



Sen. Antonio Muñoz

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09700HB5602sam001

LRB097 17841 RLC 69227 a

1 AMENDMENT TO HOUSE BILL 5602

2 AMENDMENT NO. _____. Amend House Bill 5602 by replacing
3 lines 12 through 26 on page 4, all of page 5, and lines 1
4 through 11 on page 6 with the following:

5 "(8) The appropriate school official only if the agency
6 or officer believes that there is an imminent threat of
7 physical harm to students, school personnel, or others who
8 are present in the school or on school grounds.

9 (A) Inspection and copying shall be limited to law
10 enforcement records transmitted to the appropriate
11 school official or officials whom the school has
12 determined to have a legitimate educational or safety
13 interest by a local law enforcement agency under a
14 reciprocal reporting system established and maintained
15 between the school district and the local law
16 enforcement agency under Section 10-20.14 of the
17 School Code concerning a minor enrolled in a school
18 within the school district who has been arrested or

1 taken into custody for any of the following offenses:

2 (i) unlawful use of weapons under Section 24-1
3 of the Criminal Code of 1961;

4 (ii) a violation of the Illinois Controlled
5 Substances Act;

6 (iii) a violation of the Cannabis Control Act;

7 (iv) a forcible felony as defined in Section
8 2-8 of the Criminal Code of 1961; ~~or~~

9 (v) a violation of the Methamphetamine Control
10 and Community Protection Act; or

11 (vi) a violation of Section 1-2 of the
12 Harassing and Obscene Communications Act; or

13 (vii) a violation of the Hazing Act.

14 The information derived from the law enforcement
15 records shall be kept separate from and shall not
16 become a part of the official school record of that
17 child and shall not be a public record. The information
18 shall be used solely by the appropriate school official
19 or officials whom the school has determined to have a
20 legitimate educational or safety interest to aid in the
21 proper rehabilitation of the child and to protect the
22 safety of students and employees in the school.

23 (B) Any information provided to appropriate school
24 officials whom the school has determined to have a
25 legitimate educational or safety interest by local law
26 enforcement officials about a minor who is the subject

1 of a current police investigation that is directly
2 related to school safety shall consist of oral
3 information only, and not written law enforcement
4 records, and shall be used solely by the appropriate
5 school official or officials to protect the safety of
6 students and employees in the school and aid in the
7 proper rehabilitation of the child. The information
8 derived orally from the local law enforcement
9 officials shall be kept separate from and shall not
10 become a part of the official school record of the
11 child and shall not be a public record. This limitation
12 on the use of information about a minor who is the
13 subject of a current police investigation shall in no
14 way limit the use of this information by prosecutors in
15 pursuing criminal charges arising out of the
16 information disclosed during a police investigation of
17 the minor."; and

18 by replacing lines 6 through 26 on page 12 and lines 1 through
19 22 on page 13 with the following:

20 "(h) The appropriate school official only if the agency
21 or officer believes that there is an imminent threat of
22 physical harm to students, school personnel, or others who
23 are present in the school or on school grounds.

24 (A) Inspection and copying shall be limited to law
25 enforcement records transmitted to the appropriate

1 school official or officials whom the school has
2 determined to have a legitimate educational or safety
3 interest by a local law enforcement agency under a
4 reciprocal reporting system established and maintained
5 between the school district and the local law
6 enforcement agency under Section 10-20.14 of the
7 School Code concerning a minor enrolled in a school
8 within the school district who has been arrested or
9 taken into custody for any of the following offenses:

10 (i) unlawful use of weapons under Section 24-1
11 of the Criminal Code of 1961;

12 (ii) a violation of the Illinois Controlled
13 Substances Act;

14 (iii) a violation of the Cannabis Control Act;

15 (iv) a forcible felony as defined in Section
16 2-8 of the Criminal Code of 1961;

17 (v) a violation of the Methamphetamine Control
18 and Community Protection Act;

19 (vi) a violation of Section 1-2 of the
20 Harassing and Obscene Communications Act; or

21 (vii) a violation of the Hazing Act.

22 The information derived from the law enforcement
23 records shall be kept separate from and shall not
24 become a part of the official school record of that
25 child and shall not be a public record. The information
26 shall be used solely by the appropriate school official

1 or officials whom the school has determined to have a
2 legitimate educational or safety interest to aid in the
3 proper rehabilitation of the child and to protect the
4 safety of students and employees in the school.

5 (B) Any information provided to appropriate school
6 officials whom the school has determined to have a
7 legitimate educational or safety interest by local law
8 enforcement officials about a minor who is the subject
9 of a current police investigation that is directly
10 related to school safety shall consist of oral
11 information only, and not written law enforcement
12 records, and shall be used solely by the appropriate
13 school official or officials to protect the safety of
14 students and employees in the school and aid in the
15 proper rehabilitation of the child. The information
16 derived orally from the local law enforcement
17 officials shall be kept separate from and shall not
18 become a part of the official school record of the
19 child and shall not be a public record. This limitation
20 on the use of information about a minor who is the
21 subject of a current police investigation shall in no
22 way limit the use of this information by prosecutors in
23 pursuing criminal charges arising out of the
24 information disclosed during a police investigation of
25 the minor. ~~offense classified as a felony or a Class A~~
26 ~~or B misdemeanor."~~