student record and made
22 subject to all of the provisions of this Act. School student
23 records shall not include information maintained by law
24 enforcement professionals working in the school.

25 (e) "Student Permanent Record" means the minimum personal
26 information necessary to a school in the education of the

1 student and contained in a school student record. Such
2 information may include the student's name, birth date,
3 address, grades and grade level; parents' or guardians' names
4 and addresses, attendance records; a summary of performance
5 for students that received special education services; and
6 such other entries as the State Board may require or
7 authorize. A summary of performance shall be substantially
8 similar to the summary of performance form developed by the
9 State Board. Any summary of performance maintained as part of
10 a Student Permanent Record shall be kept confidential and not
11 be disclosed except as authorized by paragraph (1) or (14) of
12 subsection (a) of Section 6. A summary of performance may be
13 excluded from a Student Permanent Record if, after being
14 notified in writing that (i) school districts do not keep
15 special education records beyond 5 years and (ii) if a summary
16 of performance record is not kept in a student's permanent
17 file, the student may not have the documentation necessary to
18 qualify for State or federal benefits in the future, the
19 student and parents or guardians consent in writing to the
20 exclusion of a summary of performance.

21 (f) "Student Temporary Record" means all information
22 contained in a school student record but not contained in the
23 student permanent record. Such information may include family
24 background information, intelligence test scores, aptitude
25 test scores, psychological and personality test results,
26 teacher evaluations, and other information of clear relevance

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4 graduation from secondary school, marriage or entry into
5 military service, whichever occurs first. Such rights and
6 privileges may also be exercised by the student at any time
7 with respect to the student's permanent school record.

8 (h) "Department" means the Department of Children and
9 Family Services.

10 (Source: P.A. 104-356, eff. 7-1-26.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.