

January 24, 2001

01-0124-PO2

RECORDS MANAGEMENT AND RECORDS RETENTION OF ALL RECORDS

Purpose:

To establish the foundation to bring all records keeping in the Chicago Board of Education into compliance with the statutes of the State of Illinois, the rules of the Local Records Commission of Cook County and Code of the Illinois State Board of Education.

To provide efficiencies and protection for records within the Chicago Board of Education, provide easier access to information and to prepare for future use of electronic data to satisfy State of Illinois requirements.

Administrative procedures implementing this policy, "Records Management Procedures for CSC Departments (August 2000)" and "Records Management Procedures for Schools & Regions (May 2000)" have been published and will be revised from time to time by the Secretary of the Board.

Scope of the Policy:

This policy shall be followed by Chicago public school personnel in all schools, regions and central office departments.

Background:

The Board of Education of the City of Chicago is a public (Body) agency and therefore is governed by the Local Records Act, [50 ILCS 205/1]. As a school district, CBOE is further regulated by the Illinois School Student Records Act [105 ILCS 10/1 – 10/10]

The Secretary of the Board is responsible for administration of the policies on Records Management and Records Retention and the Retention of Student Records. All questions related to records retention, records management and records destruction should be directed to the Secretary of the Board.

Other Policy References:

Retention of Student Records is covered under a separate policy. Policy Number 01-0124-PO3.

Definitions:

Public Record--- The Local Records Act [50 ILCS 205/1] defines a "Public Record" as any book, paper, map, photograph, digitized electronic material, or other official documentary material regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to the law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, operations or other activities of the State or the State Government or because of the informational data contained therein.

Student - Any person enrolled or previously enrolled in a school. [105 ILCS 10/2]

School - Any public preschool, day care center, kindergarten, nursery, elementary or secondary educational facility or any other elementary or secondary educational agency or institution and any person, agency or institution which maintains school student records from more than one school, but does not include a private or non-public school.

The Student Record - In the context of Chicago Public Schools, the Student Record can be a document such as the Registration Card or several documents within a folder such as the Student Health Folder (Medical File) and the Special Education Folder and the Student Temporary "Cum" Folder. The Records Retention of Student Records defines student records under the separate policy.

Records Retention and Disposal

50 ILCS 205/7 of the Illinois statutes states that, "except as otherwise provided by law, no public record shall be disposed of by any officer or agency unless the written approval of an appropriate Local Records Commission is first obtained".

The Secretary of the Board of Education of the City of Chicago has established a Records Retention Schedule approved by the Local Records Commission of Cook County. The Records Retention Schedule is included in the Records Management Procedures for Schools and Central Office.

Records disposal of the "Official Record Copy" shall be done only after the Form *Application for Authority to Dispose of Local Records* has been approved by the Local Records Commission of Cook County.

Where several copies of a record exist, the Secretary of the Board will determine which copy is the "Official Record Copy". All other copies shall be considered "Informational Copies".

"Informational Copies" of a record may be disposed of at any time they are no longer needed for operational reference without the approval of the Local Records Commission of Cook County. The approved Records Retention Schedule does effect the retention of "Informational Copies" in that at no time shall an "Informational Copy" be kept longer than the "Official Records Copy".

The Board of Education for the City of Chicago mandates that records be destroyed as soon as the records are eligible for destruction.

Records destroyed by fire, flood or natural disaster shall be reported to the Secretary of the Board within forty-eight (48) hours of the disaster. The Secretary of the Board shall review the records destroyed and will submit a report to the Local Records Commission of Cook County and the State Archivist documenting the destruction of the records prior to their normal destruction date.

Official public record copies that are maintained in electronic format shall be authenticated and available in a readable format for the duration of the record life. Official record copies that are maintained in electronic format shall be subject to the authorized records retention schedule.

The Secretary may declare some records as having historical value and will work with the Local Records Commission of Cook County and the State Archivist to preserve and catalogue these historic records. These archival records shall not be subject to the normal destruction cycle.

Prior to disposing of a record, the initiating organization shall complete the Form *Application for Authority to Dispose of Local Records* (the official form provided by the Secretary of State). Prior to actually destroying any Official Public Records or Files, the Commission must be given written notice of such destruction and the Commission will issue a Records Disposal Certificate (Certificate). After 60 days from issuance of the Certificate, and providing no contrary instruction is received from the Commission, the records may be destroyed.

No School, Region or Department shall destroy records in anticipation of approvals. Destroying records prior to approval for destruction would be considered as tampering with official records

It is a Class 4 felony to knowingly tamper with records [720 ILCS 5/32-8] (Source: P.A. 77-2638).

The disposal of Official Public Records shall be performed in the natural course of business. It is good business practice to establish a time each year to dispose of records eligible for destruction. The destruction shall be certified and comply with all environmental regulations.

Approved:


Marilyn F. Johnson
General Counsel