

## **Administrative Regulation 4112.6(a)**

### **All Personnel**

#### **PERSONNEL FILES**

The Superintendent or designee shall maintain personnel files for all current employees. Employee files shall be maintained at the district's central office. The Superintendent or designee shall determine the types of information to be included and shall process all material to be placed in a personnel file, including, but not limited to, records required by law, and shall process all materials to be placed in such files.

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the Superintendent, and those authorized by the Superintendent. For legitimate reasons, the Governing Board also has access to personnel records and may delegate a specific member to review any file.

*(cf. 3580 - District Records)*

Ratings, reports, or records shall not be available to inspection by employees if they were obtained prior to the employment of the person involved, prepared by identifiable examination committee members, or obtained in connection with a promotional examination. However, non-credentialed employees shall have access to any numerical scores obtained as a result of written examinations. (Education code 44031)

*(cf. 4112.62 - Maintenance of Criminal Offender Records)*

Personnel records for current and former employees shall be retained in accordance with 5 CCR 16023.

*(cf. 3580 – District Records)*

#### **Placement of Material in Personnel Files**

Any supervisor or administrator who places written material or drafts for placement in an employee's file shall sign the material and indicate the date of the placement.

When an employee is asked to sign any material that is to be placed in his/her file, he/she shall be informed that the signature only signifies that he/she has read the material and does not necessarily indicate that he/she agrees with its contents.

Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee.

An employee may initiate a written reaction or response to his/her performance evaluation. The response shall be permanently attached to the evaluation and placed in the employee's personnel file.

*(cf. 4115 – Evaluation/Supervision)*

## **Administrative Regulation 4112.6(b)**

*(cf. 4215 – Evaluation/Supervision)*

*(cf. 4315 – Evaluation/Supervision)*

### **Persons with Authorized Access**

The Superintendent or designee shall maintain the confidentiality of any personnel records which, if inappropriately disclosed, would constitute an unwarranted invasion of the employee's privacy.

Access to an employee's personnel file shall be granted only to the employee, persons authorized by the employee, district personnel, and others with a valid "right to know" or "need to know" who are authorized access by the Superintendent or designee.

Any authorized review shall maintain strict confidence of the contents of a personnel file. Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unsecured overnight.

### **Derogatory Information**

Except for the ratings, reports or records specified above as not open to inspection, employees shall be notified whenever derogatory information is to be placed in their personnel files. Any employee so notified may ask to review and comment on the contents. Such a review shall take place in the presence of the Superintendent or designee during normal school hours. The employee shall be released from duty for this purpose without a salary reduction. (Education Code 44031) The employee may enter his/her own comments and have them attached to the derogatory statement. (Education Code 44031)

*(cf. 1312.1 – Complaints Concerning District Employees)*

*(cf. 4112.9 – Employee Notification)*

*(cf. 4117.4 – Dismissal)*

*(cf. 4118 – Suspension/Disciplinary Action)*

*(cf. 4218 – Dismissal/Suspension/Disciplinary Action)*

*(cf. 5141.4 – Child Abuse Prevention and Reporting)*

### **File Review by Employee**

1. Except for ratings, reports or records specified above as not open to inspection, all other written materials placed in personnel files shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of the Superintendent or designee.
2. Employees wishing to inspect their personnel file shall contact the Superintendent or designee. The employee may be accompanied by a representative of the employee's choice while reviewing the file.
3. All reviews of personnel files shall be recorded, including notation of date and time reviewed, and name and title of the person(s) present during the review.

### **Administrative Regulation 4112.6(c)**

4. In no instance shall any material be removed from the file. Requests for copies of material in a personnel file shall be made to the Superintendent or designee.
5. Any request by an employee to include any materials in the file must be approved by the Superintendent or designee.
6. The Superintendent or designee shall not be required to make available to the employee: (Education Code 44031; Labor Code 1198.5)
  - a. Records related to the investigation of a possible criminal offense
  - b. Letters of reference
  - c. Ratings, reports that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

*(cf. 4112.41/4212.41/4312/41 – Employee Drug Testing)*

*(cf. 4112.62/4212.62)/4312/62 – Maintenance of criminal Offender Records)*

#### **File Review by Management and Board**

1. Personnel files are confidential and access shall be strictly controlled by the Superintendent or designee.
2. Personnel files shall be reviewed in the office where the files are maintained unless otherwise approved in writing by the Superintendent or designee.
3. Personnel files shall be reviewed and replaced within the shortest time possible. In no case should a personnel file be left unattended or left unfiled overnight.
4. Management personnel or district legal counsel with a valid "right to know" or "need to know" may, with the Superintendent's or designee's authorization, review an employee's personnel file.
5. Individual Governing Board members shall not be allowed to access personnel files, but the Board may request pertinent information from an employee's file in cases of personnel action. For legitimate reasons, the Governing Board has access to personnel records and may delegate a specific member to review any file.

#### **Former Employees**

A file shall be kept for all former employees including such information as shall seem appropriate to the administration.

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**WEST SONOMA COUNTY UHSD**  
**Sebastopol, Calif.**