

AMEND BOARD REPORT 01-0328-PO1
RETENTION AND MANAGEMENT OF BUSINESS RECORDS

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING:

That the Board adopt the policy on Retention and Management of Business Records.

PURPOSE:

To establish the foundation to bring all record 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 ("Local Records Commission") and The Administrative 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.

HISTORY OF BOARD ACTION: None**PRESENT POLICY AND PROCEDURES:**

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 ("Secretary").

SCOPE OF THE POLICY:

This policy shall be followed by Chicago Public Schools personnel in all schools, regions and central office departments. The principal or unit administrator shall be responsible for the implementation of this policy within their school or unit.

BACKGROUND:

The Board of Education of the City of Chicago is a public agency (body) and therefore is governed by the Local Records Act, [50 ILCS 205/1 et seq.].

The Secretary of the Board is responsible for administration of the policies on Retention and Management of Business Records and Maintenance and Retention of School 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 and Management of School Student Records is covered under a separate policy, Policy Number 01-0328-PO2.

POLICY TEXT:**I. 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. Pursuant to the Administrative Code of Illinois and the Local Records Act, for the Board's purposes, public records shall include the most recent architectural plans, specifications, and construction documents for the individual building or facility owned or controlled by the Board of Education. E-Mail and Voice Mail are a transitory vehicle of communications. E-Mail and voice mail are not to be used by CPS employees as Official Public Records as defined in the State Code.

II. 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 has established a Records Retention Schedule approved by the Local Records Commission. The Records Retention Schedule is included in the Records Management Procedures for Schools and Regions and for Central Service Center Departments.

Records disposal of the "Official Record Copy" shall be done only after the form *Application for Authority to Dispose of Local Records* (the official form provided by the Secretary of State of Illinois) has been approved by the Local Records Commission.

Where several copies of a record exist, the Secretary 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. At no time shall an "Informational Copy" be kept longer than the "Official Record Copy".

The Board of Education of 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 shall review the affected records and will submit a report to the Local Records Commission and the State Archivist documenting the damage or destruction of the records prior to their normal destruction date.

Official record copies that are maintained in electronic format shall be authenticated and kept 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 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 school, region or department shall complete and submit to the Secretary the Form *Application for Authority to Dispose of Local Records*. Prior to actually destroying any Official Public Records or Files, the Local Records 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 will be considered tampering with official records

It is a Class 4 felony to knowingly tamper with records. [720 ILCS 5/32-8].

The disposal of Official Public Records shall be performed in the natural course of business, and pursuant to the Board's Records Retention Schedule and the rules and regulations of the Local Records Commission. It is good business practice for each school, region and department to establish a time each year to dispose of records eligible for destruction pursuant to the Records Retention Schedule. The destruction of records shall be certified and comply with all environmental regulations and rules of the Local Records Commission.

LSC APPROVAL: Not applicable.

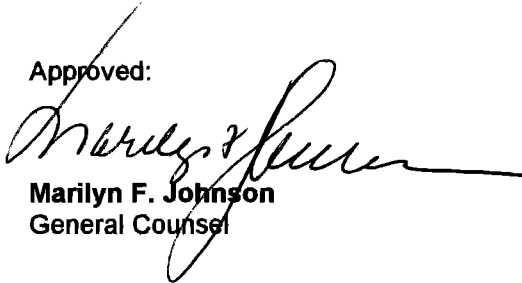
AFFIRMATIVE ACTION APPROVAL: Not applicable.

PERSONNEL IMPLICATIONS: None.

LEGAL REFERENCES:


50 ILCS 205/1 et seq.
23 Ill. Admin. Code 180.100, 110, 120

Approved:



Marilyn F. Johnson
General Counsel

Noted:



Kenneth Gotsch
Chief Financial Officer