

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 Sec. 2. As used in this Act:7

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

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

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

18 (d) "School Student Record" means any writing or other
19 recorded information concerning a student and by which a
20 student may be individually identified, maintained by a school
21 or at its direction or by an employee of a school, regardless
22 of how or where the information is stored. The following shall
23 not be deemed school student records under this Act: writings

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

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

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

1 the State Board. The information shall include information
2 provided under Section 8.6 of the Abused and Neglected Child
3 Reporting Act. In addition, the student temporary record shall
4 include information regarding serious disciplinary infractions
5 that resulted in expulsion, suspension, or the imposition of
6 punishment or sanction. For purposes of this provision, serious
7 disciplinary infractions means: infractions involving drugs,
8 weapons, or bodily harm to another.

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

18 (h) For purposes of subsection (f) of Section 5 of this
19 Act, "psychotherapist" means a person who is a school social
20 worker, school psychologist, or school counselor, as those
21 terms are defined in the School Code, or an intern working
22 under the direct supervision of a school social worker, school
23 psychologist, or school counselor.

24 (Source: P.A. 92-295, eff. 1-1-02.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.