



CICS Record Retention Policy

I. Purpose

The purpose of this Policy is to ensure Chicago International Charter School's (CICS) compliance with the legal obligations to maintain and dispose of CICS Records, which includes both Student Records and Business Records, in accordance with the Local Records Act, related regulations, and with the Commission. Student Records are also subject to the requirements provided in the Illinois School Student Records Act, related regulations, and this policy. In addition to ensuring legal compliance, this Policy addresses the proper management of CICS Records, including the maintenance, retention, and disposal of CICS Records.

II. Definitions

A. Public Records: The Local Records Act defines "Public Record" as any book, paper, map, photograph, born-digital electronic material, digitized electronic material, electronic material with a combination of digitized and born-digital material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed, or received by the agency or officer pursuant to 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, or other activities thereof, or because of the informational data contained therein.

For purposes of this Policy, all information that qualifies as a Public Record, regardless of format or media used, that has been prepared by or for, has been used by or is in use by, has been received by, has been retained pursuant to law or in connection with a transaction, business or activity of CICS, or is in the possession or control of CICS or any of its School Management Organizations (SMO) or schools shall be referred to as a CICS Record and must be managed in accordance with this Policy.

All records are the property of CICS, and no employee or contractor has any personal or property right to such records regardless of his or her



position or the fact that he or she may have developed or complied with them.

B. Student Records: Student Records include records pertaining to individual students.

- 1. Student Permanent Records** must be retained for a minimum of sixty (60) years after the student has transferred, graduated, or permanently withdrawn, and are defined as basic identifying information, academic transcript, attendance records, accident reports, and health records.
- 2. Student Temporary Records** must be retained for a minimum of five (5) years after the student has transferred, graduated, or permanently withdrawn, and is defined as family background, intelligence/aptitude test scores, psychological evaluations, special education files, teacher anecdotal records, and disciplinary information.
- 3. Special Education Records** may be transferred to parents/guardians after five (5) years, particularly if they may be useful for future services.

C. Business Records: Business Records include all records that are not considered Student Records as defined in this Policy.

D. Litigation Hold is a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

E. Records Management Plan is the system implemented by CICS for the retention, retrieval, and disposition of all records generated by CICS.

F. Records Retention Schedule is a comprehensive listing stating retention periods and proper disposition of records.

G. Non-Record Materials: Non-Record Materials are excluded from the definition of Public Record in the Local Records Act and consist of items



that are not created, received, or used in the process of transacting or communicating CICS business, policies, and decisions. Non-Record Materials may include, but are not limited to, extra copies of documents used or maintained for convenience of reference, stocks of publications, blank forms, library and museum material made or acquired and preserved solely for reference or exhibition purposes, notes, journals, diaries, and similar documents created by a CICS officer or employee for his or her own personal convenience, copies of documents in any media furnished to the public under the Freedom of Information Act or other state law, advertisements, spam, junk mail, textbooks, instructional material, and preliminary drafts, working papers, and informational notes that have no impact on how information is interpreted or used or that otherwise have no value to CICS. Non-Record Materials also include transitory messages which consist of material used to communicate information with short-term value that is not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, become a receipt, or have a bearing on actions or decisions taken or not taken.

III. Delegation of Responsibilities

A. Records Coordinator

In order to maintain a Records Management Plan that complies with federal and state laws and regulations and this Policy, CICS shall designate a person who shall be responsible for implementing this Policy and for ensuring compliance with it. Any questions regarding document retention and/or destruction shall be directed to the person designated.

The Records Coordinator shall be responsible for:

1. Ensuring that training appropriate to the user's position and level of responsibility is provided. Such training may include:
 - a. Operation, care and handling of the equipment and software;
 - b. Requirements of Records Retention Schedule;
 - c. Protocols for preserving and categorizing CICS Records;
 - d. Identification of what is and what is not a CICS record; and
 - e. Disposal of CICS Records.



2. Reviewing the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
3. Identifying when the retention period expires the specific records to be disposed of and ensure that all identified records are properly disposed of annually.

B. **Records Management Committee** is a committee responsible for the development and recommendation of CICS's Records Management Plan may be established by the Board of Directors. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the Recommended Plan.

Members of the Committee shall include Office Managers, Principals, Chief Operating Officer, Chief Ed. Officer, Deputy Chief Ed. Officer, Special Education Manager, and Special Education Coordinators.

The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

C. Records Management Plan

CICS's Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records. The Records Management Plan shall include:

1. Comprehensive listing of CICS Records and data
2. Criteria to distinguish CICS Records from supplemental personal records of individual employees;
3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed;
4. Preservation measures to protect the integrity of CICS Records and data;



5. Data map or flow chart detailing the sources, routes and destination of electronic records;
6. Procedure and employee designed for determining whether an item is a CICS Record;
7. Procedures for adding, revising, or deleting records and data and any other details necessary to implement the Records Management Plan;
8. Records Retention Schedule;
9. Provisions for the storage and retrieval of records in the event of an emergency or disaster;
10. Staff positions authorized to access CICS Records; and
11. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all CICS Records relevant to the current or potential claim. Such procedures shall specify: (a) Who can initiate a litigation hold; (b) How and to whom a litigation hold is communicated; (c) Who will determine which records are subject to the litigation hold; (d) Who will be responsible for collecting and preserving such records and data; (e) Who will be responsible for monitoring and ensuring CICS's compliance with the litigation hold; and (f) In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc. For any records not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the records shall be kept and recommend any necessary revisions to the retention schedule.

All CICS departments and administrative offices shall comply with this Policy. Each SMO and school principal and/or designee shall ensure all employees, officers, temporary employees, interns, vendors, consultants, contractors, authorized agents, and volunteers are informed about this Policy and comply with its requirements.

IV. Record Retention



- A. Application for Authority to Dispose of Local Records:** In accordance with the Local Records Act, CICS shall have on file with the Commission an Application for Authority to Dispose of Local Records (“Application”), which has been approved by the Commission. The Application lists all CICS Records and the retention requirement for each record as approved by the Commission. Records listed on the Application are media-neutral and retention periods apply to the record, regardless of whether the record exists in paper, electronic, or both formats. The Application may also be referred to as the CICS’s Records Retention Schedule.
- B. Retention Periods.** Record retention periods are determined based on the content, nature, and purpose of the record and not on its format or the media on which the record is stored. Only the Commission can establish and approve how long CICS is required to retain each CICS Record and will set retention periods based on a record’s legal, fiscal, administrative, and historical value. The Application provides the minimum retention period CICS is required to maintain for each CICS Record.
- C. Confidentiality.** CICS, its SMOs and principals shall ensure appropriate measures are taken to protect the confidentiality of all CICS Records that require heightened security or that contain confidential information, including, but not limited to, records pertaining to students, personnel, legal or investigation matters, records containing social security numbers, and records containing medical and clinical information.
- D. Long-Term Storage and Maintenance.** To improve efficiencies, facilitate access to CICS Records required to support day-to-day operations, and to protect against unauthorized access or release, loss, and damage to CICS Records, CICS schools, SMOs, departments, and administrative offices should send CICS Records that are not being frequently referenced and that qualify for offsite storage based on the type of record and age of the record are maintained at each school. CICS Records may remain at the CICS’s Record storage site for the remainder of each record’s required retention period and shall continue to be accessible to and managed by the school, SMOs, CICS department, or administrative office that sent the CICS Records to storage site. Any transfer of CICS Records to long-term



storage shall follow the protocols established by CICS's Records Management Plan.

- E. **CICS Records maintained in electronic format** may require migration to other formats, versions, or systems, or may require printing and maintenance in hard copy in order to fulfill retention requirements and to remain accessible and usable at all times while the information must be maintained. CICS Records maintained in electronic format shall be retained in accordance with the Local Records Act, related regulations, and Commission requirements and guidelines.
- F. **Historical Records.** CICS Records that document the history of CICS or that are otherwise designated by the CICS Board Secretary as having historical value may be maintained indefinitely and when possible and necessary, in accordance with proper archival preservation and storage methods.
- G. **Electronic Communications.** When information that is communicated electronically, including, but not limited to, through email, voicemail, instant message, chat, website, blog, and other social media channels fits the definition of a Public Record, the information shall be managed in accordance with the Local Records Act, related regulations, the Commission, this Policy, and any additional CICS policies that address electronic records and communications.

V. **Record Disposal**

- A. **Disposal of Records.** For purposes of this Policy, the disposal of CICS Records refers to the destruction of a record or records, regardless of physical format or characteristics, so that information cannot be identified or retrieved, and includes the physical destruction of records in physical form and the deletion of records in electronic form.
- B. **Required Approval.** The CICS Board of Directors is required to obtain written approval from the Commission prior to the disposal of any CICS Record.



- C. **Application Inclusion.** For a CICS Record to be disposed in compliance with this Policy and the Local Records Act, related regulations, and with the Commission, the record must first be listed on CICS's Application that has been filed with and approved by the Commission. Only those CICS Records that have been included in the approved Application can be disposed of when the required legal retention requirements have been met.
- D. **Records Disposal Certificate.** At least annually, CICS's Records Management Committee shall submit a Records Disposal Certificate that has been signed by the Secretary of the Board of the Directors listing all CICS Records, regardless of physical format or characteristics, which have met the retention requirements as provided in CICS's approved Application. The Records Disposal Certificate must be filed with and approved by the Commission and then returned to the CICS's Records Management Committee prior to the disposal of any CICS Records.
- E. **Disposal Protocols.** All CICS departments and administrative offices and SMOs shall maintain CICS Records, regardless of format or media used, for the duration of each CICS Record's applicable retention requirement. Once a CICS Record has met the required retention period, the school, SMO, CICS department, or administrative office shall request CICS's Records Management Committee to authorize the disposal of the eligible CICS Record and to make all related filings with the Commission. No CICS school, SMO or department, or administrative office employee, officer, temporary employee, intern, vendor, consultant, contractor, authorized agent, or volunteer shall discard, destroy, delete, or otherwise dispose of any CICS Record without proper approval and shall follow protocols established by CICS's Records Management Committee for the appropriate method of destruction. Protocols for the retention and scheduled and/or automatic deletion of some records maintained electronically, including, but not limited to, email messages and attachments, chat and instant messages, calendars, and records maintained in licensed third-party applications and databases, on network servers, and in cloud storage may be implemented for CICS in



accordance with technology provisions, record retention requirements, and Commission approval.

- F. **Disposal of Original Records that have been Digitized and/or Microfilmed.** Microfilmed and digitized CICS Records, including scanned records, may only be substituted for the original record if the microfilm or scanned copies meet the requirements in the Local Records Act, guidelines of the Commission, and all rules and regulations for microfilming or digitizing local government records. Original CICS Records that have been reproduced in a digitized electronic format or in microfilm may be disposed of provided that the records have been accurately and reliably reproduced in a durable medium so that they can be accessed and used throughout the record's required retention period.

Prior to the disposal of any original CICS Records that have been digitized or microfilmed, CICS's Board of Directors is required to obtain written approval from the Commission by filing a Records Disposal Certificate for such original CICS Records. No original CICS Records that have been digitized or microfilmed shall be disposed until the Commission returns the approved Records Disposal Certificate to CICS's Records Management Committee.

- G. **Other Considerations.** CICS Records that may be required for reasons including, but not limited to, any current, pending, or anticipated legal actions, audits, investigations, student record requests, or public information requests shall not be disposed until all requirements have been met, even if the records have met all retention period requirements and approval for the disposal of records has been granted by the Commission.
- H. **Unauthorized Destruction of Records.** CICS departments and administrative offices and SMOs shall take appropriate measures to ensure that CICS Records are not mutilated, destroyed, transferred, removed, or otherwise damaged or disposed of, in whole or in part, except as provided by law. The penalty for violating the Local Records Act can be a Class 4 Felony under the Illinois Criminal Code.



1. **Accidental Loss or Destruction of Records.** CICS Records destroyed or damaged by fire, flood, natural disaster, environmental conditions, or lost due to theft or disposal-in-error must be immediately reported via the CICS's incident reporting system.
 2. **Remedies.** Original CICS Records that were lost, damaged, or destroyed without authorization must be recreated whenever possible. Recreation of original records may include, but is not limited to, printing records from electronic systems, obtaining copies of records from their original source, copying the damaged original records, and cleaning or otherwise restoring the original records. Before any damaged original CICS Records that have been used to create restored or recreated copies of original CICS Records may be destroyed, CICS Board of Directors must obtain written approval from the Commission by filing a Records Disposal Certificate for the damaged original CICS Records. Damaged original CICS Records must not be disposed until the Commission returns the approved Records Disposal Certificate to CICS's Records Management Committee.
 3. **Reporting Requirements.** CICS Records that have been disposed prior to CICS Board of Directors obtaining Commission approval must be reported to the Commission. CICS's Records Management Committee must make all necessary reports and filings with the Commission related to the loss or destruction of CICS Records.
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- I. **Destruction of Non-Record Materials.** Non-record materials may be destroyed at any time without prior approval from the Commission. Non-record materials that contain confidential information, including, but not limited to, social security numbers, student information, employee information, and information pertaining to legal or investigation matters must be physically destroyed in a manner so that such information cannot be identified or retrieved.

VI. Violations



Failure to abide by this Policy or related guidelines will subject employees to discipline up to and including dismissal in accordance with CICS policies.