

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: CLASSIFIED EMPLOYEES

TITLE: PERSONNEL FILES

ADOPTED: July 21, 2003

REVISED: October 12, 2015;
August 22, 2016

524. PERSONNEL FILES	
<p>1. Purpose</p>	<p>Orderly operation of the school district requires maintaining a file for the retention of all records relative to an individual's duties and responsibilities as a District employee.</p>
<p>2. Authority SC 510</p>	<p>The Board requires that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and State statutes and local benefit programs, conformance with district rules, evidence of completed evaluations, and other related reasons.</p>
<p>3. Delegation of Responsibility</p>	<p>The Board delegates the establishment and maintenance of official personnel records to the Superintendent or designee.</p>
<p>4. General Guidelines</p>	<p>A secure central file shall be maintained; supplemental records may be authorized by the Superintendent or designee and maintained only for ease in data gathering.</p>
<p>42 U.S.C. Sec. 2000ff et seq 42 U.S.C. Sec. 12112</p>	<p>Medical records shall be kept in a secure file separate from the employee's personnel file.</p> <p>Only information that pertains to the professional role of the employee and is submitted by duly authorized administrative personnel and the Board may be entered in the official personnel file. Each entry shall be made available for viewing to the employee, except for matters pertaining to pending litigation or criminal investigation. Employees may be allowed to place rebuttals to disciplinary actions in their own file.</p> <p>Information contained in personnel records shall be available to the Board as may be required in the performance of its designated functions as a Board. Individual Board members may be denied access to personnel records in the absence of Board approval pursuant to applicable privacy statutes.</p>
<p>Act 286 of 1978</p>	<p>The Superintendent or designee(s) may access information contained in the personnel files at any time for administrative purposes.</p>

<p>43 P.S. Sec. 1321, 1322</p> <p>Information Guidelines, File Content</p>	<p>Professional employees and/or their designated representatives shall have access to information contained in their own personnel file in the presence of the Superintendent or designee, except that information relative to confidential employment references/recommendations shall not be available for review by the employee.</p> <p>For the purposes of this policy, “employee” shall be construed to include all persons who are actively employed, laid off with reemployment rights or on an authorized leave of absence.</p> <p>Personnel wishing to review information contained in their own records shall:</p> <ol style="list-style-type: none"> 1. Request access to the information in writing. Such requests must be made one working day in advance. All such requests must be made through the Human Resources Department. 2. Make no alterations or additions to the existing information contained in the personnel file, nor remove any material. 3. Take no information from the inspection area. Employees may take notes concerning any requested information accessed. <p>Personnel who choose to appeal or rebut informational material in their personnel file records or to place additional informational material into their personnel file shall make a request in writing to the administrator delegated to maintain the records and shall specify:</p> <ol style="list-style-type: none"> 1. Name and date of the request. 2. Informational material to be appealed, rebutted, or added. 3. Reason for informational material’s appeal, rebuttal, or addition. <p>Any informational material that is authorized by the Superintendent or designee to be added to the personnel file shall be designated as an addition and a record shall be maintained with the material naming the date it was added, the contributor, the administrator authorizing the contribution, and the reason for contribution.</p> <p>Examples of information that may be included in the personnel files include</p> <ul style="list-style-type: none"> • letters of interest • application for employment • interview report forms
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- employment offer letter
- orientation checklists
- transfer requests
- W-4 forms
- attendance records
- payroll action notices
- performance appraisals
- training records
- health insurance applications
- leave requests
- tuition reimbursement requests
- job descriptions
- performance coaching/counseling records
- warnings, disciplinary action notices

Examples of information that should **not** be included in the personnel files include

- medical records
- laboratory test records/results
- drug screening records
- in-process investigative records
- credit histories
- arrest records
- Fingerprint or other clearances

(Both lists under Information Guidelines, File Content are meant to be non-inclusive.)

Title I Schools

In accordance with law, the district shall release to parents/guardians, upon request, information regarding the professional qualifications and academic degrees of any teacher providing instruction to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.

The district shall notify parents/guardians of students attending Title I schools when their child has been assigned to or taught for four (4) or more consecutive weeks by a teacher who is not highly qualified, as defined by federal law.

In accordance with law, the district shall release to parents/guardians, upon request, the qualifications of any paraprofessional who provide instructional support to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.

References:

School Code – 24 P.S. Sec. 111, 510

State Board of Education Regulations – 2 PA Code Sec. 8.1 et seq., 403.4, 403.5

Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.

Inspection of Personnel Files – 43 P.S. Sec. 1321 et seq.

No Child Left Behind Act – 20 U.S.C. Sec. 6311, 7801

Genetic Information Nondiscrimination Act of 2008 – 42 U.S.C. Sec. 2000ff et seq.

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Immigration Reform and Control, Title 8, Code of Federal Regulations – 8 CFR Sec. 274a.2

Board Policy – 000, 304