TO:    Illinois State Board of Education
FROM:   Robert E. Schilller, Superintendent
               Respicio Vazquez, Legal Counsel

Agenda Topic:  Adoption:  Rule Part 375 Student Records

Materials:  Recommended Amendments

Staff Contact(s):  Don Full

Purpose of Agenda Item
To present the proposed amendments for adoption.

Expected Outcome(s) of Agenda Item
The Board’s adoption of the proposed amendments to Part 375.

Background
These proposed amendments respond to the following.

- P.A. 92-64, effective July 12, 2001, amends Section 2-3.13a of the School Code to allow a school district to adopt a policy that requires a student transferring into that district to complete the entire term of a suspension or expulsion before being admitted. While no rule amendment is needed to implement this new provision, it does affect another part of Section 2-3.13a, which requires student records to include the date and duration of certain suspensions or expulsions.
- P.A. 92-295, effective August 9, 2001, makes certain requirements concerning reports filed under the Abused and Neglected Child Reporting Act.
- A clarification is proposed regarding schools’ responsibilities with respect to records for transfer students.

These proposed amendments were published in the Illinois Register on May 31, 2002, to elicit public comment. No public comment was received; therefore, this version of the proposed amendments is identical to the one the Board reviewed in May.
Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications

The proposed amendments would clarify that a school district provide in any records of a student who is transferring the date and duration of any suspension or expulsion that that student may be serving at the time of the transfer.

The proposed amendments also incorporate the requirement that a school receiving a request from the Department of Children and Family Services (DCFS) to remove a report filed under the Abused and Neglected Child Reporting Act from the student’s records, do so and return it to DCFS. The school district also would be required to forward DCFS’s request to any other school to which it may have transferred the records of a student who is the subject of the report.

Communications

Please see "Next Steps" below.

Superintendent’s Recommendation

Adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

    Student Records (23 Illinois Administrative Code 375).

Further, the Board authorizes the State Superintendent of Education to make such technical or nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps

With the Board’s adoption of these amendments, staff will submit the required notice materials to the Joint Committee on Administrative Rules to initiate the Joint Committee’s review. When that review is complete, the adopted rules will be filed with the Secretary of State, published in the Illinois Register, and disseminated as appropriate.