

April 22, 2020

**RESCIND BOARD REPORT 10-0825-PO1
FREEDOM OF INFORMATION ACT POLICY
AND
ADOPT A NEW FREEDOM OF INFORMATION ACT POLICY**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Chicago Board of Education ("Board") rescind Board Report 10-0825-PO1 and Adopt a New Freedom of Information Act ("FOIA") Policy.

PURPOSE: The rationale for rescinding and adopting a new FOIA policy is to align with the Illinois Freedom of Information Act, simplify the language in the policy for the public and clarify responsibilities for employees of the Chicago Board of Education and Chicago Public Schools in responding to FOIA requests.

POLICY TEXT:

The Board of Education of the City of Chicago hereby declares its concurrence with and adherence to the philosophy, tenets, and intent of the Freedom of Information Act ("FOIA"). Pursuant to the fundamental philosophy of the American constitutional form of government and the laws of the State of Illinois, it is the public policy of the Board of Education of the City of Chicago that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees, consistent with the terms of the Freedom of Information Act. Such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring the government to ensure that it is being conducted transparently and in the public interest.

The Board, through its designee, a FOIA Officer, will process and respond to FOIA requests according to the provisions primarily set forth in the Illinois Freedom of Information Act and other state and federal laws as they may apply.


The Board will maintain a website through which FOIA requests may be submitted in writing, and frequently-sought records can be accessed at www.cps.edu/FOIA. FOIA requests may also be mailed to the address indicated on the FOIA website.

If called upon by a supervisor or FOIA Officer, employees of the Board, Chicago Public Schools, and those who possess public records of the Board or Chicago Public Schools, as defined by the Act, shall assist in appropriately responding to a request. A FOIA Officer will not issue a response to any request under FOIA that violates personal privacy or release student records as defined by the Illinois School Student Records Act (ISSRA) and the Family Educational Rights and Privacy Act (FERPA). Nor will FOIA be used for the purpose of furthering a commercial enterprise, or to disrupt the duly undertaken work of the Board of Education or any school or Local School Council, independent of the fulfillment of any of the aforementioned rights of the people to access information.

A FOIA Officer will either comply with or deny a written request for information within five working days after the receipt of an FOIA request. When additional time is required, the FOIA Officer shall notify the person making the request in writing within five working days after the request was received, specifying the reasons for the delay and the date by which the records will be made available.


LEGAL REFERENCES: Freedom of Information Act 5 ILCS 140/1

Approved for Consideration:

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