



Rep. Terra Costa Howard

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LRB104 10155 LNS 23397 a

1 AMENDMENT TO HOUSE BILL 2827

2 AMENDMENT NO. _____. Amend House Bill 2827 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Homeschool Act.

6 Section 5. Application. Nothing in this Act applies to
7 non-home-based, nonpublic schools, including, but not limited
8 to, those that are registered or recognized under Section
9 2-3.25o of the School Code.

10 Section 10. Findings. The General Assembly makes all of
11 the following findings:

12 (1) There are a number of children participating in
13 homeschool programs in this State, and homeschooling is
14 currently the fastest growing form of education in the
15 United States. The true number of homeschooled children is

1 likely to remain unknown without adequate notification and
2 oversight.

3 (2) The laws of this State do not adequately protect
4 homeschooled children in situations when notification of
5 the type of schooling of the child would help reduce
6 vulnerabilities to abuse and neglect.

7 (3) The notification of and requirements for
8 homeschooling are in the best interests of children to
9 receive a safe and sufficient education.

10 (4) Public schools are encouraged to the best of their
11 ability to offer their programming to homeschooled
12 students and families and to have open communication with
13 homeschool families.

14 Section 15. Definitions. As used in this Act:

15 "Educational portfolio" means a set of records and
16 materials that document a child's educational progress during
17 the preceding school year and includes, but is not limited to:

18 (1) a log, which designates by title the curricular
19 materials used;

20 (2) samples of any writings, worksheets, workbooks, or
21 creative materials used or developed by the child; and

22 (3) the homeschool administrator's individualized
23 assessment of the child's academic progress in each
24 subject area of instruction.

25 "Homeschool administrator" means the parent or guardian of

1 a child, another member of the household of a child, or anyone
2 who may exercise legal custody over a child, as defined in
3 Section 10-20.12b of the School Code, who is responsible for
4 the provision of a homeschool program.

5 "Homeschool Declaration Form" means a template form
6 created by the State Board of Education to be used by a
7 homeschool administrator to verify that the child is enrolled
8 in a homeschool program.

9 "Homeschool program" means a nonpublic school consisting
10 of the children of not more than one household, where a
11 homeschool administrator is responsible for providing a course
12 of instruction sufficient to satisfy the education
13 requirements set forth in Section 26-1 of the School Code.

14 Section 20. Homeschool Declaration Form; homeschool
15 administrators.

16 (a) The State Board of Education shall create a Homeschool
17 Declaration Form to be used by a homeschool administrator to
18 submit information indicating that a child is enrolled in a
19 homeschool program to the principal of the public school that
20 the homeschooled child would otherwise attend or to the school
21 district that the homeschooled child would otherwise attend.
22 The public school or the school district shall transmit the
23 Homeschool Declaration Form to the school district's regional
24 office of education or intermediate service center or, in the
25 case of a school district organized under Article 34 of the

1 School Code, the general superintendent. The regional office
2 of education or intermediate service center or, in the case of
3 a school district organized under Article 34 of the School
4 Code, the general superintendent shall store the information
5 for children enrolled in a homeschool program in its area.

6 The Homeschool Declaration Form shall include, but not be
7 limited to: the name, birth date, grade level, and home
8 address of the child; the name, birth date, contact
9 information, and home address of the homeschool administrator;
10 and assurance that the homeschool administrator has received a
11 high school diploma or its recognized equivalent.

12 The State Board of Education shall create the template of
13 the Homeschool Declaration Form no later than June 1, 2026.
14 The template of the Homeschool Declaration Form must be
15 publicly displayed and accessible on the State Board of
16 Education's website no later than July 1, 2026.

17 (b) Beginning August 1, 2026, a homeschool administrator
18 must submit a Homeschool Declaration Form to the principal of
19 the public school that the homeschooled child would otherwise
20 attend or to the school district that the homeschooled child
21 would otherwise attend. The Homeschool Declaration Form shall
22 be resubmitted by August 1 of each year that the homeschool
23 administrator intends to provide a homeschool program. The
24 principal or school district must transmit all received
25 Homeschool Declaration Forms to the school district's regional
26 office of education or intermediate service center or, in the

1 case of a school district organized under Article 34 of the
2 School Code, the general superintendent by September 1 of each
3 year. All received Homeschool Declaration Forms shall be
4 stored by the regional office of education or intermediate
5 service center or, in the case of a school district organized
6 under Article 34 of the School Code, the general
7 superintendent. The regional office of education or
8 intermediate service center or, in the case of a school
9 district organized under Article 34 of the School Code, the
10 general superintendent shall store the information for
11 children enrolled in a homeschool program in its area. A
12 Homeschool Declaration Form shall be submitted by a homeschool
13 administrator:

14 (1) by August 1 of each school year a child will
15 receive instruction through a homeschool program, starting
16 for the school year in which the child will turn age 6;

17 (2) within 10 business days after a parent or guardian
18 withdraws a child from public school after age 6 to enroll
19 the child in a homeschool program; or

20 (3) within 10 business days after moving within the
21 boundaries of a new school district.

22 If a Homeschool Declaration Form is submitted to the
23 incorrect principal or school district, based on the home
24 address provided on the form, the principal or school district
25 shall inform the homeschool administrator of the principal or
26 school district to which the Homeschool Declaration Form must

1 be submitted. It is then the homeschool administrator's
2 responsibility to submit the form to that principal or school
3 district.

4 (c) A school district, regional office of education, or
5 intermediate service center may receive the required
6 information under this Section through an electronic or
7 web-based format, but must not require the electronic or
8 web-based submission of information under this Section from
9 the homeschool administrator under this subsection (c).

10 A school district, other than a school district organized
11 under Article 34 of the School Code, is not required to
12 maintain a record of the required information under this
13 Section after it has been transmitted to the school district's
14 regional office of education or intermediate service center
15 but may choose to retain this information in order to offer
16 homeschooled children in the school district access to school
17 programming, including, but not limited to, dental, vision,
18 and hearing screenings, school newsletters, parent education
19 programs, and field trips. A regional office of education or
20 intermediate service center or a school district organized
21 under Article 34 of the School Code shall maintain a record of
22 the required information under this Section for no less than 5
23 years.

24 (d) Any personally identifying information of a child,
25 parent, guardian, or educator on a Homeschool Declaration Form
26 is confidential and exempt from the Freedom of Information Act

1 and the Illinois School Student Records Act. Homeschool
2 Declaration Forms submitted under this Section are not subject
3 to disclosure under the Freedom of Information Act.

4 (e) The State Board of Education shall maintain resources
5 for all homeschool administrators. The resources shall
6 include, but shall not be limited to, instructions on how to
7 fill out the Homeschool Declaration Form, how to submit the
8 Homeschool Declaration Form to a principal or to a school
9 district, and how to locate and contact a regional office of
10 education or intermediate service center. The resources shall
11 be publicly displayed on the State Board of Education's
12 website no later than July 1, 2026.

13 (f) A copy of a homeschool administrator's proof of high
14 school graduation or its recognized equivalent shall be made
15 available upon request by a regional office of education or
16 intermediate service center or, in the case of a school
17 district organized under Article 34 of the School Code, the
18 general superintendent of schools based on questions of
19 truancy or whether an adequate education is occurring.

20 Section 25. Failure to submit; truancy; educational
21 portfolio.

22 (a) If the homeschool administrator for a child enrolled
23 in a homeschool program has not submitted to the principal of
24 the applicable public school or to the applicable school
25 district a Homeschool Declaration Form pursuant to Section 20,

1 the child shall be considered truant under Section 26-1 of the
2 School Code and the homeschool administrator for the child
3 shall be subject to the penalties set forth in Sections 26-10
4 and 26-11 of the School Code.

5 (b) A truant officer, regional office of education, or
6 intermediate service center must send the notice required
7 under Section 26-7 of the School Code to a homeschool
8 administrator if the truant officer, regional office of
9 education, or intermediate service center has knowledge that
10 the homeschool administrator is operating a homeschool program
11 and has not notified a public school through the submission of
12 a Homeschool Declaration Form. This notice must include
13 instructions on how the homeschool administrator can fill out
14 the Homeschool Declaration Form for the homeschool
15 administrator's homeschool program.

16 A regional office of education or intermediate service
17 center is empowered to conduct truancy hearings and
18 proceedings under Section 26-8 of the School Code for any
19 homeschool administrator who fails to complete and submit the
20 Homeschool Declaration Form for the homeschool administrator's
21 homeschool program after being provided 3 required notices
22 within 10 business days.

23 For each contact made with a homeschool administrator
24 under this subsection (b), a copy of the Homeschool
25 Declaration Form and instructions on how to submit it must be
26 provided.

1 (c) A regional office of education or intermediate service
2 center or school district organized under Article 34 of the
3 School Code may request that a homeschool administrator
4 provide an educational portfolio as evidence that the
5 homeschool administrator's homeschool program provides a
6 course of instruction that is sufficient to satisfy the
7 education requirements set forth in Sections 26-1 and 27-1 of
8 the School Code and that is at least commensurate with the
9 standards prescribed for public schools.

10 (d) A child enrolled in a homeschool program for whom an
11 annual Homeschool Declaration Form has been submitted by the
12 homeschool administrator and, if requested, an educational
13 portfolio has been provided as evidence of an adequate
14 education under subsection (c) is not considered truant and is
15 exempt from attending public school under paragraph 9 of
16 Section 26-1 of the School Code.

17 Section 30. Health examination and immunization reporting.
18 Beginning with the 2026-2027 school year, if a child in a
19 homeschool program seeks to enroll part time in a public
20 school or participate in any public school activities taking
21 place on or off of school grounds, the homeschool
22 administrator must submit proof to the school district where
23 the homeschool program is located that the child has received
24 all immunizations and health examinations required under
25 Section 27-8.1 of the School Code and the rules adopted by the

1 Department of Public Health under Section 27.8-1 of the School
2 Code or a signed Certificate of Religious Exemption under
3 Section 27-8.1 of the School Code.

4 Only if a child in a homeschool program seeks to enroll
5 part time in a public school or participate in any regularly
6 occurring, public-school-sponsored, public-school activities
7 taking place on or off school grounds shall the parent or
8 guardian of the child submit proof of the child's
9 immunizations and health examinations or a signed Certificate
10 of Religious Exemption to the principal of the public school
11 that the child would otherwise attend by October 15 of the
12 current school year or by an earlier date during the current
13 school year established by the school district.

14 Section 35. Requirements for homeschool programs.

15 (a) A homeschool administrator must have, at a minimum, a
16 high school diploma or its recognized equivalent. If a
17 regional office of education or intermediate service center or
18 a school district organized under Article 34 of the School
19 Code has concerns about truancy or whether the homeschool
20 administrator is providing an adequate education, the
21 designated truancy officer may request proof of the homeschool
22 administrator's high school diploma or its recognized
23 equivalent. If there is a truancy hearing under Section 26-8
24 of the School Code, the homeschool administrator shall provide
25 proof of the homeschool administrator's high school diploma or

1 its recognized equivalent or any degree obtained from an
2 institution of higher education.

3 (b) A child enrolled in a homeschool program shall receive
4 instruction in language arts, mathematics, biological,
5 physical, and social sciences, fine arts, and physical
6 development and health as provided in Section 27-1 of the
7 School Code.

8 (c) No individual may administer a child's homeschool
9 program or provide direct instruction to a child in a
10 homeschool program if the individual has been convicted of any
11 offense under Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or
12 11-1.60 of the Criminal Code of 2012.

13 Section 40. Department of Children and Family Services;
14 investigation.

15 (a) The Department of Children and Family Services shall
16 alert the relevant regional office of education or
17 intermediate service center or a school district organized
18 under Article 34 of this Code if a child whom the Department
19 has had contact with is being homeschooled. The Department
20 shall provide the child's name, home address, and contact
21 information to the regional office of education, intermediate
22 service center, or school district. The regional office of
23 education, intermediate service center, or school district has
24 the power to conduct an investigation to see if a Homeschool
25 Declaration Form under Section 20 has been submitted for the

1 child and any other investigations as needed.

2 (b) Nothing in this Act supersedes the Department of
3 Children and Family Services Guardianship Administrator's
4 authority to approve or deny whether a youth under the custody
5 or guardianship of the Department of Children and Family
6 Services Guardianship Administrator may participate in a
7 homeschool program. Consent must be obtained from the
8 Department of Children and Family Services Guardianship
9 Administrator prior to the Homeschool Declaration Form being
10 submitted under subsection (b) of Section 20 for all youth
11 under the custody or guardianship of the Department of
12 Children and Family Services Guardianship Administrator.

13 Section 900. Reports.

14 (a) On or before July 31, 2027 and on or before July 31 of
15 every year thereafter, every regional office of education and
16 intermediate service center and a school district organized
17 under Article 34 of the School Code must make an annual report
18 to the State Superintendent of Education containing data on
19 homeschooling. The report shall include the total count of
20 students receiving homeschooling that reside within each
21 school district's boundaries for that regional office of
22 education or intermediate service center and the total count
23 of students receiving homeschooling that reside within the
24 boundaries of a school district organized under Article 34 of
25 the School Code. The report shall also break down by grade

1 level and gender the number of students being homeschooled
2 within each school district's boundaries for that regional
3 office of education or intermediate service center or within a
4 school district organized under Article 34 of the School Code.

5 (b) On or before February 1, 2028 and on or before February
6 1 of every year thereafter, the State Board of Education shall
7 create a report consisting of the data reported under
8 subsection (a) and submit the report to the General Assembly.
9 The report shall also outline the total count of students
10 receiving homeschooling in each regional office of education,
11 intermediate service center, and school district.

12 Section 905. Rules. The State Board of Education may adopt
13 any rules necessary to implement and administer this Act.

14 Section 910. The Freedom of Information Act is amended by
15 changing Section 7.5 as follows:

16 (5 ILCS 140/7.5)

17 Sec. 7.5. Statutory exemptions. To the extent provided for
18 by the statutes referenced below, the following shall be
19 exempt from inspection and copying:

20 (a) All information determined to be confidential
21 under Section 4002 of the Technology Advancement and
22 Development Act.

23 (b) Library circulation and order records identifying

1 library users with specific materials under the Library
2 Records Confidentiality Act.

3 (c) Applications, related documents, and medical
4 records received by the Experimental Organ Transplantation
5 Procedures Board and any and all documents or other
6 records prepared by the Experimental Organ Transplantation
7 Procedures Board or its staff relating to applications it
8 has received.

9 (d) Information and records held by the Department of
10 Public Health and its authorized representatives relating
11 to known or suspected cases of sexually transmitted
12 infection or any information the disclosure of which is
13 restricted under the Illinois Sexually Transmitted
14 Infection Control Act.

15 (e) Information the disclosure of which is exempted
16 under Section 30 of the Radon Industry Licensing Act.

17 (f) Firm performance evaluations under Section 55 of
18 the Architectural, Engineering, and Land Surveying
19 Qualifications Based Selection Act.

20 (g) Information the disclosure of which is restricted
21 and exempted under Section 50 of the Illinois Prepaid
22 Tuition Act.

23 (h) Information the disclosure of which is exempted
24 under the State Officials and Employees Ethics Act, and
25 records of any lawfully created State or local inspector
26 general's office that would be exempt if created or

1 obtained by an Executive Inspector General's office under
2 that Act.

3 (i) Information contained in a local emergency energy
4 plan submitted to a municipality in accordance with a
5 local emergency energy plan ordinance that is adopted
6 under Section 11-21.5-5 of the Illinois Municipal Code.

7 (j) Information and data concerning the distribution
8 of surcharge moneys collected and remitted by carriers
9 under the Emergency Telephone System Act.

10 (k) Law enforcement officer identification information
11 or driver identification information compiled by a law
12 enforcement agency or the Department of Transportation
13 under Section 11-212 of the Illinois Vehicle Code.

14 (l) Records and information provided to a residential
15 health care facility resident sexual assault and death
16 review team or the Executive Council under the Abuse
17 Prevention Review Team Act.

18 (m) Information provided to the predatory lending
19 database created pursuant to Article 3 of the Residential
20 Real Property Disclosure Act, except to the extent
21 authorized under that Article.

22 (n) Defense budgets and petitions for certification of
23 compensation and expenses for court appointed trial
24 counsel as provided under Sections 10 and 15 of the
25 Capital Crimes Litigation Act (repealed). This subsection

26 (n) shall apply until the conclusion of the trial of the

1 case, even if the prosecution chooses not to pursue the
2 death penalty prior to trial or sentencing.

3 (o) Information that is prohibited from being
4 disclosed under Section 4 of the Illinois Health and
5 Hazardous Substances Registry Act.

6 (p) Security portions of system safety program plans,
7 investigation reports, surveys, schedules, lists, data, or
8 information compiled, collected, or prepared by or for the
9 Department of Transportation under Sections 2705-300 and
10 2705-616 of the Department of Transportation Law of the
11 Civil Administrative Code of Illinois, the Regional
12 Transportation Authority under Section 2.11 of the
13 Regional Transportation Authority Act, or the St. Clair
14 County Transit District under the Bi-State Transit Safety
15 Act (repealed).

16 (q) Information prohibited from being disclosed by the
17 Personnel Record Review Act.

18 (r) Information prohibited from being disclosed by the
19 Illinois School Student Records Act.

20 (s) Information the disclosure of which is restricted
21 under Section 5-108 of the Public Utilities Act.

22 (t) (Blank).

23 (u) Records and information provided to an independent
24 team of experts under the Developmental Disability and
25 Mental Health Safety Act (also known as Brian's Law).

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under
2 the Firearm Owners Identification Card Act or applied for
3 or received a concealed carry license under the Firearm
4 Concealed Carry Act, unless otherwise authorized by the
5 Firearm Concealed Carry Act; and databases under the
6 Firearm Concealed Carry Act, records of the Concealed
7 Carry Licensing Review Board under the Firearm Concealed
8 Carry Act, and law enforcement agency objections under the
9 Firearm Concealed Carry Act.

10 (v-5) Records of the Firearm Owner's Identification
11 Card Review Board that are exempted from disclosure under
12 Section 10 of the Firearm Owners Identification Card Act.

13 (w) Personally identifiable information which is
14 exempted from disclosure under subsection (g) of Section
15 19.1 of the Toll Highway Act.

16 (x) Information which is exempted from disclosure
17 under Section 5-1014.3 of the Counties Code or Section
18 8-11-21 of the Illinois Municipal Code.

19 (y) Confidential information under the Adult
20 Protective Services Act and its predecessor enabling
21 statute, the Elder Abuse and Neglect Act, including
22 information about the identity and administrative finding
23 against any caregiver of a verified and substantiated
24 decision of abuse, neglect, or financial exploitation of
25 an eligible adult maintained in the Registry established
26 under Section 7.5 of the Adult Protective Services Act.

1 (z) Records and information provided to a fatality
2 review team or the Illinois Fatality Review Team Advisory
3 Council under Section 15 of the Adult Protective Services
4 Act.

5 (aa) Information which is exempted from disclosure
6 under Section 2.37 of the Wildlife Code.

7 (bb) Information which is or was prohibited from
8 disclosure by the Juvenile Court Act of 1987.

9 (cc) Recordings made under the Law Enforcement
10 Officer-Worn Body Camera Act, except to the extent
11 authorized under that Act.

12 (dd) Information that is prohibited from being
13 disclosed under Section 45 of the Condominium and Common
14 Interest Community Ombudsperson Act.

15 (ee) Information that is exempted from disclosure
16 under Section 30.1 of the Pharmacy Practice Act.

17 (ff) Information that is exempted from disclosure
18 under the Revised Uniform Unclaimed Property Act.

19 (gg) Information that is prohibited from being
20 disclosed under Section 7-603.5 of the Illinois Vehicle
21 Code.

22 (hh) Records that are exempt from disclosure under
23 Section 1A-16.7 of the Election Code.

24 (ii) Information which is exempted from disclosure
25 under Section 2505-800 of the Department of Revenue Law of
26 the Civil Administrative Code of Illinois.

1 (jj) Information and reports that are required to be
2 submitted to the Department of Labor by registering day
3 and temporary labor service agencies but are exempt from
4 disclosure under subsection (a-1) of Section 45 of the Day
5 and Temporary Labor Services Act.

6 (kk) Information prohibited from disclosure under the
7 Seizure and Forfeiture Reporting Act.

8 (ll) Information the disclosure of which is restricted
9 and exempted under Section 5-30.8 of the Illinois Public
10 Aid Code.

11 (mm) Records that are exempt from disclosure under
12 Section 4.2 of the Crime Victims Compensation Act.

13 (nn) Information that is exempt from disclosure under
14 Section 70 of the Higher Education Student Assistance Act.

15 (oo) Communications, notes, records, and reports
16 arising out of a peer support counseling session
17 prohibited from disclosure under the First Responders
18 Suicide Prevention Act.

19 (pp) Names and all identifying information relating to
20 an employee of an emergency services provider or law
21 enforcement agency under the First Responders Suicide
22 Prevention Act.

23 (qq) Information and records held by the Department of
24 Public Health and its authorized representatives collected
25 under the Reproductive Health Act.

26 (rr) Information that is exempt from disclosure under

1 the Cannabis Regulation and Tax Act.

2 (ss) Data reported by an employer to the Department of
3 Human Rights pursuant to Section 2-108 of the Illinois
4 Human Rights Act.

5 (tt) Recordings made under the Children's Advocacy
6 Center Act, except to the extent authorized under that
7 Act.

8 (uu) Information that is exempt from disclosure under
9 Section 50 of the Sexual Assault Evidence Submission Act.

10 (vv) Information that is exempt from disclosure under
11 subsections (f) and (j) of Section 5-36 of the Illinois
12 Public Aid Code.

13 (ww) Information that is exempt from disclosure under
14 Section 16.8 of the State Treasurer Act.

15 (xx) Information that is exempt from disclosure or
16 information that shall not be made public under the
17 Illinois Insurance Code.

18 (yy) Information prohibited from being disclosed under
19 the Illinois Educational Labor Relations Act.

20 (zz) Information prohibited from being disclosed under
21 the Illinois Public Labor Relations Act.

22 (aaa) Information prohibited from being disclosed
23 under Section 1-167 of the Illinois Pension Code.

24 (bbb) Information that is prohibited from disclosure
25 by the Illinois Police Training Act and the Illinois State
26 Police Act.

1 (ccc) Records exempt from disclosure under Section
2 2605-304 of the Illinois State Police Law of the Civil
3 Administrative Code of Illinois.

4 (ddd) Information prohibited from being disclosed
5 under Section 35 of the Address Confidentiality for
6 Victims of Domestic Violence, Sexual Assault, Human
7 Trafficking, or Stalking Act.

8 (eee) Information prohibited from being disclosed
9 under subsection (b) of Section 75 of the Domestic
10 Violence Fatality Review Act.

11 (fff) Images from cameras under the Expressway Camera
12 Act. This subsection (fff) is inoperative on and after
13 July 1, 2025.

14 (ggg) Information prohibited from disclosure under
15 paragraph (3) of subsection (a) of Section 14 of the Nurse
16 Agency Licensing Act.

17 (hhh) Information submitted to the Illinois State
18 Police in an affidavit or application for an assault
19 weapon endorsement, assault weapon attachment endorsement,
20 .50 caliber rifle endorsement, or .50 caliber cartridge
21 endorsement under the Firearm Owners Identification Card
22 Act.

23 (iii) Data exempt from disclosure under Section 50 of
24 the School Safety Drill Act.

25 (jjj) Information exempt from disclosure under Section
26 30 of the Insurance Data Security Law.

1 (kkk) Confidential business information prohibited
2 from disclosure under Section 45 of the Paint Stewardship
3 Act.

4 (lll) Data exempt from disclosure under Section
5 2-3.196 of the School Code.

6 (mmm) Information prohibited from being disclosed
7 under subsection (e) of Section 1-129 of the Illinois
8 Power Agency Act.

9 (nnn) Materials received by the Department of Commerce
10 and Economic Opportunity that are confidential under the
11 Music and Musicians Tax Credit and Jobs Act.

12 (ooo) ~~(nnn)~~ Data or information provided pursuant to
13 Section 20 of the Statewide Recycling Needs and Assessment
14 Act.

15 (ppp) ~~(nnn)~~ Information that is exempt from disclosure
16 under Section 28-11 of the Lawful Health Care Activity
17 Act.

18 (qqq) ~~(nnn)~~ Information that is exempt from disclosure
19 under Section 7-101 of the Illinois Human Rights Act.

20 (rrr) ~~(mmm)~~ Information prohibited from being
21 disclosed under Section 4-2 of the Uniform Money
22 Transmission Modernization Act.

23 (sss) ~~(nnn)~~ Information exempt from disclosure under
24 Section 40 of the Student-Athlete Endorsement Rights Act.

25 (ttt) Information and records held by the State Board
26 of Education, a regional office of education, an

1 intermediate service center, or any school district
2 containing confidential information about a student,
3 parent, or guardian under the Homeschool Act.

4 (uuu) Information and records held by the State Board
5 of Education containing confidential information about a
6 student, parent, or guardian under Section 2-3.25o of the
7 School Code.

8 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
9 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
10 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
11 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
12 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
13 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
14 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.
15 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,
16 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;
17 103-1049, eff. 8-9-24; revised 11-26-24.)

18 Section 915. The School Code is amended by changing
19 Sections 2-3.25o, 26-1, 26-3a, 26-7, and 26-16 as follows:

20 (105 ILCS 5/2-3.25o)

21 Sec. 2-3.25o. Registration and recognition of non-public
22 elementary and secondary schools.

23 (a) Findings. The General Assembly finds and declares (i)
24 that the Constitution of the State of Illinois provides that a

1 "fundamental goal of the People of the State is the
2 educational development of all persons to the limits of their
3 capacities" and (ii) that the educational development of every
4 school student serves the public purposes of the State. In
5 order to ensure that all Illinois students and teachers have
6 the opportunity to enroll and work in State-approved
7 educational institutions and programs, the State Board of
8 Education shall provide for the voluntary registration and
9 recognition of non-public elementary and secondary schools.

10 (b) Registration. All non-public elementary and secondary
11 schools in the State of Illinois may voluntarily register with
12 the State Board of Education on an annual basis. However,
13 beginning on August 1, 2026, all non-public elementary and
14 secondary schools in the State of Illinois shall register with
15 the State Board of Education on an annual basis. Registration
16 shall be completed in conformance with procedures prescribed
17 by the State Board of Education. Information required for
18 registration shall include assurances of compliance (i) with
19 federal and State laws regarding health examination and
20 immunization, attendance, length of term, and
21 nondiscrimination, including assurances that the school will
22 not prohibit hairstyles historically associated with race,
23 ethnicity, or hair texture, including, but not limited to,
24 protective hairstyles such as braids, locks, and twists, ~~and~~
25 (ii) with applicable fire and health safety requirements,
26 (iii) with the requirement that all individuals in the school

1 assigned to a teaching or administrative position hold, at a
2 minimum, a high school diploma or its recognized equivalent,
3 and (iv) with the requirement to maintain in its own records a
4 list of every attending student's name, date of birth, grade
5 level, and home address and the name and home address of at
6 least one parent or guardian of each attending student. A
7 non-public elementary or secondary school shall provide this
8 information to the State Board of Education and the regional
9 office of education or intermediate service center for the
10 school district where the non-public school is located, if
11 applicable, or to the school board if the non-public school is
12 located in a school district organized under Article 34 of
13 this Code, upon request. Any personally identifying
14 information of a student, parent, or guardian that any school
15 or school district sends to the State Board of Education is
16 confidential and exempt from disclosure according to the
17 Freedom of Information Act and the Illinois School Student
18 Records Act.

19 (c) Recognition. All non-public elementary and secondary
20 schools in the State of Illinois may voluntarily seek the
21 status of "Non-public School Recognition" from the State Board
22 of Education. This status may be obtained by compliance with
23 administrative guidelines and review procedures as prescribed
24 by the State Board of Education. The guidelines and procedures
25 must recognize that some of the aims and the financial bases of
26 non-public schools are different from public schools and will

1 not be identical to those for public schools, nor will they be
2 more burdensome. The guidelines and procedures must also
3 recognize the diversity of non-public schools and shall not
4 impinge upon the noneducational relationships between those
5 schools and their clientele.

6 (c-5) Prohibition against recognition. A non-public
7 elementary or secondary school may not obtain "Non-public
8 School Recognition" status unless the school requires all
9 certified and non-certified applicants for employment with the
10 school, after July 1, 2007, to authorize a fingerprint-based
11 criminal history records check as a condition of employment to
12 determine if such applicants have been convicted of any of the
13 enumerated criminal or drug offenses set forth in Section
14 21B-80 of this Code or have been convicted, within 7 years of
15 the application for employment, of any other felony under the
16 laws of this State or of any offense committed or attempted in
17 any other state or against the laws of the United States that,
18 if committed or attempted in this State, would have been
19 punishable as a felony under the laws of this State.

20 Authorization for the check shall be furnished by the
21 applicant to the school, except that if the applicant is a
22 substitute teacher seeking employment in more than one
23 non-public school, a teacher seeking concurrent part-time
24 employment positions with more than one non-public school (as
25 a reading specialist, special education teacher, or
26 otherwise), or an educational support personnel employee

1 seeking employment positions with more than one non-public
2 school, then only one of the non-public schools employing the
3 individual shall request the authorization. Upon receipt of
4 this authorization, the non-public school shall submit the
5 applicant's name, sex, race, date of birth, social security
6 number, fingerprint images, and other identifiers, as
7 prescribed by the Illinois State Police, to the Illinois State
8 Police.

9 The Illinois State Police and Federal Bureau of
10 Investigation shall furnish, pursuant to a fingerprint-based
11 criminal history records check, records of convictions,
12 forever and hereafter, until expunged, to the president or
13 principal of the non-public school that requested the check.
14 The Illinois State Police shall charge that school a fee for
15 conducting such check, which fee must be deposited into the
16 State Police Services Fund and must not exceed the cost of the
17 inquiry. Subject to appropriations for these purposes, the
18 State Superintendent of Education shall reimburse non-public
19 schools for fees paid to obtain criminal history records
20 checks under this Section.

21 A non-public school may not obtain recognition status
22 unless the school also performs a check of the Statewide Sex
23 Offender Database, as authorized by the Sex Offender Community
24 Notification Law, and the Statewide Murderer and Violent
25 Offender Against Youth Database, as authorized by the Murderer
26 and Violent Offender Against Youth Registration Act, for each

1 applicant for employment, after July 1, 2007, to determine
2 whether the applicant has been adjudicated of a sex offense or
3 of a murder or other violent crime against youth. The checks of
4 the Statewide Sex Offender Database and the Statewide Murderer
5 and Violent Offender Against Youth Database must be conducted
6 by the non-public school once for every 5 years that an
7 applicant remains employed by the non-public school.

8 Any information concerning the record of convictions
9 obtained by a non-public school's president or principal under
10 this Section is confidential and may be disseminated only to
11 the governing body of the non-public school or any other
12 person necessary to the decision of hiring the applicant for
13 employment. A copy of the record of convictions obtained from
14 the Illinois State Police shall be provided to the applicant
15 for employment. Upon a check of the Statewide Sex Offender
16 Database, the non-public school shall notify the applicant as
17 to whether or not the applicant has been identified in the Sex
18 Offender Database as a sex offender. Any information
19 concerning the records of conviction obtained by the
20 non-public school's president or principal under this Section
21 for a substitute teacher seeking employment in more than one
22 non-public school, a teacher seeking concurrent part-time
23 employment positions with more than one non-public school (as
24 a reading specialist, special education teacher, or
25 otherwise), or an educational support personnel employee
26 seeking employment positions with more than one non-public

1 school may be shared with another non-public school's
2 principal or president to which the applicant seeks
3 employment. Any unauthorized release of confidential
4 information may be a violation of Section 7 of the Criminal
5 Identification Act.

6 No non-public school may obtain recognition status that
7 knowingly employs a person, hired after July 1, 2007, for whom
8 an Illinois State Police and Federal Bureau of Investigation
9 fingerprint-based criminal history records check and a
10 Statewide Sex Offender Database check has not been initiated
11 or who has been convicted of any offense enumerated in Section
12 21B-80 of this Code or any offense committed or attempted in
13 any other state or against the laws of the United States that,
14 if committed or attempted in this State, would have been
15 punishable as one or more of those offenses. No non-public
16 school may obtain recognition status under this Section that
17 knowingly employs a person who has been found to be the
18 perpetrator of sexual or physical abuse of a minor under 18
19 years of age pursuant to proceedings under Article II of the
20 Juvenile Court Act of 1987.

21 In order to obtain recognition status under this Section,
22 a non-public school must require compliance with the
23 provisions of this subsection (c-5) from all employees of
24 persons or firms holding contracts with the school, including,
25 but not limited to, food service workers, school bus drivers,
26 and other transportation employees, who have direct, daily

1 contact with pupils. Any information concerning the records of
2 conviction or identification as a sex offender of any such
3 employee obtained by the non-public school principal or
4 president must be promptly reported to the school's governing
5 body.

6 Prior to the commencement of any student teaching
7 experience or required internship (which is referred to as
8 student teaching in this Section) in any non-public elementary
9 or secondary school that has obtained or seeks to obtain
10 recognition status under this Section, a student teacher is
11 required to authorize a fingerprint-based criminal history
12 records check. Authorization for and payment of the costs of
13 the check must be furnished by the student teacher to the chief
14 administrative officer of the non-public school where the
15 student teaching is to be completed. Upon receipt of this
16 authorization and payment, the chief administrative officer of
17 the non-public school shall submit the student teacher's name,
18 sex, race, date of birth, social security number, fingerprint
19 images, and other identifiers, as prescribed by the Illinois
20 State Police, to the Illinois State Police. The Illinois State
21 Police and the Federal Bureau of Investigation shall furnish,
22 pursuant to a fingerprint-based criminal history records
23 check, records of convictions, forever and hereinafter, until
24 expunged, to the chief administrative officer of the
25 non-public school that requested the check. The Illinois State
26 Police shall charge the school a fee for conducting the check,

1 which fee must be passed on to the student teacher, must not
2 exceed the cost of the inquiry, and must be deposited into the
3 State Police Services Fund. The school shall further perform a
4 check of the Statewide Sex Offender Database, as authorized by
5 the Sex Offender Community Notification Law, and of the
6 Statewide Murderer and Violent Offender Against Youth
7 Database, as authorized by the Murderer and Violent Offender
8 Against Youth Registration Act, for each student teacher. No
9 school that has obtained or seeks to obtain recognition status
10 under this Section may knowingly allow a person to student
11 teach for whom a criminal history records check, a Statewide
12 Sex Offender Database check, and a Statewide Murderer and
13 Violent Offender Against Youth Database check have not been
14 completed and reviewed by the chief administrative officer of
15 the non-public school.

16 A copy of the record of convictions obtained from the
17 Illinois State Police must be provided to the student teacher.
18 Any information concerning the record of convictions obtained
19 by the chief administrative officer of the non-public school
20 is confidential and may be transmitted only to the chief
21 administrative officer of the non-public school or his or her
22 designee, the State Superintendent of Education, the State
23 Educator Preparation and Licensure Board, or, for
24 clarification purposes, the Illinois State Police or the
25 Statewide Sex Offender Database or Statewide Murderer and
26 Violent Offender Against Youth Database. Any unauthorized

1 release of confidential information may be a violation of
2 Section 7 of the Criminal Identification Act.

3 No school that has obtained or seeks to obtain recognition
4 status under this Section may knowingly allow a person to
5 student teach who has been convicted of any offense that would
6 subject him or her to license suspension or revocation
7 pursuant to Section 21B-80 of this Code or who has been found
8 to be the perpetrator of sexual or physical abuse of a minor
9 under 18 years of age pursuant to proceedings under Article II
10 of the Juvenile Court Act of 1987.

11 Any school that has obtained or seeks to obtain
12 recognition status under this Section may not prohibit
13 hairstyles historically associated with race, ethnicity, or
14 hair texture, including, but not limited to, protective
15 hairstyles such as braids, locks, and twists.

16 (d) Public purposes. The provisions of this Section are in
17 the public interest, for the public benefit, and serve secular
18 public purposes.

19 (e) Definition. For purposes of this Section, a non-public
20 school means (i) any non-profit, non-home-based, and
21 non-public elementary or secondary school that is in
22 compliance with Title VI of the Civil Rights Act of 1964 and
23 attendance at which satisfies the requirements of Section 26-1
24 of this Code or (ii) any non-public elementary or secondary
25 school that does not meet the definition of a homeschool
26 program under the Homeschool Act.

1 (Source: P.A. 102-360, eff. 1-1-22; 102-538, eff. 8-20-21;
2 102-813, eff. 5-13-22; 103-111, eff. 6-29-23; 103-605, eff.
3 7-1-24.)

4 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

5 Sec. 26-1. Compulsory school age; exemptions. Whoever has
6 custody or control of any child (i) between the ages of 7 and
7 17 years (unless the child has already graduated from high
8 school) for school years before the 2014-2015 school year or
9 (ii) between the ages of 6 (on or before September 1) and 17
10 years (unless the child has already graduated from high
11 school) beginning with the 2014-2015 school year shall cause
12 such child to attend some public school in the district
13 wherein the child resides the entire time it is in session
14 during the regular school term, except as provided in Section
15 10-19.1, and during a required summer school program
16 established under Section 10-22.33B; provided, that the
17 following children shall not be required to attend the public
18 schools:

19 1. Any child attending a private or a parochial school
20 where children are taught the branches of education taught
21 to children of corresponding age and grade in the public
22 schools, and where the instruction of the child in the
23 branches of education is in the English language;

24 2. Any child who is physically or mentally unable to
25 attend school, such disability being certified to the

1 county or district truant officer by a competent physician
2 licensed in Illinois to practice medicine and surgery in
3 all its branches, a chiropractic physician licensed under
4 the Medical Practice Act of 1987, a licensed advanced
5 practice registered nurse, a licensed physician assistant,
6 or a Christian Science practitioner residing in this State
7 and listed in the Christian Science Journal; or who is
8 excused for temporary absence for cause by the principal
9 or teacher of the school which the child attends, with
10 absence for cause by illness being required to include the
11 mental or behavioral health of the child for up to 5 days
12 for which the child need not provide a medical note, in
13 which case the child shall be given the opportunity to
14 make up any school work missed during the mental or
15 behavioral health absence and, after the second mental
16 health day used, may be referred to the appropriate school
17 support personnel; the exemptions in this paragraph (2) do
18 not apply to any female who is pregnant or the mother of
19 one or more children, except where a female is unable to
20 attend school due to a complication arising from her
21 pregnancy and the existence of such complication is
22 certified to the county or district truant officer by a
23 competent physician;

24 3. Any child necessarily and lawfully employed
25 according to the provisions of the Child Labor Law of 2024
26 may be excused from attendance at school by the county

1 superintendent of schools or the superintendent of the
2 public school which the child should be attending, on
3 certification of the facts by and the recommendation of
4 the school board of the public school district in which
5 the child resides. In districts having part-time
6 continuation schools, children so excused shall attend
7 such schools at least 8 hours each week;

8 4. Any child over 12 and under 14 years of age while in
9 attendance at confirmation classes;

10 5. Any child absent from a public school on a
11 particular day or days or at a particular time of day for
12 the reason that he is unable to attend classes or to
13 participate in any examination, study, or work
14 requirements on a particular day or days or at a
15 particular time of day because of religious reasons,
16 including the observance of a religious holiday or
17 participation in religious instruction, or because the
18 tenets of his religion forbid secular activity on a
19 particular day or days or at a particular time of day. A
20 school board may require the parent or guardian of a child
21 who is to be excused from attending school because of
22 religious reasons to give notice, not exceeding 5 days, of
23 the child's absence to the school principal or other
24 school personnel. Any child excused from attending school
25 under this paragraph 5 shall not be required to submit a
26 written excuse for such absence after returning to school.

1 A district superintendent shall develop and distribute to
2 schools appropriate procedures regarding a student's
3 absence for religious reasons, how schools are notified of
4 a student's impending absence for religious reasons, and
5 the requirements of Section 26-2b of this Code;

6 6. Any child 16 years of age or older who (i) submits
7 to a school district evidence of necessary and lawful
8 employment pursuant to paragraph 3 of this Section and
9 (ii) is enrolled in a graduation incentives program
10 pursuant to Section 26-16 of this Code or an alternative
11 learning opportunities program established pursuant to
12 Article 13B of this Code;

13 7. A child in any of grades 6 through 12 absent from a
14 public school on a particular day or days or at a
15 particular time of day for the purpose of sounding "Taps"
16 at a military honors funeral held in this State for a
17 deceased veteran. In order to be excused under this
18 paragraph 7, the student shall notify the school's
19 administration at least 2 days prior to the date of the
20 absence and shall provide the school's administration with
21 the date, time, and location of the military honors
22 funeral. The school's administration may waive this 2-day
23 notification requirement if the student did not receive at
24 least 2 days advance notice, but the student shall notify
25 the school's administration as soon as possible of the
26 absence. A student whose absence is excused under this

1 paragraph 7 shall be counted as if the student attended
2 school for purposes of calculating the average daily
3 attendance of students in the school district. A student
4 whose absence is excused under this paragraph 7 must be
5 allowed a reasonable time to make up school work missed
6 during the absence. If the student satisfactorily
7 completes the school work, the day of absence shall be
8 counted as a day of compulsory attendance and he or she may
9 not be penalized for that absence; ~~and~~

10 8. Any child absent from a public school on a
11 particular day or days or at a particular time of day for
12 the reason that his or her parent or legal guardian is an
13 active duty member of the uniformed services and has been
14 called to duty for, is on leave from, or has immediately
15 returned from deployment to a combat zone or
16 combat-support postings. Such a student shall be granted 5
17 days of excused absences in any school year and, at the
18 discretion of the school board, additional excused
19 absences to visit the student's parent or legal guardian
20 relative to such leave or deployment of the parent or
21 legal guardian. In the case of excused absences pursuant
22 to this paragraph 8, the student and parent or legal
23 guardian shall be responsible for obtaining assignments
24 from the student's teacher prior to any period of excused
25 absence and for ensuring that such assignments are
26 completed by the student prior to his or her return to

1 school from such period of excused absence; ~~and~~.

2 9. Any child attending a homeschool program as defined
3 in the Homeschool Act, provided that the homeschool
4 administrator, as defined in the Homeschool Act, meets the
5 requirements of the Homeschool Act.

6 Any child from a public middle school or high school,
7 subject to guidelines established by the State Board of
8 Education, shall be permitted by a school board one school
9 day-long excused absence per school year for the child who is
10 absent from school to engage in a civic event. The school board
11 may require that the student provide reasonable advance notice
12 of the intended absence to the appropriate school
13 administrator and require that the student provide
14 documentation of participation in a civic event to the
15 appropriate school administrator.

16 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
17 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
18 1-1-23; 103-721, eff. 1-1-25.)

19 (105 ILCS 5/26-3a) (from Ch. 122, par. 26-3a)

20 Sec. 26-3a. Report of pupils no longer enrolled in school.

21 The clerk or secretary of the school board of all school
22 districts shall furnish quarterly on the first school day of
23 October, January, April and July to the regional
24 superintendent ~~and to the Secretary of State~~ a list of pupils,
25 excluding transferees, who have been expelled or have

1 withdrawn or who have left school and have been removed from
2 the regular attendance rolls during the period of time school
3 was in regular session from the time of the previous quarterly
4 report. Such list shall include the names and addresses of
5 pupils formerly in attendance, the names and addresses of
6 persons having custody or control of such pupils, the reason,
7 if known, such pupils are no longer in attendance and the date
8 of removal from the attendance rolls. The list shall also
9 include the names of: pupils whose withdrawal is due to
10 extraordinary circumstances, including but not limited to
11 economic or medical necessity or family hardship, as
12 determined by the criteria established by the school district;
13 pupils who have re-enrolled in school since their names were
14 removed from the attendance rolls; any pupil certified to be a
15 chronic or habitual truant, as defined in Section 26-2a; and
16 pupils previously certified as chronic or habitual truants who
17 have resumed regular school attendance. The regional
18 superintendent shall inform the county or district truant
19 officer who shall investigate to see that such pupils are in
20 compliance with the requirements of this Article.

21 Each local school district shall establish, in writing, a
22 set of criteria for use by the local superintendent of schools
23 in determining whether a pupil's failure to attend school is
24 the result of extraordinary circumstances, including but not
25 limited to economic or medical necessity or family hardship.

26 ~~If a pupil re-enrolls in school after his or her name was~~

1 ~~removed from the attendance rolls or resumes regular~~
2 ~~attendance after being certified a chronic or habitual truant,~~
3 ~~the pupil must obtain and forward to the Secretary of State, on~~
4 ~~a form designated by the Secretary of State, verification of~~
5 ~~his or her re enrollment. The verification may be in the form~~
6 ~~of a signature or seal or in any other form determined by the~~
7 ~~school board.~~

8 The State Board of Education shall, if possible, make
9 available to any person, upon request, a comparison of drop
10 out rates before and after the effective date of this
11 amendatory Act of the 94th General Assembly.

12 (Source: P.A. 94-916, eff. 7-1-07; 95-496, eff. 8-28-07.)

13 (105 ILCS 5/26-7) (from Ch. 122, par. 26-7)

14 Sec. 26-7. Notice to custodian-Notice of non-compliance.
15 If any person fails to send any child under his custody or
16 control to some lawful school, the truant officer or, in a
17 school district that does not have a truant officer, the
18 regional superintendent of schools or his or her designee
19 shall, as soon as practicable after he is notified thereof,
20 give notice in person or by mail to such person that such child
21 shall be present at the proper public school on the day
22 following the receipt of such notice. The notice shall state
23 the date that attendance at school must begin and that such
24 attendance must be continuous and consecutive in the district
25 during the remainder of the school year. The truant officer

1 or, in a school district that does not have a truant officer,
2 the regional superintendent of schools or his or her designee
3 shall at the same time that such notice is given notify the
4 teacher or superintendent of the proper public school thereof
5 and the teacher or superintendent shall notify the truant
6 officer or regional superintendent of schools of any
7 non-compliance therewith.

8 Beginning August 1, 2026, "lawful school", as used in this
9 Section, means a registered school under Section 2-3.25o of
10 this Code and includes a homeschool program if the State Board
11 of Education has been notified under the Homeschool Act.

12 (Source: P.A. 93-858, eff. 1-1-05.)

13 (105 ILCS 5/26-16)

14 Sec. 26-16. Graduation incentives program.

15 (a) The General Assembly finds that it is critical to
16 provide options for children to succeed in school. The purpose
17 of this Section is to provide incentives for and encourage all
18 Illinois students who have experienced or are experiencing
19 difficulty in the traditional education system to enroll in
20 alternative programs.

21 (b) Any student who is below the age of 20 years is
22 eligible to enroll in a graduation incentives program if he or
23 she:

24 (1) is considered a dropout pursuant to Section 26-2a
25 of this Code;

1 (2) has been suspended or expelled pursuant to Section
2 10-22.6 or 34-19 of this Code;

3 (3) is pregnant or is a parent;

4 (4) has been assessed as chemically dependent; ~~or~~

5 (5) is enrolled in a bilingual education or LEP
6 program; or.

7 (6) was formerly enrolled in a homeschool program with
8 less academic rigor than such graduate incentives program.

9 (c) The following programs qualify as graduation
10 incentives programs for students meeting the criteria
11 established in this Section:

12 (1) Any public elementary or secondary education
13 graduation incentives program established by a school
14 district or by a regional office of education.

15 (2) Any alternative learning opportunities program
16 established pursuant to Article 13B of this Code.

17 (3) Vocational or job training courses approved by the
18 State Superintendent of Education that are available
19 through the Illinois public community college system.
20 Students may apply for reimbursement of 50% of tuition
21 costs for one course per semester or a maximum of 3 courses
22 per school year. Subject to available funds, students may
23 apply for reimbursement of up to 100% of tuition costs
24 upon a showing of employment within 6 months after
25 completion of a vocational or job training program. The
26 qualifications for reimbursement shall be established by

1 the State Superintendent of Education by rule.

2 (4) Job and career programs approved by the State
3 Superintendent of Education that are available through
4 Illinois-accredited private business and vocational
5 schools. Subject to available funds, pupils may apply for
6 reimbursement of up to 100% of tuition costs upon a
7 showing of employment within 6 months after completion of
8 a job or career program. The State Superintendent of
9 Education shall establish, by rule, the qualifications for
10 reimbursement, criteria for determining reimbursement
11 amounts, and limits on reimbursement.

12 (5) Adult education courses that offer preparation for
13 high school equivalency testing.

14 (d) Graduation incentives programs established by school
15 districts are entitled to claim general State aid and
16 evidence-based funding, subject to Sections 13B-50, 13B-50.5,
17 and 13B-50.10 of this Code. Graduation incentives programs
18 operated by regional offices of education are entitled to
19 receive general State aid and evidence-based funding at the
20 foundation level of support per pupil enrolled. A school
21 district must ensure that its graduation incentives program
22 receives supplemental general State aid, transportation
23 reimbursements, and special education resources, if
24 appropriate, for students enrolled in the program.

25 (Source: P.A. 100-465, eff. 8-31-17.)

1 Section 920. The Illinois School Student Records Act is
2 amended by changing Sections 2, 3, and 6 and by adding Section
3 8.5 as follows:

4 (105 ILCS 10/2) (from Ch. 122, par. 50-2)

5 (Text of Section before amendment by P.A. 102-466)

6 Sec. 2. As used in this Act:

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

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

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

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

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

10 (e) "Student Permanent Record" means the minimum personal
11 information necessary to a school in the education of the
12 student and contained in a school student record. Such
13 information may include the student's name, birth date,
14 address, grades and grade level, parents' names and addresses,
15 attendance records, and such other entries as the State Board
16 may require or authorize. "Student Permanent Record" does not
17 include a Homeschool Declaration Form or any record that a
18 homeschool administrator submits to a school district for
19 proof of a homeschooled student's immunization and health
20 examination as required by Section 27-8.1 of the School Code.

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 information
3 provided under Section 8.6 of the Abused and Neglected Child
4 Reporting Act and information contained in service logs
5 maintained by a local education agency under subsection (d) of
6 Section 14-8.02f of the School Code. In addition, the student
7 temporary record shall include information regarding serious
8 disciplinary infractions that resulted in expulsion,
9 suspension, or the imposition of punishment or sanction. For
10 purposes of this provision, serious disciplinary infractions
11 means: infractions involving drugs, weapons, or bodily harm to
12 another. "Student Temporary Record" does not include a
13 Homeschool Declaration Form or any record that a homeschool
14 administrator submits to a school district for proof of a
15 homeschooled student's immunization and health examination as
16 required by Section 27-8.1 of the School Code.

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

26 (h) "Department" means the Department of Children and

1 Family Services.

2 (i) "Homeschool administrator" and "Homeschool Declaration
3 Form" have the meanings given to those terms in the Homeschool
4 Act.

5 (Source: P.A. 101-515, eff. 8-23-19; 102-199, eff. 7-1-22;
6 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

7 (Text of Section after amendment by P.A. 102-466)

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
24 not be deemed school student records under this Act: writings
25 or other recorded information maintained by an employee of a

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

12 (e) "Student Permanent Record" means the minimum personal
13 information necessary to a school in the education of the
14 student and contained in a school student record. Such
15 information may include the student's name, birth date,
16 address, grades and grade level, parents' names and addresses,
17 attendance records, and such other entries as the State Board
18 may require or authorize. "Student Permanent Record" does not
19 include a Homeschool Declaration Form or any record that a
20 homeschool administrator submits to a school district for
21 proof of a homeschooled student's immunization and health
22 examination as required by Section 27-8.1 of the School Code.

23 (f) "Student Temporary Record" means all information
24 contained in a school student record but not contained in the
25 student permanent record. Such information may include family
26 background information, intelligence test scores, aptitude

1 test scores, psychological and personality test results,
2 teacher evaluations, and other information of clear relevance
3 to the education of the student, all subject to regulations of
4 the State Board. The information shall include all of the
5 following:

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

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

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

1 "Student Temporary Record" does not include a Homeschool
2 Declaration Form or any record that a homeschool administrator
3 submits to a school district for proof of a homeschooled
4 student's immunization and health examination as required by
5 Section 27-8.1 of the School Code.

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

15 (h) "Department" means the Department of Children and
16 Family Services.

17 (i) "Homeschool administrator" and "Homeschool Declaration
18 Form" have the meanings given to those terms in the Homeschool
19 Act.

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

23 (105 ILCS 10/3) (from Ch. 122, par. 50-3)

24 Sec. 3. (a) The State Board shall issue regulations to
25 govern the contents of school student records, to implement

1 and assure compliance with the provisions of this Act and to
2 prescribe appropriate procedures and forms for all
3 administrative proceedings, notices and consents required or
4 permitted under this Act. All such regulations and any rules
5 and regulations adopted by any school relating to the
6 maintenance of, access to, dissemination of or challenge to
7 school student records shall be available to the general
8 public. Any information exempt from this Act under subsection
9 (d) of Section 20 of the Homeschool Act is prohibited from
10 being included in school student records.

11 (b) The State Board, each local school board or other
12 governing body and each school shall take reasonable measures
13 to assure that all persons accorded rights or obligations
14 under this Act are informed of such rights and obligations.

15 (c) The principal of each school or the person with like
16 responsibilities or his or her designate shall take all action
17 necessary to assure that school personnel are informed of the
18 provisions of this Act.

19 (Source: P.A. 79-1108.)

20 (105 ILCS 10/6) (from Ch. 122, par. 50-6)

21 Sec. 6. (a) No school student records or information
22 contained therein may be released, transferred, disclosed or
23 otherwise disseminated, except as follows:

24 (1) to a parent or student or person specifically
25 designated as a representative by a parent, as provided in

1 paragraph (a) of Section 5;

2 (2) to an employee or official of the school or school
3 district or State Board with current demonstrable
4 educational or administrative interest in the student, in
5 furtherance of such interest;

6 (3) to the official records custodian of another
7 school within Illinois or an official with similar
8 responsibilities of a school outside Illinois, in which
9 the student has enrolled, or intends to enroll, upon the
10 request of such official or student;

11 (4) to any person for the purpose of research,
12 statistical reporting, or planning, provided that such
13 research, statistical reporting, or planning is
14 permissible under and undertaken in accordance with the
15 federal Family Educational Rights and Privacy Act (20
16 U.S.C. 1232g);

17 (5) pursuant to a court order, provided that the
18 parent shall be given prompt written notice upon receipt
19 of such order of the terms of the order, the nature and
20 substance of the information proposed to be released in
21 compliance with such order and an opportunity to inspect
22 and copy the school student records and to challenge their
23 contents pursuant to Section 7;

24 (6) to any person as specifically required by State or
25 federal law;

26 (6.5) to juvenile authorities when necessary for the

1 discharge of their official duties who request information
2 prior to adjudication of the student and who certify in
3 writing that the information will not be disclosed to any
4 other party except as provided under law or order of
5 court. For purposes of this Section "juvenile authorities"
6 means: (i) a judge of the circuit court and members of the
7 staff of the court designated by the judge; (ii) parties
8 to the proceedings under the Juvenile Court Act of 1987
9 and their attorneys; (iii) probation officers and court
10 appointed advocates for the juvenile authorized by the
11 judge hearing the case; (iv) any individual, public or
12 private agency having custody of the child pursuant to
13 court order; (v) any individual, public or private agency
14 providing education, medical or mental health service to
15 the child when the requested information is needed to
16 determine the appropriate service or treatment for the
17 minor; (vi) any potential placement provider when such
18 release is authorized by the court for the limited purpose
19 of determining the appropriateness of the potential
20 placement; (vii) law enforcement officers and prosecutors;
21 (viii) adult and juvenile prisoner review boards; (ix)
22 authorized military personnel; (x) individuals authorized
23 by court;

24 (7) subject to regulations of the State Board, in
25 connection with an emergency, to appropriate persons if
26 the knowledge of such information is necessary to protect

1 the health or safety of the student or other persons;

2 (8) to any person, with the prior specific dated
3 written consent of the parent designating the person to
4 whom the records may be released, provided that at the
5 time any such consent is requested or obtained, the parent
6 shall be advised in writing that he has the right to
7 inspect and copy such records in accordance with Section
8 5, to challenge their contents in accordance with Section
9 7 and to limit any such consent to designated records or
10 designated portions of the information contained therein;

11 (9) to a governmental agency, or social service agency
12 contracted by a governmental agency, in furtherance of an
13 investigation of a student's school attendance pursuant to
14 the compulsory student attendance laws of this State,
15 provided that the records are released to the employee or
16 agent designated by the agency;

17 (10) to those SHOCAP committee members who fall within
18 the meaning of "state and local officials and
19 authorities", as those terms are used within the meaning
20 of the federal Family Educational Rights and Privacy Act,
21 for the purposes of identifying serious habitual juvenile
22 offenders and matching those offenders with community
23 resources pursuant to Section 5-145 of the Juvenile Court
24 Act of 1987, but only to the extent that the release,
25 transfer, disclosure, or dissemination is consistent with
26 the Family Educational Rights and Privacy Act;

1 (11) to the Department of Healthcare and Family
2 Services in furtherance of the requirements of Section
3 2-3.131, 3-14.29, 10-28, or 34-18.26 of the School Code or
4 Section 10 of the School Breakfast and Lunch Program Act;

5 (12) to the State Board or another State government
6 agency or between or among State government agencies in
7 order to evaluate or audit federal and State programs or
8 perform research and planning, but only to the extent that
9 the release, transfer, disclosure, or dissemination is
10 consistent with the federal Family Educational Rights and
11 Privacy Act (20 U.S.C. 1232g);

12 (12.5) if the student is in the legal custody of the
13 Department of Children and Family Services, to the
14 Department's Office of Education and Transition Services;

15 ~~or~~

16 (13) under an intergovernmental agreement if an
17 elementary school district and a high school district have
18 attendance boundaries that overlap and are parties to an
19 intergovernmental agreement that allows the sharing of
20 student records and information between the districts.
21 However, the sharing of student information is allowed
22 under an intergovernmental agreement only if the
23 intergovernmental agreement meets all of the following
24 requirements:

25 (A) The sharing of student information must be
26 voluntary and at the discretion of each school

1 district that is a party to the agreement.

2 (B) The sharing of student information applies
3 only to students who have been enrolled in both
4 districts or would be enrolled in both districts based
5 on district attendance boundaries, and the student's
6 parent or guardian has expressed in writing that the
7 student intends to enroll or has enrolled in the high
8 school district.

9 (C) The sharing of student information does not
10 exceed the scope of information that is shared among
11 schools in a unit school district. However, the terms
12 of an intergovernmental agreement may place further
13 limitations on the information that is allowed to be
14 shared; ~~or-~~

15 (14) to the State Board of Education or a school or
16 school district's regional office of education or
17 intermediate service center or, in the case of a school
18 district organized under Article 34 of the School Code,
19 the general superintendent of schools only for the
20 purposes of transmitting a Homeschool Declaration Form to
21 one of these entities in accordance with the Homeschool
22 Act.

23 (b) No information may be released pursuant to
24 subparagraph (3) or (6) of paragraph (a) of this Section 6
25 unless the parent receives prior written notice of the nature
26 and substance of the information proposed to be released, and

1 an opportunity to inspect and copy such records in accordance
2 with Section 5 and to challenge their contents in accordance
3 with Section 7. Provided, however, that such notice shall be
4 sufficient if published in a local newspaper of general
5 circulation or other publication directed generally to the
6 parents involved where the proposed release of information is
7 pursuant to subparagraph (6) of paragraph (a) of this Section
8 6 and relates to more than 25 students.

9 A Homeschool Declaration Form being transmitted in
10 accordance with the provisions of the Homeschool Act to the
11 State Board of Education or the school or school district's
12 regional office of education or intermediate service center
13 or, in the case of a school district organized under Article 34
14 of the School Code, the general superintendent of schools is
15 not subject to the requirements of paragraph (a) of this
16 Section.

17 (c) A record of any release of information pursuant to
18 this Section must be made and kept as a part of the school
19 student record and subject to the access granted by Section 5.
20 Such record of release shall be maintained for the life of the
21 school student records and shall be available only to the
22 parent and the official records custodian. Each record of
23 release shall also include:

24 (1) the nature and substance of the information
25 released;

26 (2) the name and signature of the official records

1 custodian releasing such information;

2 (3) the name of the person requesting such
3 information, the capacity in which such a request has been
4 made, and the purpose of such request;

5 (4) the date of the release; and

6 (5) a copy of any consent to such release.

7 (d) Except for the student and his or her parents or, if
8 applicable, the Department's Office of Education and
9 Transition Services, no person to whom information is released
10 pursuant to this Section and no person specifically designated
11 as a representative by a parent may permit any other person to
12 have access to such information without a prior consent of the
13 parent obtained in accordance with the requirements of
14 subparagraph (8) of paragraph (a) of this Section.

15 (e) Nothing contained in this Act shall prohibit the
16 publication of student directories which list student names,
17 addresses and other identifying information and similar
18 publications which comply with regulations issued by the State
19 Board.

20 (Source: P.A. 102-199, eff. 7-1-22; 102-557, eff. 8-20-21;
21 102-813, eff. 5-13-22.)

22 (105 ILCS 10/8.5 new)

23 Sec. 8.5. Maintenance of homeschool records.

24 (a) Any regional office of education or intermediate
25 service center or, in the case of a school district organized

1 under Article 34 of the School Code, the general
2 superintendent of schools that receives a Homeschool
3 Declaration Form shall maintain a copy of the Homeschool
4 Declaration Form for not less than 5 years after receiving the
5 Homeschool Declaration Form.

6 (b) A public school or school district is not required to
7 maintain a Homeschool Declaration Form or a copy of a
8 Homeschool Declaration Form. A public school or school
9 district that transmits a Homeschool Declaration Form to the
10 school district's regional office of education or intermediate
11 service center or, in the case of a school district organized
12 under Article 34 of the School Code, the general
13 superintendent of schools may maintain a copy of the
14 Homeschool Declaration Form in the public school's or school
15 district's own records for any homeschool student residing in
16 the school's or school district's boundaries. If a public
17 school or school district decides to maintain a copy of a
18 Homeschool Declaration Form, the public school or school
19 district must abide by all storage requirements and
20 confidentiality requirements under which a regional office of
21 education or intermediate service center or, in the case of a
22 school district organized under Article 34 of the School Code,
23 the general superintendent of schools is subject to under this
24 Section and Section 6 of this Act.

25 (c) Any public school or school district that receives
26 proof of a homeschooled student's immunization and health

1 examination as required by Section 27-8.1 of the School Code
2 shall maintain a copy of those records for not less than 5
3 years after receipt.

4 Section 995. No acceleration or delay. Where this Act
5 makes changes in a statute that is represented in this Act by
6 text that is not yet or no longer in effect (for example, a
7 Section represented by multiple versions), the use of that
8 text does not accelerate or delay the taking effect of (i) the
9 changes made by this Act or (ii) provisions derived from any
10 other Public Act.".