

the health or safety of the student or other individuals. The Building Principal shall make this decision taking into consideration the seriousness of the threat to the health or safety of the student or other individuals, the need for such records to meet the emergency, whether the persons to whom such records are released are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. 105 ILCS 10/6(a)(7); 23 Ill.Admin.Code §375.60. The Building Principal shall notify the parent(s)/guardian(s) or eligible student, no later than the next school day after the date that the information is released, of the date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.

4. The District will grant access as specifically required by federal or State statute, provided the individual complies with the requirements in 23 Ill.Admin.Code §375.70(b). 105 ILCS 10/6(a)(6). Prior to granting access, the Building Principal shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. 105 ILCS 10/6(b); 23 Ill.Admin.Code §375.70. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release relates to more than 25 students, a notice published in the newspaper is sufficient.

The District charges \$.35 per page for copying information from a student's records.⁸ No parent/guardian or student shall be precluded from copying information because of financial hardship. 23 Ill.Admin.Code §375.50. **Note:** The ISBE rule allows a school to "charge the actual cost for providing a copy of school student records or any portion of such records to parents and students upon request for such copies, provided that such costs shall not exceed \$.35 per page." 23 Ill.Admin.Code §375.50.

I. Record of Release

10. Except as provided below, a record of all releases of information from school student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. 105 ILCS 10/6(c). This record shall be maintained for the life of the school student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, Building Principal, or other authorized person. The record of release shall include each of the following:

1. The nature and substance of the information released;
2. The name and signature of the official records custodian releasing such information;
3. The name of the person requesting the information, in what capacity the request was made, and the purpose for the request;
4. The date of release; and
5. A copy of any consent to a release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order. 20 U.S.C. §1232g(j)(4).

J. Orders of Protection

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

⁸ Districts may substitute the following alternative: "The District charges a fee for copying school student records that corresponds to the fee schedule for copies of records requested under the Freedom of Information Act."

Upon receipt of a court OP that prohibits a Respondent's access to records, the Building Principal shall file it in the temporary record of a student who is the *protected person* under the OP. No information or records shall be released to the Respondent named in the OP. 750 ILCS 60/222(f).⁹

K. Parenting Plans

Upon receipt of a parenting plan under the Ill. Marriage and Dissolution of Marriage Act (750 ILCS 5/), the Building Principal shall file it in the temporary record of a student who is the subject of the parenting plan.

L. Transmission of Records for Transfer Students 105 ILCS 10/6(a)(3); 23 Ill.Admin.Code §§375.70 and 375.75.

The Building Principal shall:

1. Within 14 calendar days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record. The District shall exercise due diligence in obtaining the copy of the record requested.
2. Upon the student's request or that of the official records custodian of another school in which the student has enrolled or intends to enroll, within 10 calendar days, transfer a certified copy of the student's record (that is, the student's permanent and temporary record) to the official records custodian of the appropriate school and retain the original records. The records transfer is subject to prior notice to the student's parent(s)/guardian(s) as described above in Section H (Access to School Student Records). See policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
3. Determine if the school or special education office has any record that is protected by the MHDDCA concerning the transferring student, specifically a record or report made by a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services. If so, ask the appropriate person as identified in 740 ILCS 110/4 whether to send the record protected by MHDDCA to the new school and, if yes, obtain a written consent for disclosure as provided in 740 ILCS 110/5.

This requirement does not apply to special education records and reports that are related to the identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities. 23 Ill.Admin.Code §375.10.
4. Provide the parent/guardian or eligible student prior written notice of the nature and substance of the information to be transferred and opportunity to inspect, copy, and challenge it. If the parent's/guardian's address is unknown, notice may be served upon the official records custodian of the requesting school for transmittal to the parent/guardian. This service is deemed conclusive, and 10 calendar days after this service, if the parents/guardians make no objection, the records may be transferred to the requesting school.
5. Destroy any biometric information collected and do not transfer it to another school district.

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⁹ See f/n 6 above.

6. Refrain from transferring the records if a student's record has been flagged as a "missing child" as provided in Section 5 of the Missing Children Records Act and Section 5 of the Missing Children Registration Law. The District shall notify the Ill. State Police or the local law enforcement authority of the request.
7. Retain the original records in accordance with the requirements of 105 ILCS 10/4.
8. Include information about whether or not the student is *in good standing* and whether or not the student's medical records are up-to-date and complete. 105 ILCS 5/2-3.13a.
9. Maintain any documentation of the student's transfer, including records indicating the school or school district to which the student transferred, in that student's temporary record.

If the student has unpaid fines, fees, or tuition charged pursuant to 105 ILCS 5/10-20.12a and is transferring to a public school located in Illinois or any other state, the Building Principal shall, unless otherwise prohibited by State law (23 Ill.Admin.Code §375.75(i)): ¹⁰

1. Transfer the student's *unofficial record of student grades* in lieu of the student's official transcript of scholastic records. The *unofficial record of student grades* means written information relative to the grade levels and subjects in which a student was enrolled and the record of academic grades achieved by that student prior to transfer. These records shall also include the school's name and address, the student's name, the name and title of the school official transmitting the records, and the transmittal date.
2. Within 10 calendar days after the student has paid all of his or her unpaid fines or fees and at this District's own expense, forward the student's official transcript of scholastic records to the student's new school.

The Principal shall include the following information with the transferred records if the student is transferring to another public school located in Illinois or any other state and at the time of the transfer is currently serving a term of suspension or expulsion for any reason: 105 ILCS 5/2-3.13a; 23 Ill.Admin.Code §375.75(j).

1. The date and duration of the period of any current suspension or expulsion; and
2. Whether the suspension or expulsion is for: (a) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. §7961 *et seq.*); (b) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or (c) battering a school staff member.

M. Directory Information¹¹ 23 Ill.Admin.Code §375.80

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¹⁰ Optional. 105 ILCS 5/10-20.9a(c) and (d), added by P.A. 102-727, and inoperative "on and after three years" from 5-6-22, prohibits public high schools from withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account. See sample policy 6:280, *Grading and Promotion*, at f/n 3, for a discussion about the expiration date of this law. Districts are also prohibited from withholding student records, transcripts, or diplomas because the student's parents are unable to pay required fees. 105 ILCS 5/28-19.2, amended by P.A. 102-805, eff. 1-1-23. See policy 4:140, *Waiver of Student Fees*, at f/n 1, for more information about the definition of fees. Fees, for example, do not include library fines, which could be reflected in a student's account. 23 Ill.Admin.Code §1.245(a)(2). These statutes refer generically to *transcripts*; they do not distinguish between *unofficial* and *official transcripts*. Consult the board attorney for advice on a district's ability to withhold official transcripts from students under 23 Ill.Admin.Code §375.75(i).

The District may release certain directory information regarding students as permitted by law, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to: ¹²

1. Student's Name
2. Student's Address
3. Student's Grade level
4. Student's Birth date and place
5. Parent(s)/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
6. Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
7. Academic awards, degrees, and honors
8. Information in relation to school-sponsored activities, organizations, and athletics
9. Major field of study
10. Period of attendance in school

No photograph highlighting individual faces shall be used for commercial purposes, including solicitation, advertising, promotion, or fundraising, without the prior, specific, dated, and written consent of the parent or eligible student (see 765 ILCS 1075/30). 23 Ill.Admin.Code §375.80. The following shall not be designated as directory information: (a) an image on a school security video, or (b) student social security number or student identification or unique student identifier. Id.

The notification to parents/guardians and students concerning school student records will inform them of their right to opt out of the release of directory information. See 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

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¹¹ Districts are not required to identify and release directory information. **Be sure that the board policy provides for the release of directory information before including this section.** See sample policy 7:340, *Student Records*. There has been at least one instance in Illinois in which parents were upset that their school district released students' names and addresses pursuant to a Freedom of Information Act (FOIA) request. FOIA contains an exemption for home addresses. Many lawyers, however, say that a district must release student information pursuant to a FOIA request when each of the following has occurred: the FOIA request seeks information that is included in the district's definition of student directory information, the district notified parents that it releases directory information, and the parents did not opt out of allowing directory information to be released concerning their child. An opinion from the Ill. Public Access Counselor (PAC) supports that a district may not rely on the FOIA exemption for home addresses. PAO 12-3.

Delete the specific types of information that the district does not want released, such as *address*, from the list of information designated as *directory information*. Realize, however, that if the information identified as directory information is too limited, the district may be prohibited from publishing information about specific students.

¹² 23 Ill.Admin.Code 375.80(a)(1) no longer includes *gender* as information which may be designated as directory information. This is consistent with attorneys' views that Illinois' past practice of including *gender* within directory information may have violated FERPA. FERPA regulations provide that directory information "means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed" and it "includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status, e.g., undergraduate or graduate, full-time or part-time; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended." 34 C.F.R. §99.3. Though FERPA regulations do not explicitly preclude the designation of *gender* as directory information, U.S. Dept. of Educ. (DOE) guidance has consistently advised schools not to disclose a student's sex as directory information because it would be considered harmful or an invasion of privacy. See *Letter to Institutions of Postsecondary Education*, DOE Family Policy Compliance Office (September 2009). Consult the board attorney about the practical implementation of this issue. Some attorneys, for example, believe photos of the "Girls Volleyball Team" may contradict DOE guidance.

N. Student Record Challenges

Parents/guardians have the right to a hearing to challenge the accuracy, relevancy, or propriety of any entry in their student's school records, exclusive of academic grades and references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring. 105 ILCS 10/7; 23 Ill.Admin.Code §375.90. A request for a hearing should be submitted to the Superintendent and shall contain notice of the specific entry or entries to be challenged and the basis of the challenge. The following procedures apply to a challenge: Id.

1. The Superintendent or designee will invite the parent(s)/guardian(s) to an initial informal conference, within 15 school days of receipt of the request for a hearing.
2. If the challenge is not resolved by the informal conference, formal procedures shall be initiated. The Superintendent will appoint a hearing officer, who is not employed in the attendance center in which the student is enrolled.
3. The hearing officer will conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless an extension of time is agreed upon by the parent(s)/guardian(s) and school officials. The hearing officer shall notify parents and school officials of the time and place of the hearing.
4. At the hearing, each party shall have the right to:
 - a. Present evidence and to call witnesses;
 - b. Cross-examine witnesses;
 - c. Counsel;
 - d. A written statement of any decision and the reasons therefore; and
 - e. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.
5. A verbatim record of the hearing shall be made by a tape recorder or a court reporter. A transcript may be prepared by either party in the event of an appeal of the hearing officer's decision. However, a transcript is not required in an appeal.
6. The written decision of the hearing officer shall, no later than 10 school days after the conclusion of the hearing, be transmitted to the parent(s)/guardian(s) and the School District. It shall be based solely on the information presented at the hearing and shall be one of the following:
 - a. To retain the challenged contents of the school student record;
 - b. To remove the challenged contents of the school student record; or
 - c. To change, clarify, or add to the challenged contents of the school student record.
7. Any party has the right to appeal the decision of the local hearing officer to the Regional Superintendent or appropriate Intermediate Service Center, within 20 school days after the decision is transmitted to the parties. The parent(s)/guardian(s), if they appeal, shall so inform the District and within 10 school days the school shall forward a transcript of

the hearing, a copy of the record entry in question, and any other pertinent materials to the Regional Superintendent or appropriate Intermediate Service Center. The District may initiate an appeal by the same procedures.

8. The final decision of the Regional Superintendent or appropriate Intermediate Service Center may be appealed to the circuit court of the county in which the District is located.
9. The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The District will include a copy of the statement in any release of the information in dispute. 105 ILCS 10/7(d).

LEGAL REF.: 20 U.S.C. §1232g, Family Education Rights and Privacy Act; 34 C.F.R. Part 99.
 105 ILCS 10/, Illinois School Student Records Act; 23 Ill.Admin.Code Part 375.
 740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
 750 ILCS 5/, Illinois Marriage and Dissolution of Marriage Act.

Students

Exhibit - Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information¹

1. What does the Elementary and Secondary Education Act require of schools with regard to allowing military recruiters access to students?

Schools receiving funds under the Elementary and Secondary Education Act (ESEA) must: (1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and (2) provide students' names, addresses, electronic mail (email) addresses (which must be the email addresses provided by the school, if available), and telephone listings (numbers) to military recruiters, when requested, unless parents/guardians or the student (18 years or older) have opted out (see Question 2, below). 20 U.S.C. §7908; 10 U.S.C. §503(c).

2. What information about students (and which students) must be disclosed to military recruiters by our administration?

Secondary schools must disclose names, addresses, email addresses, and telephone numbers of secondary students, unless parents/guardians, or the student if he/she has attained the age of 18 (an "eligible student"), have submitted a written request that the information not be released without their prior written consent.

3. What notification must schools provide to parents/guardians and eligible students before disclosing students' names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education?

Under federal and State laws governing student records, schools must provide notice to parents/guardians and eligible students of the types of student information that it releases publicly. This type of student information, commonly referred to as *directory information*, includes names, addresses, email addresses, and telephone numbers. The notice must include an explanation of a parent/guardian's or eligible student's right to request that the information not be disclosed without prior written consent. Under the Elementary and Secondary Education Act, schools must notify parents that the school routinely discloses names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request, subject to a parent/guardian's or eligible student's written request not to disclose such information without their prior written consent.

A notice provided through a mailing or student handbook informing parents/guardians and eligible students of the above information is sufficient to satisfy the parental notification requirements. The notification must advise parents/guardians and eligible students how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

If a school does not release *directory information*, it still must provide students' names, addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request. The school must notify parents/guardians and eligible students: (1) that it

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¹ This document answers many questions concerning the topic for school staff members and may be distributed at will.

discloses information to military recruiters and institutions of higher education, and (2) that parents/guardians and eligible students have the right to opt out of this disclosure.

4. Does recruitment take place in a private office or out in a common area?

Neither federal nor State law addresses where recruitment takes place. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions recruiters and/or prospective employers.

5. How frequently are recruiters present?

Neither federal nor State law addresses how often recruiters may have access to students. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions and prospective employers.

6. What information does a military recruiter request of students during the interview?

The type of questions military recruiters may ask students is generally not limited. Students may refuse to cooperate or even refuse to be interviewed.

7. Can schools supervise recruiters to ensure they do not approach impressionable students too strongly?

Federal law does not grant authority to schools to supervise military recruiting efforts. The school may still require military and postsecondary recruiters to abide by the District's policy governing conduct on school property.

8. What are parents' rights relative to military recruiters on campus?

Parents may instruct their children to forgo being interviewed by military and/or postsecondary recruiters or prospective employers.

9. What information do schools provide to families relative to recruiting that goes on at school?

Aside from the notice described in #3, neither federal nor State law addresses what information schools must provide to parents regarding the recruiting that takes place at school – this is a local issue to be determined by the Superintendent or Building Principal.

10. Where can I get more information on the requirements of 10 U.S.C. §503?

The Office of the Secretary of Defense may be contacted for copies of the statute, or questions relating to it. Please contact the Accession Policy Directorate as follows:

Director, Accession Policy
4000 Defense Pentagon
Washington, DC 20301-4000
Telephone: 703/695-5529

11. Where can I get more information on the requirements of §7908 of the ESEA?

The Student Privacy Policy Office (SPPO) in the U.S. Dept. of Education administers the Family Educational Rights and Privacy Act (FERPA) as well as 20 U.S.C. §7908. School officials with questions on this guidance, or FERPA, may contact the SPPO by submitting an online form at <https://studentprivacy.ed.gov/contact> or calling the SPPO's Student Privacy Help Desk at 1-855-249-9072.

Students

Administrative Procedure - Storage and Destruction of School Student Records

This procedure should be used with 7:340-AP1, *School Student Records*, which is annotated with citations to controlling statutes.

Actor	Action
<p>Superintendent or Designee</p>	<p>Develop and implement a process to systematically digitize or microfilm school student records.</p> <p>Any public record may be reproduced in a microfilm or digitized electronic format and the paper version destroyed, provided: (a) the records are reproduced on “a durable medium that accurately and legibly reproduces the original record in all details,” and “that does not permit additions, deletions, or changes to the original document images;” and (b) the Local Records Commission is notified when the original record is disposed of and also when the reproduced record is disposed of Local Records Act, 50 ILCS 205/7.</p> <p>See the Ill. Secretary of State’s publication, <i>Guidelines for Using Electronic Records</i> at: www.cyberdriveillinois.com/departments/archives/records_management/electrecs.html.</p> <p>Develop and implement a uniform process for storing school student records to ensure that:</p> <ol style="list-style-type: none"> 1. Each student’s permanent record will be kept for 60 years after the student transfers, withdraws, or graduates. 2. Each student’s temporary record will be kept for five years after the student transfers, withdraws, or graduates. <p>Submit to the Local Records Commission a schedule for continuing authority to destroy school student records after the expiration of the applicable period.</p>
<p>Official Records Custodian for each School (usually the Building Principal)</p>	<p>Send any material for a student transferring into the District that is neither a permanent or temporary record to the parent/guardian, or student who is 18 years of age or older, with the indication that the District does not include that material in school student records.</p> <p>Store school student records according to the uniform process developed by the Superintendent or designee.</p> <p>Transfer school student records as follows:</p> <ol style="list-style-type: none"> 1. For a student transferring to another school within the District, send originals of all permanent and temporary records (unless normally

Actor	Action
	<p>housed at the District office).</p> <p>2. For a student transferring to an out-of-District elementary or secondary school, follow the section in 7:340-AP1, <i>School Student Records</i>, on Transmission of Records for Transfer Students. Send a copy and retain the original of all permanent and temporary records and notify the Special Education Department of the transfer.</p> <p>Provide a destruction schedule notice to the parents/guardians, and if the student is in the legal custody of the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, of students who transferred, graduated, or withdrew, or students who are 18 years of age or older. Notice to parents/guardians or a student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the district, in a newspaper of general circulation within the District, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c).¹ See 7:340-AP2, E1, <i>Letter Containing Schedule for Destruction of School Student Records</i>. Retain a copy for the school's record.</p> <p>Authorize and/or order the destruction of District records after ensuring that the following steps have been performed:</p> <ol style="list-style-type: none"> 1. The Local Records Commission approved a schedule for continuing authority to destroy school student records after the expiration of the applicable period. 2. Any record is retained and removed from the disposal list if it is or may be evidence in litigation, or is otherwise subject to a <i>litigation hold</i>. 3. A Local Records Disposal Certificate was sent to the Local Records Commission, Illinois State Archives, 60 days before the disposal date and an approved copy was returned. 44 Ill Admin Code §4000.40(b); 44 Ill Admin Code §4500.40(b).
	<p>Web-based Record Management Resources:</p> <p><u>Cook County Local Records Commission Meetings at: www.cyberdriveillinois.com/departments/archives/records_management/lrc_cook_county_meeting_schedule.html.</u></p> <p><u>Cook County Local Records Commission Rules (44 Ill Admin Code Part 4500) at: www.ilga.gov/commission/jcar/admincode/044/04404500sections.html.</u></p>

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ 105 ILCS 10/4(h), amended by P.A. 101-161 and 102-199. See 7:340-AP 1, *School Student Records*, at f/n 4, for a discussion about notification to DCFS.

Actor	Action
	<p><u>Downstate Local Records Commission Meetings at: www.cyberdriveillinois.com/departments/archives/records_management/lrc_downstate_meeting_schedule.html.</u></p> <p><u>Rules of the Downstate Local Records Commission (44 Ill Admin Code Part 4000) at: www.ilga.gov/commission/jcar/admincode/044/04404000sections.html.</u></p> <p><u>Illinois School Student Records Act (105 ILCS 10/) at: www.ilga.gov.</u></p> <p><u>Local Records Act (50 ILCS 205/) at: http://www.ilga.gov/.</u></p> <p><u>Local Records Disposal Certificate at: www.cyberdriveillinois.com/departments/archives/records_management/lrmdisp.html.</u></p>

Students

Exhibit - Letter Containing Schedule for Destruction of School Student Records

Use this to comply with the Illinois School Student Records Act notification requirements before any school student record is destroyed, or information deleted from it. 105 ILCS 10/4(h), amended by P.A.s 101-161 and 102-199; 23 Ill.Admin.Code §375.40(c). Store in the school's or Building Principal's office. If the student is 18 years of age or older, this letter is sent only to the student. If the student is 18 years of age or older and continues to be in the custody of the Ill. Dept. of Children and Family Services (DCFS), then the letter is sent to the student and the DCFS' Office of Education and Transition Services.

Student's Name: _____

Parent/Guardian Name(s): _____

School: _____

This notice contains the destruction schedule for your or your child's school records as required by rule of the Illinois State Board of Education, 23 Ill Admin. Code §375.40(c).

As you or your child is permanently withdrawing, transferring, or graduating from this School District, you are notified of the schedule below for destruction of the school records. This schedule complies with Illinois School Student Records Act requirements that (1) temporary records be retained for at least five years after a student's transfer, withdrawal, or graduation, and (2) permanent records be retained for at least 60 years after a student's transfer, withdrawal, or graduation. 105 ILCS 10/4(e) and (f). The parent(s)/guardian(s), or the student if he or she is at least 18 years of age, and DCFS' Office of Education and Transition Services, if applicable, may request a copy of a record at any time prior to the date of destruction listed below.

Temporary records will be destroyed no earlier than: _____
(Date)

Permanent records will be destroyed no earlier than: _____
(Date)

(Check all notification methods used.)

- Handbook, dated _____(year). 105 ILCS 10/4(h)(i).
- Newspaper publication, dated _____(month, date, and year). 105 ILCS 10/4(h)(ii).
- Mailed to last known address on this _____ day of _____, 20____, by _____ to the above named parent(s)/guardian(s), or to the student if he or she is at least 18 years of age. 105 ILCS 10/4(h)(iii).
- Hand delivered on this _____ day of _____, 20____, by _____ to the above named parent(s)/guardian(s), or to the student if he or she is at least 18 years of age. 105 ILCS 10/4(h)(iv).

(Check if applicable)

A copy of this notice was provided to the Ill. Dept. of Children and Family Services' (DCFS) Office of Education and Transition Services because your child is in the legal custody of DCFS. 105 ILCS 10/4(h).

Sincerely,

Building Principal

Community Relations

Administrative Procedure - Definition of Child Sex Offender

Child Sex Offender ¹

720 ILCS 5/11-9.3(d)

- (1) *Child sex offender* means any person who:
- (i) Has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (d) or the attempt to commit an included sex offense, and
 - (A) Is convicted of such offense or an attempt to commit such offense; or
 - (B) Is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or
 - (C) Is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or
 - (D) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or
 - (E) Is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or
 - (F) Is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or
 - (ii) Is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or
 - (iii) Is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

- (2) Except as otherwise provided in paragraph (2.5), *sex offense* means:

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ Before relying on the definitions as stated, check the Illinois General Assembly website, www.ilga.gov, for the current statute.

- (i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:
- 10-4 (forcible detention),
 - 10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),
 - 10-5(b)(10) (child luring),
 - 11-1.40 (predatory criminal sexual assault of a child),
 - 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult),
 - 11-9.1 (sexual exploitation of a child),
 - 11-9.2 (custodial sexual misconduct),
 - 11-9.5 (sexual misconduct with a person with a disability),
 - 11-14.3(a)(1) (promoting prostitution by advancing prostitution),
 - 11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute),
 - 11-14.3(a)(2)(c) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and(B) of paragraph (2) of subsection (a) of Section 11-14.3),
 - 11-14.4 (promoting juvenile prostitution),
 - 11-18.1(patronizing a juvenile prostitute),
 - 11-20.1 (child pornography),
 - 11-20.1B (aggravated child pornography),
 - 11-21 (harmful material),
 - 11-25 (grooming),
 - 11-26 (traveling to meet a minor or traveling to meet a child),
 - 12-33 (ritualized abuse of a child),
 - 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park),
 - 11-30 (public indecency) (when committed in a school, on real property comprising a school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or in a public park). An attempt to commit any of these offenses.
- (ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age:
- 11-1.20 (criminal sexual assault),
 - 11-1.30 (aggravated criminal sexual assault),
 - 11-1.50 (criminal sexual abuse),
 - 11-1.60 (aggravated criminal sexual abuse).
- An attempt to commit any of these offenses.
- (iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:
- 10-1 (kidnapping),
 - 10-2 (aggravated kidnapping),
 - 10-3 (unlawful restraint),
 - 10-3.1 (aggravated unlawful restraint),
 - 11-9.1(A) (permitting sexual abuse of a child).
- An attempt to commit any of these offenses.

- (iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) or (2)(ii) of subsection (d) of this Section.
- (2.5) For the purposes of subsections (b-5) and (b-10) only, a sex offense means:
- (i) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:
 - 10-5(b)(10) (child luring),
 - 10-7 (aiding or abetting child abduction under Section 10-5(b)(10)),
 - 11-1.40 (predatory criminal sexual assault of a child),
 - 11-6 (indecent solicitation of a child),
 - 11-6.5 (indecent solicitation of an adult),
 - 11-9.2 (custodial sexual misconduct),
 - 11-9.5 (sexual misconduct with a person with a disability),
 - 11-11 (sexual relations within families),
 - 11-14.3(a)(1) (promoting prostitution by advancing prostitution),
 - 11-14.3(a)(2)(A) (promoting prostitution by profiting from prostitution by compelling a person to be a prostitute),
 - 11-14.3(a)(2)(C) (promoting prostitution by profiting from prostitution by means other than as described in subparagraphs (A) and (B) of paragraph (2) of subsection (a) of Section 11-14.3),
 - 11-14.4 (promoting juvenile prostitution),
 - 11-18.1 (patronizing a juvenile prostitute),
 - 11-20.1 (child pornography),
 - 11-20.1B (aggravated child pornography),
 - 11-25 (grooming),
 - 11-26 (traveling to meet a minor or traveling to meet a child), or
 - 12-33 (ritualized abuse of a child).
 An attempt to commit any of these offenses.
 - (ii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age:
 - 11-1.20 (criminal sexual assault),
 - 11-1.30 (aggravated criminal sexual assault),
 - 11-1.60 (aggravated criminal sexual abuse), and
 - subsection (a) of Section 11-1.50 (criminal sexual abuse).
 An attempt to commit any of these offenses.
 - (iii) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:
 - 10-1 (kidnapping),
 - 10-2 (aggravated kidnapping),
 - 10-3 (unlawful restraint),
 - 10-3.1 (aggravated unlawful restraint),
 - 11-9.1(A) (permitting sexual abuse of a child).
 An attempt to commit any of these offenses.
 - (iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.
- (3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (d) of this Section shall constitute a

conviction for the purpose of this Section. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

Community Relations

Administrative Procedure - Parental Involvement¹

Building Principals shall advocate effective, comprehensive family involvement in education that will promote parents/guardians becoming active partners in education. Building Principals shall, at least once every semester, provide a written report to the Superintendent on parental involvement programs and efforts in their buildings. This administrative procedure identifies opportunities for parental involvement.

The District or school provides notices to parents/guardians on the following topics (list may not be exhaustive):

- Public hearing on holding school or scheduling teachers' institutes, parent-teacher conferences, or staff development on certain holidays. 105 ILCS 5/24-2(b)(2).
- Free and reduced-price food service. 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c).
- Fee waiver. 23 Ill.Admin.Code §1.245.
- Applications of pest control and/or lawn care products. 225 ILCS 235/10.3, 415 ILCS 65/3.
- Instruction on recognizing and avoiding sexual abuse. 105 ILCS 5/27-13.2.
- Parental school visitation rights. 820 ILCS 147/25.
- Child's placement in English learner programs. 105 ILCS 5/14C-4.
- Major school-sponsored events, including parent-teacher conferences, given to non-custodial parents. 105 ILCS 5/10-21.8.
- Unexplained absence from school of a student in K-8 (within two hours). 105 ILCS 5/26-3b.
- Graduation requirements, particularly when a student's eligibility for graduation may be in question. 23 Ill.Admin.Code §1.440(e).
- A student's suspension and/or expulsion. 105 ILCS 5/10-22.6.
- Electronic audio and/or visual recording devices if located on school buses. 720 ILCS 5/14-3(m).
- Physician who prescribes District's supply of epinephrine injectors is protected from liability, with limited exceptions. 105 ILCS 5/22-30(c).
- Availability of the District report card. 105 ILCS 5/10-17a(5).
- District's intent to withdraw from a special education joint agreement, if applicable. 105 ILCS 5/10-22.31, amended by P.A. 101-164.²

See also:

- 6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*
- 7:190-E2, *Student Handbook Checklist*
- 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ Sample materials on parental involvement are also covered in 6:170, *Title I Programs*, for those districts that receive Title I funds. Districts that do not receive Title I funds may use this sample procedure exclusively. Title I imposes additional requirements for parent and family engagement programs; these requirements are covered in 6:170, *Title I Programs*; 6:170-AP1, *Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs*; 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact*; and 6:170-AP1, E2, *School-Level Parent and Family Engagement Compact*.

² Remove this item if the District is not a member of a special education cooperative.