



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3254

by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

105 ILCS 10/4

from Ch. 122, par. 50-4

Amends the Illinois School Student Records Act. Provides that if the rights and privileges accorded to a parent under the Act have been transferred to a student, a school must give reasonable prior notice to the student (rather than the parent) before any school student record is destroyed or any information is deleted from that record. Provides that a school may provide reasonable prior notice to a parent or student through (i) notice in the school's student handbook, (ii) publication in a newspaper of general circulation within the school district, or (iii) U.S. mail delivered to the last known address of the parent or student.

LRB101 04840 AXK 49849 b

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 4 as follows:

6 (105 ILCS 10/4) (from Ch. 122, par. 50-4)

7 Sec. 4. (a) Each school shall designate an official records
8 custodian who is responsible for the maintenance, care and
9 security of all school student records, whether or not such
10 records are in his personal custody or control.

11 (b) The official records custodian shall take all
12 reasonable measures to prevent unauthorized access to or
13 dissemination of school student records.

14 (c) Information contained in or added to a school student
15 record shall be limited to information which is of clear
16 relevance to the education of the student.

17 (d) Information added to a student temporary record after
18 the effective date of this Act shall include the name,
19 signature and position of the person who has added such
20 information and the date of its entry into the record.

21 (e) Each school shall maintain student permanent records
22 and the information contained therein for not less than 60
23 years after the student has transferred, graduated or otherwise

1 permanently withdrawn from the school.

2 (f) Each school shall maintain student temporary records
3 and the information contained in those records for not less
4 than 5 years after the student has transferred, graduated, or
5 otherwise withdrawn from the school. However, student
6 temporary records shall not be disclosed except as provided in
7 Section 5 or 6 or by court order. A school may maintain
8 indefinitely anonymous information from student temporary
9 records for authorized research, statistical reporting or
10 planning purposes, provided that no student or parent can be
11 individually identified from the information maintained.

12 (g) The principal of each school or the person with like
13 responsibilities or his or her designate shall periodically
14 review each student temporary record for verification of
15 entries and elimination or correction of all inaccurate,
16 misleading, unnecessary or irrelevant information. The State
17 Board shall issue regulations to govern the periodic review of
18 the student temporary records and length of time for
19 maintenance of entries to such records.

20 (h) Before any school student record is destroyed or
21 information deleted therefrom, the parent or the student, if
22 the rights and privileges accorded to the parent under this Act
23 have been transferred to the student, shall be given reasonable
24 prior notice ~~at his or her last known address~~ in accordance
25 with rules ~~regulations~~ adopted by the State Board and an
26 opportunity to copy the record and information proposed to be

1 destroyed or deleted. A school may provide reasonable prior
2 notice under this subsection to a parent or student through (i)
3 notice in the school's student handbook, (ii) publication in a
4 newspaper of general circulation within the school district, or
5 (iii) U.S. mail delivered to the last known address of the
6 parent or student.

7 (i) No school shall be required to separate permanent and
8 temporary school student records of a student not enrolled in
9 such school on or after the effective date of this Act or to
10 destroy any such records, or comply with the provisions of
11 paragraph (g) of this Section with respect to such records,
12 except (1) in accordance with the request of the parent that
13 any or all of such actions be taken in compliance with the
14 provisions of this Act or (2) in accordance with regulations
15 adopted by the State Board.

16 (Source: P.A. 90-590, eff. 1-1-00; 90-811, eff. 1-26-99.)