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Attorneys at Law

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SCHOOL LAW GROUP

TIMELINE FOR RESPONDING TO STUDENT RECORD REQUESTS SHORTENED FROM 15 SCHOOL DAYS TO 10 BUSINESS DAYS

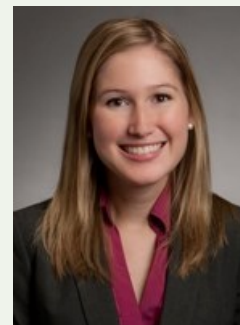
Section 5 of the Illinois School Student Records Act, 105 ILCS 10/5 was amended by Public Act 100-532 to create new procedures for responding to parents' requests to inspect or copy school records. Pursuant to the new law, a school must produce student records within ten (10) business days (instead of the current fifteen (15) school days) after a request to inspect or copy a student's school record is received. As used in this statute, a "business day" represents any day the District is open and operating, regardless of whether students are in attendance.

The new law further states that schools may extend this new timeline by an additional five (5) days in the following circumstances. If relying on any of the following, as a practical matter the District should send the requester a written notice that the District is extending the timeline on one of the bases below, and specifically set forth the basis:

1. the requested records are stored in whole or in part at a location other than the office charged with maintaining the requested records;
2. the request requires collecting a substantial number of specified records;

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3. the request is categorical in nature and requires an extensive search for responsive records;
4. the requested records cannot be located by a routine search and additional efforts are being made to locate them;
5. the request cannot be responded to without unduly burdening or interfering with the operations of the school district; or
6. There is a need for consultation with one or more other public bodies or school districts that have a substantial interest in the request.

The requester and school may also agree in writing to extend the response time to a period determined by both parties. Public Act 100-532 explains that when a mutual agreement is reached, the school's failure to comply with any previous deadline will not be treated as a denial of the request.

Public Act 100-532 went into effect immediately on September 22, 2017. As such, we recommend that you review your school board policies and procedures to verify that those policies comply with this new shortened time frame.

A copy of the full Public Act is available at the following link:

[Public Act 100-0532](#)