



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0064

Introduced 1/9/2013, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

New Act

Creates the Privacy in the School Setting Act. Defines "school" as an institution of higher learning as defined in the Higher Education Student Assistance Act, a public elementary or secondary school or school district, or a nonpublic school recognized by the State Board of Education. Provides that it is unlawful for a school to request or require a student or prospective student or his or her parent or guardian to provide a password or other related account information in order to gain access to the student's or prospective student's account or profile on a social networking website or to demand access in any manner to a student's or prospective student's account or profile on a social networking website. Provides that a school or an agent of a school who violates the Act is guilty of a petty offense.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the Right
5 to Privacy in the School Setting Act.

6 Section 5. Definitions. In this Act:

7 "School" means an institution of higher learning as defined
8 in the Higher Education Student Assistance Act, a public
9 elementary or secondary school or school district, or a
10 nonpublic school recognized by the State Board of Education.

11 "Social networking website" means an Internet-based
12 service that allows individuals to do the following:

13 (1) construct a public or semi-public profile within a
14 bounded system created by the service;

15 (2) create a list of other users with whom they share a
16 connection within the system; and

17 (3) view and navigate their list of connections and
18 those made by others within the system.

19 "Social networking website" does not include electronic mail.

20 Section 10. Prohibited inquiry.

21 (a) It is unlawful for a school to request or require a
22 student or prospective student or his or her parent or guardian

1 to provide a password or other related account information in
2 order to gain access to the student's or prospective student's
3 account or profile on a social networking website or to demand
4 access in any manner to a student's or prospective student's
5 account or profile on a social networking website.

6 (b) Nothing in this Section limits a school's right to do
7 the following:

8 (1) promulgate and maintain lawful school policies
9 governing the use of the school's electronic equipment,
10 including policies regarding Internet use, social
11 networking website use, and electronic mail use; and

12 (2) monitor usage of the school's electronic equipment
13 and the school's electronic mail without requesting or
14 requiring a student or prospective student to provide a
15 password or other related account information in order to
16 gain access to the student's or prospective student's
17 account or profile on a social networking website.

18 (c) Nothing in this Section prohibits a school from
19 obtaining information about a student or prospective student
20 that is in the public domain or that is otherwise obtained in
21 compliance with this Act.

22 Section 15. Penalty. A school or an agent of a school who
23 violates this Act is guilty of a petty offense.