



Sen. Michael Connelly

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09900HB3527sam001

LRB099 07342 NHT 35013 a

1 AMENDMENT TO HOUSE BILL 3527

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3527 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Right to Privacy in the School Setting Act  
5 is amended by changing Sections 10 and 15 as follows:

6 (105 ILCS 75/10)

7 Sec. 10. Prohibited inquiry.

8 (a) It is unlawful for a post-secondary school to request  
9 or require a student or his or her parent or guardian to  
10 provide a password or other related account information in  
11 order to gain access to the student's account or profile on a  
12 social networking website or to demand access in any manner to  
13 a student's account or profile on a social networking website.

14 (b) Nothing in this Section limits a post-secondary  
15 school's right to do the following:

16 (1) promulgate and maintain lawful school policies

1 governing the use of the post-secondary school's  
2 electronic equipment, including policies regarding  
3 Internet use, social networking website use, and  
4 electronic mail use; and

5 (2) monitor usage of the post-secondary school's  
6 electronic equipment and the post-secondary school's  
7 electronic mail without requesting or requiring a student  
8 to provide a password or other related account information  
9 in order to gain access to the student's account or profile  
10 on a social networking website.

11 (c) Nothing in this Section prohibits a post-secondary  
12 school from obtaining information about a student that is in  
13 the public domain or that is otherwise obtained in compliance  
14 with this Act.

15 (d) This Section does not prohibit a post-secondary school  
16 from conducting an investigation or requiring a student to  
17 cooperate in an investigation if there is specific information  
18 about activity on the student's account on a social networking  
19 website that violates a school disciplinary rule or policy. In  
20 the course of an investigation, the student may be required to  
21 share the content that is reported in order to make a factual  
22 determination. ~~does not apply when a post-secondary school has~~  
23 ~~reasonable cause to believe that a student's account on a~~  
24 ~~social networking website contains evidence that the student~~  
25 ~~has violated a school disciplinary rule or policy.~~

26 (Source: P.A. 98-129, eff. 1-1-14.)

1 (105 ILCS 75/15)

2 Sec. 15. Notification. An elementary or secondary school  
3 must provide notification to the student and his or her parent  
4 or guardian that the elementary or secondary school may not  
5 request or require a student to provide a password or other  
6 related account information in order to gain access to the  
7 student's account or profile on a social networking website ~~if~~  
8 ~~the elementary or secondary school has reasonable cause to~~  
9 ~~believe that the student's account on a social networking~~  
10 ~~website contains evidence that the student has violated a~~  
11 ~~school disciplinary rule or policy.~~ An elementary or secondary  
12 school must provide notification to the student and his or her  
13 parent or guardian that the elementary or secondary school may  
14 conduct an investigation or require a student to cooperate in  
15 an investigation if there is specific information about  
16 activity on the student's account on a social networking  
17 website that violates a school disciplinary rule or policy. In  
18 the course of an investigation, the student may be required to  
19 share the content that is reported in order to make a factual  
20 determination. Notification under this Section ~~The~~  
21 ~~notification~~ must be published in the elementary or secondary  
22 school's disciplinary rules, policies, or handbook or  
23 communicated by similar means.

24 (Source: P.A. 98-129, eff. 1-1-14.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".