

notice to parents and students  
regarding board policies

## NOTICE TO PARENTS AND STUDENTS REGARDING BOARD POLICIES

### NON-DISCRIMINATION STATEMENT

It is the policy of the Board to prohibit unlawful discrimination, harassment, and retaliation on the basis of any protected category by the Constitution of the United States, the Constitution of the State of Illinois, and applicable federal, state or local laws or ordinances, including but not limited to Title VI of the Civil Rights Act of 1964 (Title VI), Title VII of the Civil Rights Act of 1964 (Title VII), Age Discrimination in Employment Act of 1967 (ADEA), Title IX of the Education Amendments of 1972 (Title IX), the Americans with Disabilities Act (ADA), the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act of 1973 (Section 504), specifically, but not limited to, discrimination, harassment, or retaliation on the basis of sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, immigration status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union-related), military status, unfavorable discharge from military service, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in the educational programs or activities the Board operates.

Concerns or inquiries regarding sex discrimination, harassment or retaliation can be made to the Board's Title IX Coordinator in the Office of Student Protections and Title IX or the U.S. Department of Education Office for Civil Rights (OCR)

For incidents involving student victims, please see below for specific contact information:

- Office of Student Protections and Title IX (OSP) - (773) 535-4400 (student-to-student) (inquiries regarding sports equity should be directed to [ospcompliance@cps.edu](mailto:ospcompliance@cps.edu))
- Office of Inspector General (OIG) - 833-TELL-CPS ((833) 835-5277) (adult-to-student)
- U.S. Department of Education Office for Civil Rights (OCR) at (312) 730-1560 or [ocr.chicago@ed.gov](mailto:ocr.chicago@ed.gov)

For incidents involving adult victims, please see below for specific contact information:

- Equal Opportunity Compliance Office (EOCO) Administrator (773) 553-1013 or - [eoco@cps.edu](mailto:eoco@cps.edu), 42 W. Madison, 3rd Floor, Chicago, IL 60602; and/or
- OCR at (312) 730-1560 or [ocr.chicago@ed.gov](mailto:ocr.chicago@ed.gov)

Concerns or inquiries regarding discrimination, harassment or retaliation involving student victims on the basis of disability should be made to:

- District Manager of Section 504 Compliance – [Section504@cps.edu](mailto:Section504@cps.edu)

Concerns or inquiries regarding discrimination, harassment or retaliation on the basis of any other protected category listed above should be made to:

- Principal of Student’s School (student victims)
- EOCO Administrator – (773) 553-1013 or [eoco@cps.edu](mailto:eoco@cps.edu), 42 W. Madison, 3rd Floor, Chicago, IL 60602 (adult victims)

For further information see the Board’s *Comprehensive Non-Discrimination, Harassment, and Retaliation Policy*.

**Student Records**

Under the Federal Family Educational Rights and Privacy Act (“FERPA”) and the Illinois School Student Records Act (“ISSRA”), students and their parents have certain rights with respect to the student’s educational records. These rights transfer solely to the student who has reached the age of 18, graduated from secondary school, married or entered into military service, whichever comes first.

**Notice of Student Record Retention and Disposal**

The law requires the Board of Education of the City of Chicago (the “Board”) to maintain educational records, which includes both “permanent records” and “temporary records.” A student’s permanent record contains the student’s name, place and date of birth, address, transcript, parent(s) name(s) and address(es), attendance records, and other information mandated by the Illinois State Board of Education. The student’s temporary records include all school-related student information not contained in the permanent record. Student records may include both paper and electronic records.

According to Board policy, the retention periods for student records are as follows:

| 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            |

The Board will follow the above retention schedule and will destroy these student records in the natural course of business when the records are eligible for disposal. Notice of the record disposal schedule is provided through annual newspaper publication. To review student records after the student has transferred, graduated or withdrawn from school, parents and students may contact the student's former school or Former Student Records (773-535-4110). For additional information, refer to the Board's Policy on Student Records Retention at <http://policy.cps.edu/download.aspx?ID=84>.

### **Right to Review and Challenge Student Records**

Parents and students, whether emancipated or not, have the right to inspect and copy all of the student's educational records maintained by the school or the Board unless the parent is prohibited by an order of protection from obtaining those records within 10 business days after the day the school receives a request for access. Parents of eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

When a student is transferring to a school outside the Chicago Public Schools district, parents have the right to inspect and copy and to challenge their children's temporary and permanent student records prior to the time records are transferred to the out-of-district school.

Schools may not charge to search for or retrieve information, though schools may charge a reasonable fee to copy records. *No parent or student shall be denied a copy of the student records due to their inability to pay.*

Parents have the right to request that a school corrects recorded information (with the exception of academic grades) that they believe is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA and ISSRA. Parents or eligible students who wish to ask the school to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a formal hearing by submitting a written request to the Board. Parents should contact the Office of Diverse Learner Supports and Services, Chicago Public Schools, 42 West Madison Street, 3<sup>rd</sup> Floor, Chicago, IL 60602, for a formal hearing. After the hearing, if the Board decides not to amend the record, the parent has the right to place a statement with the records commenting on the contested information in the record. The parent may appeal the Board's decision by contacting the Illinois State Board of Education (ISBE), Division



Supervisor for the Division of Accountability, 100 W. Randolph St., Suite 14-300, Chicago, IL 60601. For more information on how to review and/or challenge a student’s record, review the Board’s policy on “Parent and Student Rights of Access to and Confidentiality of Student Records” (<http://policy.cps.edu/download.aspx?ID=122>).

**Release of Student Records**

Parents and eligible students have the right to provide written consent before the school discloses personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. Generally, schools may not release student records information without written permission from the parent. However, the law allows the disclosure of records, without consent, to select parties, including:

- School district employees or officials<sup>1</sup> who have legitimate educational interest<sup>2</sup> in the student;
- Officials, upon request, of another school district or institutions of post-secondary education in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer;
- Certain government officials as required by State or Federal law;
- Persons conducting studies, pursuant to a written agreement with the Board;
- Individuals who have obtained a court order regarding the records, provided the parents are notified;
- Persons who need the information in light of a health or safety emergency; and
- State and local authorities in the juvenile justice system.

A school may also disclose, without consent, certain “Directory Information” such as a student’s name, address, telephone number, date and place of birth, and awards and dates of attendance, provided that prior to the release of the Directory Information the parents are given the opportunity to opt out of the release of this information, in which case the information will not be released.

<sup>1</sup> A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. School officials can include contractors, consultants, volunteers or other parties under the Board’s direct control with whom the Board has agreed to outsource certain institutional services or functions, and who have a legitimate educational interest in the specific education records disclosed. The Board’s agreement with these contractors, consultants, volunteers or other parties will specifically outline the legitimate educational interest and which educational records are disclosed.

<sup>2</sup> A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Please note that no person may condition the granting or withholding of any right, privilege or benefit or make as a condition of employment, credit or insurance the securing by any individual of any information from a student's temporary record that the individual may obtain through the exercise of any right secured under ISSRA.

### **Release of Directory Information**

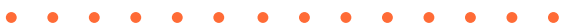
The Chicago Public Schools may disclose directory information about students to specific parties through written requests. Directory information is information that is generally not considered harmful or an invasion of privacy if released. CPS has designated the following as directory information: student's name; home address; home telephone number; date of birth; grade level; and most recent CPS school attended. Specific parties who may request this information include, but are not limited to external organizations delivering services to students such as Boys and Girls Clubs, YMCA, PTA, City sister agencies, and providers of programming that enriches a student's academic and/or social and emotional learning.

If a parent or student does not wish to have the student's directory information released, they must submit a written request to the school main office. The request to opt out must include the student's name, ID and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools and online at [cps.edu](http://cps.edu). **Parent and students must submit their opt-out request by December 1st annually if they wish to opt out of the releasing directory information.** For more information on opting out of the release of directory information, please review the Board's "Parent and Student Rights of Access to and Confidentiality of Student Records Policy" (<http://policy.cps.edu/download.aspx?ID=122>).

### **Release of Records to Recruiters and Institutions of Higher Learning**

Chicago Public Schools provides the names, addresses and telephone numbers of all 11<sup>th</sup> and 12<sup>th</sup> grade students to military recruiters or institutions of higher learning upon their request. Parents and students, regardless of whether the student is emancipated or not, may request that their contact information not be disclosed as described below.

If a parent or student does not wish to have the student's contact information released to military recruiters or institutions of higher education, they must submit a written request to the school main office. The request to opt out must include the student's name, ID number and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools high schools. **Parents and students must submit their opt-out request by December 1st if they wish to opt out of releasing student records to recruiters and/or institutions of higher learning.** For more information on opting out



of the release of contact information to recruiters, please review the Board's "Recruiter Access" Policy (<http://policy.cps.edu/download.aspx?ID=151>) and the Board's "Parent and Student Rights of Access to and Confidentiality of Student Records Policy" (<http://policy.cps.edu/download.aspx?ID=122>).

### **Release of Records for FAFSA Completion Project and National Student Clearinghouse**

The Board releases student Directory Information on all 12th grade students to:

- 1) The Illinois Student Assistance Commission (ISAC) to assist students with college financing opportunities by completing the Free Application for Federal Student Aid (FAFSA) and to determine eligibility for ISAC-related scholarships. The FAFSA is required for students to receive many forms of college financial aid; ISAC and CPS collaborate to support family FAFSA completion; and
- 2) The National Student Clearinghouse, an organization which provides data to CPS on students' postsecondary enrollment and retention. The National Student Clearinghouse helps CPS to understand and improve the college readiness and success of CPS graduates.

The Directory Information to be released is: the student's name, date of birth and high school name. If a parent or student does not wish to have the student's Directory Information released to ISAC for the FAFSA Completion Project and scholarships or the National Student Clearinghouse for the above mentioned purposes, they must submit a written request to the attention of the Office of School Counseling and Postsecondary Advising, Chicago Public Schools, 42 West Madison Street, 3rd Floor, Chicago, IL 60602, 773/553-2108. The request to opt out must include the student's name, ID number and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools high schools. **Parents and students must submit their opt out request to their high school counselor by October 1<sup>st</sup> if they wish to opt out of releasing student Directory Information for the FAFSA Completion Project and/or the National Student Clearinghouse.**

### **Filing of Complaints**

Parents or students who are at least 18 years of age have the right to file a complaint with the U.S. Department of Education if they believe the school district has failed to comply with the requirements of FERPA by contacting the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5901.

## Student Interventions

The District maintains a policy on the use of momentary physical interventions to maintain the safety of students and staff and to remove disruptive students from the classroom (<http://policy.cps.edu/download.aspx?ID=218>).

The District also maintains a policy on the use of, Physical Restraints and Isolated Time-Outs with Students with Disabilities (<http://policy.cps.edu/download.aspx?ID=21>).

## Notice of Search and Seizure Policy

Any Person who enters onto the property of the Board of Education of the City of Chicago may be subject to a search in accordance with the Board's Search and Seizure Policy, (<http://policy.cps.edu/download.aspx?ID=190>).

## Student Research Surveys

The District maintains a Research Study and Data Policy to address how individuals may conduct student research activities including surveys in the Chicago Public Schools (<http://policy.cps.edu/download.aspx?ID=178>). This policy has been established to comply with the requirements of the Federal Pupil Protection Rights Act ("PPRA"). Parents or guardians or students who are at least 18 years of age who believe their rights under the PPRA may have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

## Administration of Medication and Chronic Conditions Management Policies

The District maintains policies and guidelines on the administration of medication and management of chronic conditions during the school day. These policies apply to all students in all schools regardless of whether the school has any current students identified with asthma, diabetes, allergies, or seizures. In addition, these policies outline the forms required for the administration or self-administration of medication during the school day. Forms can be found on the Office of Student Health & Wellness ("OSHW") website.

Students and parents/guardians are encouraged to work with their school nurse to ensure that the appropriate forms are submitted and that the student's health needs are supported during the school day. Students and parents/guardians can also contact the OSHW Hotline (773-553-KIDS) for help connecting to public benefits like Medicaid or SNAP, or to connect with a medical home.





**Consent to Bill Medicaid Notice**

CPS provides health evaluations and related health services to students **at no cost to parents**. CPS is able to receive federal Medicaid reimbursement to offset some of the costs of providing some health services. In order to receive Medicaid reimbursements, a parent/guardian must consent to allow CPS to share his/her child’s health information with the State of Illinois for billing purposes. The State must keep each student’s information confidential and may only use it for the purpose of determining payments to CPS. When an IEP is finalized, CPS asks parents/guardians if they consent to allow CPS to seek Medicaid reimbursement for eligible health services – at no cost to the family. Whether or not CPS is reimbursed has no impact on the family’s insurance or benefits programs. Further, students will continue to receive the health services described in their IEPs regardless of whether their parents/guardians provide consent to bill Medicaid. The parents/guardians’ consent is only required once while the child continues to receive IEP services, including health services. This Notice is to inform the parents/guardians that CPS will continue to follow their decision regarding consent to bill Medicaid until the parents/guardians notify CPS of a change.

**CPS Policy Website**

Copies of all Board Policies can be obtained on the CPS Website at (<http://policy.cps.edu/Policies.aspx>) or by writing to the Board Secretary, Chicago Board of Education, 1 North Dearborn Street, 9<sup>th</sup> Floor, Chicago, Illinois 60602.

