Chicago Public Schools Policy Manual

Title: **STUDENT RECORDS RETENTION**
Section: **706.1**
Board Report: 13-0424-PO1 **Date Adopted:** April 24, 2013

Policy:

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board rescind Board Report 01-0328-PO2 and adopt a new Student Records Retention Policy.

PURPOSE: The purpose of this policy is to ensure the compliance with legal obligations to maintain and dispose of student records in accordance with the Illinois School Student Records Act, the Local Records Act and related regulations. In addition to legal compliance, the proper maintenance, retention and disposal of student records is necessary to support day-to-day school operations, promote efficiencies, protect against unauthorized access or release, breaches of confidentiality and to reduce the risk of identity theft.

POLICY TEXT:

A. Categories of Student Records.

1. *Permanent Student Records.* Permanent Student Records consist of the following, whether in paper or electronic form:

a. Student Elementary School Transcript[1] (including grades and attendance)
b. Student High School Transcript (including grades, attendance, state standardized test scores)
c. Student Health Record (consisting of health records required for enrollment and continuing enrollment, e.g. immunization, health exams, vision and dental exam); and
d. Student Registration Card[2]

2. *Temporary Student Records*. Temporary Student Records consist of any document or data record, whether in paper or electronic form, directly related to a particular student and of clear relevance to the education of the student, that do not otherwise qualify as a Permanent Student Record. Temporary Student Records include, but are not limited to, a student's cumulative folder, cumulative record card[2], enrollment records, elementary school state assessment scores, special education records (as defined in Section A.3. below), bilingual education records, program participation records, records of serious disciplinary infractions, DCFS reports, reports of a serious student injury and other information and correspondence of clear relevance to the education of the student, including electronic correspondence (e.g. e-mail). Temporary Student Records do not include: (i) personal notes created by a teacher or other school personnel for their exclusive use unless, pursuant to state law, such notes are disclosed for purposes of serving the student's needs at school, (ii) information or records maintained by school law enforcement and safety personnel, and (iii) records maintained to manage school or District operations and otherwise subject to the Board's policy on the maintenance of business records.

3. *Temporary Special Education Records*. Temporary Special Education Records consist of any document or data record, whether in paper or electronic form related to the identification, evaluation or placement of a student for special education services or 504 Plan or to the implementation of a student's Individualized Education Program (IEP) or 504 Plan and include, but are not limited to, the IEP[3] and the 504 Plan[3] in all their parts, eligibility determination and screening forms, consent forms, waiver forms, evaluations and assessments, parent notices, referrals, planning and meeting records including assessment assignments, progress notes, manifestation determination review, behavior plans, health-related information (e.g. medication logs), transition plans and service plans for private school students.

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[1] The District first established use of the Elementary Student Transcript in June 2007.

[2] The District discontinued use of the student registration card and the cumulative record card as of June 30, 2007 for all schools except multi-track schools where their use was discontinued as of June 30, 2011. All student registration cards created on or before these dates shall continue to be maintained as Permanent Student Records for the duration of the retention period. All cumulative record cards created on or before these dates shall continue to be maintained in the student cumulative file as Temporary Student Records for the duration of the retention period.

[3] The District first introduced (a) the electronic IEP in April 2009 with full District-wide use by February 2010; and (b) the electronic 504 Plan in April 2010 with full District-wide use by May 2011. All paper IEPs and 504 Plans created on or before these dates shall continue to be maintained as Temporary Special Education Records for the duration of the retention period.

B. Retention Period. To administer state requirements to retain Permanent and Temporary Student Records (as defined in sections A.1., A.2. and A.3. above) for specified minimum time periods, the following retention requirements, based on student's date of birth, are in effect:

Student Grade Level	Record Category	Minimum Record Retention Period	Destruction Authorized When
Elementary and High School	Permanent Student Records	82 years after the student's date of birth	Student Age – 83*
Elementary and High School	Temporary Special Education Records	27 years after the student's date of birth	Student Age – 28*
High School	Temporary Student Records	27 years after the student's date of birth	Student Age – 28*
Elementary	Temporary Student Records	20 years after the student's date of birth	Student Age – 21*

*Computed by taking the highest student age (15 for elementary student, 22 for high school student) + 5 years for temporary records or 60 years for permanent records + one additional year as the Local Records Commission recognizes completed years only.

C. Record Maintenance During Retention Period.

1. *Responsibility.* Each school principal shall designate a school records custodian or coordinator who is responsible for the maintenance, care, security and proper disposal of student records whether or not the records are in his/her personal custody or control. To facilitate retention for the required duration, the school records custodian shall separate Permanent Student Records from Temporary Student Records for storage and maintenance purposes. The principal of each school or his/her designee shall ensure that school staff are informed about this Policy and comply with its requirements.

2. *Confidentiality.* Schools shall ensure appropriate measures are taken to protect the confidentiality of all student records and to further maintain heightened security for any student records containing highly confidential information such as social security numbers, medical or clinical information. The school records custodian shall take all reasonable measures to prevent unauthorized access to, or release of, student records. Student records that contain social security numbers shall be maintained separately in a secure locked area in accordance with the Board's Social Security Number Protection Policy. Student records created by a school nurse, social worker, counselor or psychologist that are governed by the Mental Health and Developmental Disabilities Confidentiality Act ("MHDDCA") shall be maintained separately with heightened security measures in accordance with established protocols and the release of such records is subject to the terms of the MHDDCA.

3. *Student Transfers*. Schools shall satisfy the following records retention requirements when a student transfers to another school.

a) *Transfer Verification:* Records for those students projected or planning to transfer may not be sent to the projected new school until the student's transfer has been verified or confirmed by the student's new school. Once a transfer verification/confirmation is received from the student's new school and records are sent, the school sending records shall log the transmittal of records in accordance with the Guidelines issued by the Enterprise Records Manager and follow the procedural notices for recording a student records transfers in IMPACT.

b) *In-District Transfers:* Schools shall send the *original* Temporary Student Record files and the student health record folder to the student's new in-district school. A student's transcript is available to the student's new in-district school upon enrollment via IMPACT.

c) *Out-of-District/Private School Transfers:* Schools shall send an official *copy* of the student transcript as well as *photocopies* of the Temporary Student Record files and student health records requested by the student's new out-of-district or private school and shall maintain all original records for the duration of the required retention period. Original records must be retained by the sending school and may not be sent to the out-of-district or private school. See Section C.6. herein regarding long-term storage of these records. Non-CPS charter schools are considered out-of-district schools for purposes of this policy.

d) *CPS Charter Transfers:* Schools shall send an official copy of the student transcript as well as the *original* Temporary Student Record files and the student health records requested by the student's new CPS charter school. Schools shall make copies of all existing paper student records prior to transmission to the CPS charter school, however, printing of electronic student records from IMPACT is not required. Schools shall maintain these copies as original records for the duration of the retention period. See Section C.6. herein regarding long-term storage of these records.

e) *Special Circumstances:* Notwithstanding anything in this Section C.3. to the contrary, the Chief Executive Officer or designee may issue special protocols for the transfer of records in connection with students who complete the highest grade level at a school as well as for any other circumstance involving the transfer of a significant number of student records.

4. *Record of Release.* Schools shall maintain a permanent record log which records each student records transfer made under Section C. and also records the release of student record information to a third-party. Such logs shall be maintained by the school in accordance with the protocols established by the District's Enterprise Records Manager.

5. *Year-End Requirements*. To ensure compliance with permanent record obligations, schools shall follow the year-end requirements issued each spring for generating record copies of student transcripts for students who graduate, withdraw or transfer to another school or otherwise cease to be enrolled.

6. *Long-Term Storage.* To improve efficiencies and facilitate access to records for students with current enrollment in a school, a school shall send the records for students who have transferred, graduated or otherwise withdrawn from their school to the Board's offsite storage facility for the remainder of the required retention period. Any transfer of records to long-term storage shall follow the procedures established by the District's Enterprise Records Manager.

D. Records Disposal.

1. *Disposal Protocols.* Records maintained for the duration of the applicable retention requirement noted in Section B. herein are eligible for disposal and may be destroyed upon approval by the Local Records Commission. A school shall request the District's Enterprise Records Manager to authorize the disposal of eligible records and make all related filings with the Local Records Commission. Schools shall not discard or destroy any Permanent or Temporary Student Records without proper approval and shall follow established protocols for the appropriate method of destruction to ensure confidentiality is not breached.

2. *Administrative Copies.* Additional copies of Permanent or Temporary Student Records that are kept for administrative convenience may be destroyed at any time without prior approval as long as the copy is shredded to ensure the confidentiality of the record information is protected.

3. *Accidental Loss or Destruction of Records.* Student records destroyed by fire, flood, natural disaster, environmental conditions, or lost due to theft or disposal-in-error must be immediately reported via the District's Incident Reporting System. The District's Enterprise Records Manager shall make all necessary filings with the Local Records Commission related to the accidental loss or destruction of student records.

E. Required Student Notifications. Schools shall provide a *Notice of Student Record Retention and Disposal* to all graduating students and students who withdraw or transfer from the school during the school year. The *Notice of Student Record Retention and Disposal* is available from the District's Enterprise Records Manager and included in the Guidelines.

F. Guidelines. The District's Enterprise Records Manager shall publish the District's records retention schedule approved by the Local Records Commission. The Chief Executive Officer or designee and the Enterprise Records Manager shall develop and implement guidelines, procedures and toolkits to ensure the effective management of the Board's records retention obligations.

G. Violations. Failure to abide by this Policy or related guidelines will subject employees to discipline up to and including dismissal in accordance with Board Rules and Policies.

Amends/Rescinds:	Rescinds 01-0328-PO2
Cross References:	74-1095-1 (Adopted November 13, 1974)
Legal References:	105 ILCS 10/1 et seq.; 105 ILCS 5/2-3.13a; 105 ILCS 5/2-3.64(a); 50 ILCS 205/1 et seq.; 23 IL. Admin. Code part 375; 740 ILCS 110; 20 USC 1232g; 42 U.S.C. 1417(c).