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Amendments to ISSRA Regulations

Effective June 19, 2013, the *Illinois School Student Records Act* (ISSRA) regulations are amended to provide for revised definitions of “health-related information,” “permanent record,” and “school student record,” as well as a revised definition of the responsibilities of the designated “official records custodian.”

The regulatory amendments add that “**health-related information**” also includes documentation regarding the acknowledgement by a student athlete and his/her parents of the school district’s concussion policy adopted pursuant to 105 ILCS 5/10-20.53 and 34-18.45.

The definition of a “**permanent record**” has been modified to provide that while scores on college entrance exams are included in a student’s permanent records, parents may request, in writing, the removal of any score received on college entrance examinations from the student’s academic transcript.

Accordingly, the notice requirements of the regulations have also been amended to include notification to students and their parents of the right to request removal of such scores from a transcript by submitting a written request stating the name of each examination and the date(s) of the scores to be removed.

The definition of **“school student record”** now also includes any information received pursuant to Section 22-20 of the *School Code* (report by law enforcement agency) and Sections 1-7 and 5-905 of the *Juvenile Court Act of 1987* (law enforcement records transmitted to the appropriate school official by a local law enforcement agency under a reciprocal reporting system). In addition, **video or other electronic recordings** created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes are excluded from student records. The regulatory amendments have revised this exclusion by providing that the content of such video or other electronic recordings **may become part of a “school student record” to the extent that school officials use and maintain this content for a particular reason (e.g., disciplinary action, compliance with a student’s IEP) regarding a specific student.** Further, video or other electronic

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recordings which become part of a student's records are not a public record under *FOIA* and will be released only in conformance with the *ISSRA* and *FERPA*.

Finally, Section 375.40(g) of the *ISSRA* regulations has been amended to add that the official records custodian must take **all reasonable measures to protect student records** through administrative, technical, and security safeguards against risks, such as unauthorized access, release or use.