

December 14, 2023

AUTHORIZE THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD FOR POLICY ON PARENT AND STUDENT RIGHTS OF ACCESS TO AND CONFIDENTIALITY OF STUDENT RECORDS STARTING DECEMBER 15, 2023

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board authorize the commencement of the Public Comment Period from December 15, 2023 to January 15, 2024 for the Policy described in the disposition table below. Pursuant to Board Rule 2-6(c), the Board must authorize the commencement of the Public Comment Period.

Current Policy Section/ Current Policy Title	New Policy Section/ New Policy Title	Description of Revision/Disposition
706.3 Policy on Parent and Student Rights of Access to and Confidentiality of Student Records	N/A	Amend Policy 706.3  This policy is being reviewed and amended in response to Board Rule 2-6's biennial review requirement.

Approved as to Legal Form:



Ruchi Verma  
General Counsel

Approved:



Pedro Martinez  
Chief Executive Officer

Policy/Board Rule Summary Form

Policy/Board Rule Being Amended/Created	Policy Manager(s)
POLICY ON PARENT AND STUDENT RIGHTS OF ACCESS TO AND CONFIDENTIALITY OF STUDENT RECORDS	Brendan Perry

1. Why is this policy/Board rule being amended, created, or rescinded now? (e.g., state legislation, compliance change, policy was out of date, biennial policy review, CEO/CEdO recommendation, etc.)

This policy is being amended to update practices, names, and deadlines to more accurately reflect the School Code as part of the biennial policy review.

2. Please provide a high level summary of what policy/Board rule changes are being made, or created, and why.

We are changing language to be more compliant with the Illinois School Student Records Act ("ISSRA"), and adding definitions that are more inclusive of CPS families.

3. Please provide any notable feedback from internal or external stakeholders, and how you addressed it or planned to address it in your policy/Board rule draft.

The most notable feedback that we received from internal stakeholders is that we have included steps and language that are not articulated in ISSRA. By removing this language, we are creating clarity for families who look to this policy to understand their rights and responsibilities.

4. Please provide any additional notes/considerations in the box below.

AMEND BOARD REPORT 16-0928-PO1  
POLICY ON PARENT AND STUDENT RIGHTS OF ACCESS TO  
AND CONFIDENTIALITY OF STUDENT RECORDS

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Board amend Board Report 16-0928-PO1, Policy on Parent and Student Rights of Access to and Confidentiality of Student Records. This amendment is necessary to align this policy with the district's current procedures and organizational structure.

PURPOSE: To promote a legally consistent and appropriate policy for parent and student rights to access and confidentiality of student records.

POLICY TEXT:

I. SCOPE OF THE POLICY: This policy shall be followed by Chicago Public Schools, networks and central office departments. Each principal and administrator with his/her staff shall assume the responsibility for safeguarding the confidentiality and protection of student records.

II. DEFINITIONS

- A. Student - Any person enrolled or previously enrolled in a school.
- B. 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.
- C. State Board - The Illinois State Board of Education.
- D. Student Record - Any writing or other recorded information, whether in paper or electronic form, concerning a student and by which a student may be individually identified, maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. The following shall not be deemed student records: (i) personal notes created by teachers or other school personnel for their exclusive use, unless 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.

The Student Record is comprised of: the Permanent Student Record, the Temporary Student Record and if applicable, the Temporary Special Education Record.

- 1. Permanent Student Record -  
Information that consists of the following, whether in paper or electronic form:
  - a. Student Elementary Transcript (including grades and attendance);
  - b. Student High School Transcript (including grades, and attendance, ~~and 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);

- d. Student Registration Card;
- e. S

her child unless that parent is prohibited by an order of protection or court order specifically prohibiting such access pursuant to the Illinois Domestic Violence Act of 1986.

The parent's, student's, or DCFS Office of Education and Transition Services' request to inspect and copy student records must be granted within a reasonable time, in no case later than 15 school days after the date of such request. 10 school days after the date of receipt of the request. The time to respond to the request may be extended by not more than 5 business days after the date of receipt of the request if:

- " ~~the records are stored in whole or in part at locations other than the office having charge of the requested records;~~
- " ~~the request requires the collection of a substantial number of specified records;~~
- " ~~the request is couched in categorical terms and requires an extensive search;~~
- " ~~the requested records have not been located in the course of routine search and additional efforts are being made to locate them;~~
- " ~~the request cannot be complied with within the prescribed time limits without unduly burdening or interfering with the operations of the school district, or there is a need for consultation.~~

~~The person making the request and the school district may agree in writing to extend the time for compliance for a period to be determined by the parties.~~

If the records contain information concerning more than one student, the parent may inspect, review or be informed of only the specific information about his or her child. Either the school or parent may require that a qualified professional be present to interpret the information contained in the student record.

A student below the age of 18 shall also have the right to inspect and copy his or her own Permanent Student Record and Temporary Student Record.

Pursuant to the Mental Health and Developmental Disabilities Confidentiality Act, a parent may not have access to mental health or diagnostic records of his or her child if the child is 12 years of age or older without a court order unless the child has been informed of the request for access and does not object or if the mental health professional finds no compelling reason for denying such access.

Before any student record is destroyed or deleted, the parent or the student shall be given reasonable prior notice and an opportunity to copy the record/-8.1 (op1 i -13.1 (,42.722.3 (e gi)-( p11.6 (12 )-12.1 ( t)-13.1 ((ques)-a)-12.3



committed by a student with a disability.

11. To juvenile authorities who request information prior to adjudication of the student, when necessary in the discharge of their official duties.
12. To a governmental agency or social service agency contracted by a governmental agency, for an investigation pursuant to compulsory student attendance laws.

C. Release of Directory Information to the Public and Opt Out

Schools officials, such as principals and assistant principals, may disclose Directory Information about students to the public through posting (e.g. website, bulletin board, newsletter) or to specific parties through written requests. Prior to releasing Directory Information, however, school officials must notify the parent/guardian about what Directory Information is to be released/posted and allow a reasonable amount of time for them to opt out of the disclosure. School Officials shall adhere to the following steps regarding the release of Directory Information:

1. Upon receiving a request for release/posting of Directory Information, school officials must decide what type of Directory Information, if any, shall be included in the disclosure.
2. Prior to disclosing the Directory Information, school officials must notify the parent/guardian in writing about the type information that is planned for release and the opportunity to opt out of such disclosure.
3. Parents/Guardians shall be notified of their right to opt out of the release of Directory Information to the public prior to the release of such information. If a parent/guardian submits a request to opt-out of a disclosure, school officials shall refrain from including

## VI. Challenging the Content of Student Records

Parent(s) may review or challenge information contained in their child's record.

If the parent(s) feels that information contained in their child's records (other than academic grades) is inaccurate, misleading, irrelevant, or that it violates the child's or family's privacy, parent(s) may make a written request to