

Illinois School Student Records Act [105 ILCS 10]

Section 375.10 Definitions

Updated February 3, 2015

“Accident Report” means documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or whether the school nurse has referred the student for a medical evaluation, regardless of whether the parent, guardian or student (if 18 years or older) or an unaccompanied homeless youth (as defined by 42 USC 11434a) has followed through on that request.

“Act” means the Illinois School Student Records Act [105 ILCS 10].

“Health Record” means medical documentation necessary for enrollment and proof of dental examinations, as may be required under Section 27-8.1 of the School Code [105 ILCS 5/27-8.1].

“Health-related Information” means current documentation of a student’s health information, not otherwise governed by the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110] or other privacy laws, which includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs (e.g., glucose readings), long-term medications administered during school hours, documentation regarding a student athlete’s and his or her parents’ acknowledgement of the district’s concussion policy adopted pursuant to Sections 10-20.53 and 34-18.45 of the School Code [105 ILCS 5/10-20.53 and 34-18.45], and other health-related information that is relevant to school participation (e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports).

“Official Records Custodian” means the individual appointed in each school in accordance with Section 4 of the Act [105 ILCS 10/4] who has responsibility for the *maintenance, care and security of all school student records, whether or not the records are in his or her personal custody or control.*

“School Student Record” shall have the meaning set forth in Section 2(d) of the Act [105 ILCS 10/2(d)], except that school student records shall not include:

Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes;

Electronic recordings made on school buses, as defined in Section 14-3 of the Criminal Code of 1961 [720 ILCS 5/14-3]; and

Any information, either written or oral, received pursuant to Section 22-20 of the School Code [105 ILCS 5/22-20] and Sections 1-7 and 5-905 of the Juvenile Court Act of 1987 [705 ILCS 405/1-7 and 5-905].

The content of a video or other electronic recording may become part of a student’s school student record to the extent school officials use and maintain this content for a particular reason (e.g., disciplinary action, compliance with a student’s Individualized Education Program) regarding that specific student. Video or other electronic recordings that become part of a student’s school record shall not be a public record and shall be released only in conformance with Section 6(a) of the Act and the federal Family Educational Rights and Privacy Act (20 USC 1232g).

“Special Education Records” means school records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities under the Individuals with Disabilities Education Act (20 USC 1400 et seq.) and Article 14 of the School Code [105 ILCS 5/Art. 14], to include the report of the multidisciplinary staffing conference on which placement or nonplacement was based, and all records and audio recordings in any format relating to special education placement hearings and appeals.

Permanent Records

“**Student Permanent Record**” means and shall consist of the following:

- Basic identifying information, including:
 - student’s name
 - address
 - birth date and place
 - gender
 - names and addresses of the student’s parents
- Academic transcript, including:
 - grades
 - class rank
 - graduation date
 - grade level achieved
 - scores on college entrance examinations, except that a parent may request, in writing, the removal from the academic transcript of any score received on college entrance examinations
 - the unique student identifier assigned and used by the Student Information
- Attendance record
- Health record
- Record of release of permanent record information
- Scores received on all State assessment tests administered at the high school level (grades 9 through 12)

May also consist of (if not maintained in the temporary record):

- Honors and awards received
- Information concerning participation in school-sponsored activities or athletics
- Offices held in school-sponsored organizations

No other information shall be placed in the student permanent record.

Temporary Records

“**Student Temporary Record**” means all information not required to be in the student permanent record and shall consist of the following:

- Record of release of temporary record information
- Scores received on the State assessment tests administered in the elementary grade levels (grades kindergarten through grade 8)
- The completed home language survey form
- Information regarding serious disciplinary infractions (i.e., those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension or the imposition of punishment or sanction
- Information provided under Section 8.6 of the Abused and Neglected Child Reporting Act
- Any biometric information that is collected in accordance with Section 10-20.40 or 34-18.34 of the School Code
- Health-related information
- Accident reports

May also consist of:

- Family background information
- Intelligence test scores, group and individual
- Aptitude test scores
- Reports of psychological evaluations, including information on intelligence, personality and academic information obtained through test administration, observation, or interviews
- Elementary and secondary achievement level test results
- Participation in extracurricular activities, including any offices held in school sponsored clubs or organizations
- Honors and awards received
- Teacher anecdotal records
- Other disciplinary information
- Special education records
- Records associated with plans developed under section 504 of the Rehabilitation Act of 1973
- Any verified reports or information from non-educational persons, agencies or organizations of clear relevance to the education of the student

The complete text of the act may be found at: <http://isbe.net/rules/archive/pdfs/375ark.pdf>

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General Rules for Records Release:

No “school student records” may be released **except:**

- a. To the parent or student (including non-custodial bio parent unless under order of protection)
- b. To an employee or official or school with “current demonstrable educational or administrative interest in the student, in furtherance of such interest.”
- c. To the official records custodian of another school within Illinois (or an official with similar responsibilities out of state) where the student has enrolled or intends to enroll upon the request by the official or the student.
- d. To any person for purposes of research, reporting, and planning, provided that no student or parent can be identified from the information, and the person receiving it signs an affidavit agreeing to comply with all applicable statutes governing student records.
- e. Pursuant to court order, provided the parent is given prompt written notice upon receipt of such order, the nature and substance of the information proposed to be revealed in compliance with such court order, and an opportunity to inspect and copy the record and challenge the contents.
- f. To any person as required by state or federal law.
- g. To juvenile authorities (law enforcement).
- h. In an emergency to appropriate persons if the knowledge of the information is necessary to protect the health and safety of the student or another person.
- i. To any person with a prior specific dated written consent of the parent (written, dated and signed by the parent).
- j. To a government agency in furtherance of an investigation of a student’s school attendance pursuant to compulsory attendance laws (truancy officer).
- k. To Department of Healthcare and Family Services (Public Aid – not DCFS).
- l. To State Board and another State government agency, only where consistent with FERPA.

****The record of any release should be kept as a school student record.**

The District is responsible for maintaining the records for students; therefore record files may be transferred to another school in the district if warranted or necessary.

Ex. Student transfers to another school building within the district.

Ex. Student moves up from elementary school to middle school, or middle school to high school.