March 28, 2017,

Dear Parents and Guardians,

In order to stay in compliance with the State of Illinois and its mandates, the Administration at MVTHS wanted to make you aware of your students’ rights when it comes to technology. In short, your student should not be asked to, and does not have to, release access to any digital accounts that they may be in possession of for any reason. The actual law reads as follows:

105 ILCS 75/1
   Sec. 1. Short title. This Act may be cited as the Right to Privacy in the School Setting Act.  
   (Source: P.A. 98-129, eff. 1-1-14.)

(105 ILCS 75/5)
   Sec. 5. Definitions. In this Act:
   "Elementary or secondary school" means a public elementary or secondary school or school district or a nonpublic school recognized by the State Board of Education.
   "Post-secondary school" means an institution of higher learning as defined in the Higher Education Student Assistance Act.
   "Social networking website" means an Internet-based service that allows individuals to do the following:
      (1) construct a public or semi-public profile within a bounded system created by the service;
      (2) create a list of other users with whom they share a connection within the system; and
      (3) view and navigate their list of connections and those made by others within the system.
   "Social networking website" does not include electronic mail.  
   (Source: P.A. 98-129, eff. 1-1-14.)

(105 ILCS 75/10)
   Sec. 10. Prohibited inquiry.
   (a) It is unlawful for a post-secondary school to request or require a student or his or her parent or guardian to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website or to demand access in any manner to a student's account or profile on a social networking website.
   (b) Nothing in this Section limits a post-secondary school's right to do the following:
(1) promulgate and maintain lawful school policies
governing the use of the post-secondary school's electronic equipment, including policies regarding Internet use, social networking website use, and electronic mail use; and
(2) monitor usage of the post-secondary school's
electronic equipment and the post-secondary school's electronic mail without requesting or requiring a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website.
(c) Nothing in this Section prohibits a post-secondary school from obtaining information about a student that is in the public domain or that is otherwise obtained in compliance with this Act.
(d) This Section does not prohibit a post-secondary school from conducting an investigation or requiring a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to make a factual determination.
(Source: P.A. 98-129, eff. 1-1-14; 99-460, eff. 8-25-15.)

(105 ILCS 75/15)
Sec. 15. Notification. An elementary or secondary school must provide notification to the student and his or her parent or guardian that the elementary or secondary school may not request or require a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website. An elementary or secondary school must provide notification to the student and his or her parent or guardian that the elementary or secondary school may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to make a factual determination. Notification under this Section must be published in the elementary or secondary school's disciplinary rules, policies, or handbook or communicated by similar means.
(Source: P.A. 98-129, eff. 1-1-14; 99-460, eff. 8-25-15.)

(105 ILCS 75/20)
Sec. 20. Penalty. A post-secondary school or an agent of a post-secondary school who violates this Act is guilty of a petty offense.
(Source: P.A. 98-129, eff. 1-1-14.)

If you have any questions regarding this law or its implementation, please do not hesitate to contact our offices at 618-244-3700.

Sincerely,

Rowdy Fatheree
Principal
MVTHS