



Sen. David Koehler

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LRB096 07674 NHT 22779 a

1 AMENDMENT TO SENATE BILL 1508

2 AMENDMENT NO. _____. Amend Senate Bill 1508 by replacing
3 everything after the enacting clause with the following:

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

6 (105 ILCS 10/5) (from Ch. 122, par. 50-5)

7 Sec. 5. (a) A parent or any person specifically designated
8 as a representative by a parent shall have the right to inspect
9 and copy all school student permanent and temporary records of
10 that parent's child. A student shall have the right to inspect
11 and copy his or her school student permanent record. No person
12 who is prohibited by an order of protection from inspecting or
13 obtaining school records of a student pursuant to the Illinois
14 Domestic Violence Act of 1986, as now or hereafter amended,
15 shall have any right of access to, or inspection of, the school
16 records of that student. If a school's principal or person with

1 like responsibilities or his designee has knowledge of such
2 order of protection, the school shall prohibit access or
3 inspection of the student's school records by such person.

4 (b) Whenever access to any person is granted pursuant to
5 paragraph (a) of this Section, at the option of either the
6 parent or the school a qualified professional, who may be a
7 psychologist, counsellor or other advisor, and who may be an
8 employee of the school or employed by the parent, may be
9 present to interpret the information contained in the student
10 temporary record. If the school requires that a professional be
11 present, the school shall secure and bear any cost of the
12 presence of the professional. If the parent so requests, the
13 school shall secure and bear any cost of the presence of a
14 professional employed by the school.

15 (c) A parent's or student's request to inspect and copy
16 records, or to allow a specifically designated representative
17 to inspect and copy records, must be granted within a
18 reasonable time, and in no case later than 15 school days after
19 the date of receipt of such request by the official records
20 custodian.

21 (d) The school may charge its reasonable costs for the
22 copying of school student records, not to exceed the amounts
23 fixed in schedules adopted by the State Board, to any person
24 permitted to copy such records, except that no parent or
25 student shall be denied a copy of school student records as
26 permitted under this Section 5 for inability to bear the cost

1 of such copying.

2 (e) Nothing contained in this Section 5 shall make
3 available to a parent or student confidential letters and
4 statements of recommendation furnished in connection with
5 applications for employment to a post-secondary educational
6 institution or the receipt of an honor or honorary recognition,
7 provided such letters and statements are not used for purposes
8 other than those for which they were specifically intended, and

9 (1) were placed in a school student record prior to
10 January 1, 1975; or

11 (2) the student has waived access thereto after being
12 advised of his right to obtain upon request the names of
13 all such persons making such confidential recommendations.

14 (f) Nothing contained in this Act shall be construed to
15 impair or limit the confidentiality of:

16 (1) Communications otherwise protected by law as
17 privileged or confidential, including but not limited to,
18 information communicated in confidence to a physician,
19 psychologist or other psychotherapist, school social
20 worker, school counselor, school psychologist, or school
21 social work, school counselor, or school psychologist
22 intern who works under the direct supervision of a school
23 social worker, school counselor, or school psychologist;
24 or

25 (2) Information which is communicated by a student or
26 parent in confidence to school personnel; or

1 (3) Information which is communicated by a student,
2 parent, or guardian to a law enforcement professional
3 working in the school, except as provided by court order.

4 (g) No school employee shall be subjected to adverse
5 employment action, the threat of adverse employment action, or
6 any manner of discrimination because the employee is acting or
7 has acted to protect communications as privileged or
8 confidential pursuant to applicable standards of professional
9 responsibility, ethical codes, or relevant provisions of State
10 or federal law.

11 (Source: P.A. 90-590, eff. 1-1-00.)".