

Policy Title:

Personnel Files; Release of Information

Code No. ***402.14***

A confidential file of employment records shall be maintained for each employee in the central administration office. Included in the file shall be the following, without limitation: licenses and transcripts if required, employment application, references, contracts of employment, formal evaluations, disciplinary reports, and wage information. Information on leave usage may be maintained separately.

Confidential health information shall be maintained separately, such as:

- medical forms,
- sick or long-term disability leave days,
- worker's compensation claims,
- emergency information,
- family and medical leave request forms, and
- reasonable accommodations of an employee's disability.

Except in limited instances allowed by law, only the superintendent or designee, the director of human resources, the employee's supervisors, the building principals, the Board of Education secretary, the employee, and authorized representatives of the District or of the employee shall have access to the confidential employee files without the employee's consent or a valid subpoena. However, information for tax purposes, for qualification for benefits, and for wage garnishment may be released.

The following are considered public personnel records available for inspection:

- the name and compensation of the individual, including any written agreement establishing compensation or any other terms of employment, except for that information that is otherwise protected;
- The dates the individual was employed by the government body;
- The positions the individuals holds or has held with the government body;
- The educational institutions attended by the individual, including any diplomas and degrees earned, and the names of the individual's previous employers, positions previously held and dates of employment;
- The fact that the individual resigned in lieu of termination, was discharged, or was demoted as the result of disciplinary action, and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion.

- Personal information in personnel records pertaining to student workers shall only be released pursuant to the Family Educational Right to Privacy Act (FERPA)

Employees who have listed the District as a place of employment or who have listed a District employee as a reference shall be deemed to have granted permission to the District to release information which may be included in the personnel file. Information from confidential health records shall not be released, however, without permission of the employee. This does not preclude release of leave usage information to a prospective employer, however.

The following information only will be confirmed to any entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information will be released without prior written notice to the employee. Confidential information about the employee will not be released to an inquiring creditor without a written authorization from the employee.

Each employee shall have the right to review the contents of his/her own confidential personnel file maintained in the central administration office, except for confidential credentials or reference letters. An employee desiring to view the contents of his/her file shall make a request to the director of human resources. No papers may be removed from the file, but copies may be obtained. The District may charge a reasonable fee for copies. The employee shall have the right to respond in writing to materials contained in the file.

Any school employee, contractor, or agent, shall not assist another school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. The limitation does not apply if the matter has been properly reported to law enforcement and any other regulatory authorities required by law, and either:

- The matter has been officially closed by the law enforcement agency;
- The individual is acquitted or otherwise exonerated of the alleged misconduct; or
- More than four years has passed since the case was opened, and no charges or indictment have been filed.

All employee records, except payroll and salary records, shall be maintained for a minimum of seven years after termination of employment with the District. Applicant records shall be maintained for a minimum of three years after the position was filled.

Date of Adoption: November 9, 1998

Date of Revision: March 20, 2000
November 25, 2002
September 22, 2008
June 10, 2013
August 8, 2016
August 8, 2022