

SECTION: EMPLOYEES

TITLE: PERSONNEL FILES

ADOPTED: November 8, 2010

REVISED:

# ST. MARYS AREA SCHOOL DISTRICT

324. PERSONNEL FILES	
<p>1. Authority</p> <p>SC 510</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 an administrative, professional or support employee of the district.</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 requirements and local benefit programs; conformance with Board policies, administrative regulations, rules and procedures; and evidence of completed evaluations.</p>
<p>2. Delegation of Responsibility</p> <p>42 U.S.C. Sec. 2000ff et seq 42 U.S.C. Sec. 12112</p>	<p>The Board delegates the establishment and maintenance of official personnel records to the Superintendent or designee, who shall prepare administrative regulations defining the material to be incorporated into personnel files.</p> <p>A central file shall be maintained; supplemental records may be maintained only for ease in data gathering.</p> <p>Medical records shall be kept in a file separate from the employee's personnel file.</p>
<p>3. Guidelines</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. A copy of each entry shall be made available to the employee, except for matters pertaining to pending litigation or criminal investigation.</p> <p>Personnel records shall be available to the Board but only as required in the performance of its designated functions as a School Board and as approved by a majority vote of the Board.</p> <p>Personnel files shall be reviewed periodically, and material no longer required shall be destroyed.</p>

<p>43 P.S. Sec. 1321, 1322</p> <p>43 P.S. Sec. 1322, 1323</p> <p>Title 22 Sec. 403.4 20 U.S.C. Sec. 6311, 7801 Pol. 304</p>	<p><u>Employee Access</u></p> <p>Administrative, professional and support employees shall have access to their own file. Information relative to confidential employment references/recommendations are not part of the personnel file and shall not be available for review by the employee.</p> <p>Employees who wish to review their own records shall:</p> <ol style="list-style-type: none"><li>1. Request access in writing.</li><li>2. Review the record in the presence of the administrator or designee responsible to maintain personnel records.</li><li>3. Make no alterations to the record, nor remove any material.</li><li>4. Sign a log attached to the file indicating the date and person reviewing.</li></ol> <p><u>Appeals</u></p> <p>To appeal material in their personnel file, employees shall submit a written request to the administrator delegated to maintain the records and shall specify:</p> <ol style="list-style-type: none"><li>1. Name and date.</li><li>2. Material to be appealed.</li><li>3. Reason for appeal.</li></ol> <p>The responsible administrator shall refer the appeal to the administrator directly involved and permit the addition of employee comments.</p> <p><u>Title I Schools</u></p> <p>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.</p>
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<p>Title 22 Sec. 403.4 20 U.S.C. Sec. 6311, 7801</p>	<p>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.</p>
<p>Title 22 Sec. 403.5 20 U.S.C. Sec. 6311 Pol. 304</p>	<p>In accordance with law, the district shall release to parents/guardians, upon request, the qualifications of any paraprofessionals 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.</p>
	<p>References:</p> <p>School Code – 24 P.S. Sec. 111, 510</p> <p>State Board of Education Regulations – 22 PA Code Sec. 8.1 et seq., 403.4, 403.5</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.</p> <p>Inspection of Personnel Files – 43 P.S. Sec. 1321 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 6311, 7801</p> <p>Genetic Information Nondiscrimination Act of 2008 – 42 U.S.C. Sec. 2000ff et seq.</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Immigration Reform and Control, Title 8, Code of Federal Regulations – 8 CFR Sec. 274a.2</p> <p>Board Policy – 000, 304</p>