

PERSONNEL RECORDS

THE INDIVIDUAL PERSONNEL RECORD(S) OF EACH BOARD EMPLOYEE OR APPLICANT, AS MAINTAINED BY THE SCHOOL, DEPARTMENT, OR THE DIVISION OF HUMAN RESOURCES, SHALL BE OPEN TO INSPECTION PURSUANT TO THE PROVISIONS OF F.S. 231.291 AND THE RULES LISTED BELOW:

AUTHORITY: F.S. 230.22 (1) (2); 231.291

POLICY ADOPTED: 5/14/70

POLICY READOPTED: 9/5/74; 3/20/75

POLICY AMENDED: 3/14/89

RULES

1. Personnel files shall be limited to building files and files maintained by the Human Resources Division. Other personnel files may not be created and/or maintained.

Special Investigative Unit may create files related to a complaint or an investigation of a complaint against an employee.

2. Each employee or applicant shall have the right, upon request, to review the entire contents of his/her own personnel file(s) maintained at the employee's work location or in the Division of Human Resources. A representative of the employee or applicant may be present at this review. The review shall be made in the presence of the administrator (or his/her designee) responsible for the safekeeping of these files.

3. Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of the state, no derogatory materials relating to an employee's conduct, service, character or personality shall be placed in the personnel file of such employee.

No anonymous letter or anonymous materials shall be placed in the personnel file.

4. Materials related to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.

5. No such materials may be placed in a personnel file unless they have been reduced to writing within 45 calendar days, exclusive of the summer vacation period, of the school system administration becoming aware of the facts reflected in the materials.

6. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify them as needed.

7. A copy of such materials to be added to an employee's personnel file shall be provided to the employee either:

- a. By certified mail, return receipt requested, to the address of record; or

- b. By personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents. If an employee refuses to sign the material, the supervisor shall call a witness into the room with the affected employee and ask the witness to sign the material. Such signature shall indicate that the affected employee had an opportunity to sign the material and chose not to.

8. An employee has the right to answer in writing any such materials in a personnel file and the answer shall be attached to the file copy. Employees have the right to request that the superintendent or his designee make an informal inquiry regarding material in their personnel file which the employee believes to be false. The official who makes the inquiry shall append to the material a written report of his findings.

9. Applicant files which are not updated annually shall be placed in the inactive file. After two years, information in the inactive applicant file shall be returned to the sender, if requested, or destroyed.

10. Items in personnel files are open to the public pursuant to the provisions of F. S. Chapter 119, except as follows:
- a. Any complaint and any material relating to the investigation until the conclusion of the preliminary investigation or until such time as the preliminary investigation ceases to be active.
 - b. An employee evaluation shall be confidential until the end of the school year immediately following the school year in which the evaluation was made. No evaluation prepared before July 1, 1983 shall be made public.
 - c. No material derogatory to an employee shall be open to inspection until ten (10) days after the employee has been notified.
 - d. The payroll deduction records of an employee shall be confidential.
 - e. Employee medical records shall be confidential.
11. Records shall be maintained in accordance with the United States Department of Labor, Part 850 (29CFR) -- Records To Be Made Or Kept Relating to Age; Notices To Be Posted; Administrative Exemptions Section 850.3 - Records To Be Kept By Employers, and F. S. 231.191.

* All principals shall make and keep for at least one year records on applications.

AUTHORITY: F.S. 230.22 (1) (2); 231.291
RULES ADOPTED: 5/15/70
RULES READOPTED: 9/5/74; 3/20/75

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