

Non-Commercial FOIA Request

Request Type:

Contact E-Mail:

kbelsha@chicagoreporter.com

Reference No:

N002673-031417

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Select one record category for your FOIA request and then describe the specific records you are seeking in that category. Requests for records in multiple record categories must be submitted separately.

Type of Record Requested: School Information/Data

Describe the Record Requested: I am requesting documents sufficient to show the enrollment of former English learners in CPS as well as any data the district keeps on their performance as a subgroup (i.e. standardized test attainment/growth, attendance, graduation rates, freshmen on track, college enrollment/persistence, etc.) If possible, please break down the data by race and gender. Please include information for the last three school years. Thank you.

Member of the Media: Yes

Preferred Method to Receive Record: Electronic via FOIA Center

Format: Excel

Save Cancel New Message

#### Message History

On 3/30/2017 5:50:33 PM, Chicago Public Schools FOIA Center wrote:

03/30/2017

Reporter Kalyn Belsha

Dear Kalyn:

**RE: Chicago Public Schools FOIA Request N002673-031417**

Thank you for using the Chicago Public Schools FOIA Center. You requested the following:

I am requesting documents sufficient to show the enrollment of former English learners in CPS as well as any data the district keeps on their performance as a subgroup (i.e. standardized test attainment/growth, attendance, graduation rates, freshmen on track, college enrollment/persistence, etc.) If possible, please break down the data by race and gender. Please include information for the last three school years. Thank you.

The Board has determined the following regarding this request:

While the District is able to and does make public similar datasets showing this information about various schools and student cohorts, the FOIA office is advised that the District has not compiled these various metrics for this particular cohort of students and that capturing this data would first require the examination of individual student records in a way that would

best be characterized as primary research, which is not required by the Illinois Freedom of Information Act.

The District does not, in the ordinary course of business, maintain or generate reports showing the various data points listed in your FOIA request about this particular student cohort. Note that the District is not required, in accordance with Section 1 of FOIA to prepare such records on your behalf showing the data points you request [5 ILCS 140/1]. Section 1 of FOIA states in part: "This Act is not intended to create an obligation on the part of any public body to maintain or prepare any public record which was not maintained or prepared by such public body at the time when this Act becomes effective, except as otherwise required by applicable local, State or federal law."

In order to create a research report with the data point listed in your FOIA, the District would be required to (1) generate queries and merge data from thousands of student files, (2) compile the data from responsive portions of the various source file queries into a unique report with the data columns requested in your FOIA. (3) then review these merged queried data for accuracy and to redact/mask personally identifiable student information if the number of students reported in an identifying reporting category is fewer than 10. This would be extremely labor intensive and would involve extensive programming time and manual report creation and review by District employees which is not conducted in its ordinary course of business. Since FOIA does not require a public entity to create a report that is does not already create in its normal course, this request is denied.

You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Sincerely,

Andrew Mason  
FOIA Officer  
Chicago Public Schools

On 3/15/2017 4:22:23 PM, kbelsha@chicagoreporter.com wrote:

Hi Andrew,

I mean students who used to be English language learners but they've tested out of bilingual education services. Usually districts monitor these students for two years and some keep stats on them through high school to see how they're performing against their peers. The Consortium on Chicago School Research did a report that included former English learners as a subgroup in 2012: [https://consortium.uchicago.edu/sites/default/files/publications/ELL%20Report\\_0.pdf](https://consortium.uchicago.edu/sites/default/files/publications/ELL%20Report_0.pdf) so I assumed the district was tracking them as a subgroup on most of their metrics. The new federal ESSA law also requires the tracking of former English language learners as a subgroup in some cases: <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap8.pdf>.

--Kalyn

On 3/15/2017 4:12:04 PM, Chicago Public Schools FOIA Center wrote:

Kalyn,

What do you mean by "former English learners" exactly?

-Andrew

On 3/15/2017 4:07:39 PM, kbelsha@chicagoreporter.com wrote:

Hi Andrew,

I'd like to narrow my data request about former English learners to the following: attendance, college enrollment, college persistence, high school graduation, freshmen on track, NWEA growth and attainment, ACT growth and attainment. Thank you.

--Kalyn

On 3/15/2017 2:30:02 PM, Chicago Public Schools FOIA Center wrote:

03/15/2017

Reporter Kalyn Belsha

Dear Kalyn:

**RE: Chicago Public Schools FOIA Request N002673-031417**

Thank you again for using the Chicago Public Schools FOIA Center. We are writing regarding your Freedom of Information Act Request for the following records: I am requesting documents sufficient to show the enrollment of former English learners in CPS as well as any data the district keeps on their performance as a subgroup (i.e. standardized test attainment/growth, attendance, graduation rates, freshmen on track, college enrollment/persistence, etc.) If possible, please break down the data by race and gender. Please include information for the last three school years. Thank you.

We have determined complying with your request as written, is unduly burdensome to the operations of the District. In accordance with 5 ILCS 140/3 (g), the District asks that you narrow your request for information.

As currently written, this request is categorical in nature as it seeks all data about a certain subgroup of students over a three year period. Please consult [cps.edu/schooldata](http://cps.edu/schooldata) for an example of the types of data CPS keeps and more clearly specify what information you are seeking.

If you wish to narrow the unduly burdensome parts of your request, you must submit a revised request via the FOIA Center. The CPS will take no further action or send you any further correspondence unless and until your current request is narrowed. If we do not receive your narrowed request within five (5) calendar days of the date of this letter, the unduly burdensome parts of your current request will be considered denied.

If you have any questions, feel free to contact me at (773) 553-1602. Thank you for your interest in Chicago Public Schools.

Sincerely,

Andrew Mason  
FOIA Officer  
Chicago Public Schools

On 3/14/2017 3:55:37 PM, Chicago Public Schools FOIA Center wrote:

Dear Kalyn:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N002673-031417**

You have requested the following records: **I am requesting documents sufficient to show the enrollment of former English learners in CPS as well as any data the district keeps on their performance as a subgroup (i.e. standardized test attainment/growth, attendance, graduation rates, freshmen on track, college enrollment/persistence, etc.) If possible, please break down the data by race and gender. Please include information for the last three school years. Thank you.**

Chicago Public Schools (CPS) responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 et seq.

Due to the high volume of FOIA requests received by CPS, we are unable to fulfill your request within 5 business days. Section 3(e)(vi) of FOIA permits CPS to extend the response time to 10 business days if a request cannot be fulfilled in 5 business days without unduly burdening or interfering with the operations of the District. We hereby extend the response time to your FOIA request to 10 business days in accordance with 5 ILCS 140/3(e)(vi).

If further time is needed to assemble and copy all documents responsive to your FOIA request, we will contact you with a time estimate and a request to extend.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, a fee of 15¢ per page will be charged for each additional page. Copies of video recordings have a fee of \$48. All applicable fees must be paid prior to the copying. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**