

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

(105 ILCS 75/10)

Sec. 10. Prohibited inquiry.

(a) It is unlawful for a post-secondary school to request or require a 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 account or profile on a social networking website or to demand access in any manner to a student's account or profile on a social networking website.

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

(1) promulgate and maintain lawful school policies governing the use of the post-secondary school's electronic equipment, including policies regarding Internet use, social networking website use, and electronic mail use; and

(2) monitor usage of the post-secondary school's electronic equipment and the post-secondary school's electronic mail without requesting or requiring a student

to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website.

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

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

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

(105 ILCS 75/15)

Sec. 15. Notification. An elementary or secondary school must provide notification to the student and his or her parent or guardian that the elementary or secondary school may not request or require a student to provide a password or other related account information in order to gain access to the

student's account or profile on a social networking website ~~if the elementary or secondary school has reasonable cause to believe that the student's account on a social networking website contains evidence that the student has violated a school disciplinary rule or policy.~~ An elementary or secondary school must provide notification to the student and his or her parent or guardian that the elementary or secondary school may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to make a factual determination. Notification under this Section ~~The notification~~ must be published in the elementary or secondary school's disciplinary rules, policies, or handbook or communicated by similar means.

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

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