

CLASSIFICATION: All Personnel

ADOPTED: 5/10/95

REVISED: 5/23/01

SUBJECT: Personnel Files

PAGE: 1 of 2

Personnel files shall be kept for all current employees of the County Superintendent of Schools. All material to be placed in a personnel file shall be processed through the Director, Human Resources, who is responsible for the maintenance of personnel files.

A file shall be kept for all former employees of the County Superintendent of Schools, including such appropriate information at the discretion of the County Superintendent of Schools.

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the County Superintendent of Schools, and those authorized by the County Superintendent of Schools or his/her designee for lawful purposes.

An employee shall have the right to examine and receive a copy at cost of all materials in his/her personnel file, except records relating to the investigation of criminal offenses, letters of recommendation, and ratings, reports, or records which were:

1. Obtained prior to the employment of the employee.
2. Prepared by identifiable examination committee members.
3. Obtained in connection with a promotional examination.

A noncredentialed employee shall have access to his/her numerical scores obtained from written examinations.

When an employee is asked to sign any material that is to be placed in the employee's file, it is with the understanding that the employee's signature signifies only that the employee has read the material and does not necessarily indicate agreement with its contents.

Review Procedures

Employees of the County Superintendent of Schools wishing to review materials in the designated personnel files may request an appointment with the Director, ~~Services~~ Human Resources or his/her designee. The review shall occur within five (5) working days of the receipt of the request to establish the date and time of the appointment for review by the employee at an off-duty time of the employee. Inspection shall take place in the presence of an administrator.

CLASSIFICATION: All Personnel

ADOPTED: 5/10/95

REVISED: 5/23/01

SUBJECT: Personnel Files

PAGE: 2 of 2

Derogatory Material Review and Review Procedures

The following procedure shall be followed regarding official receipt of material of a derogatory nature concerning an employee:

1. The material will be signed and dated by the originating person. Anonymous documents, letters, or other materials will not be filed.
2. The employee will be given notice and an opportunity to review and comment on the material.
3. The notice shall state that the employee may review the derogatory material during normal business hours, that the employee will be released from duty for this purpose, and that the employee must respond within ten (10) working days from the receipt of the notice to the the Director, Human Resources.
4. After the employee has reviewed and made his/her own written comments on the derogatory information, the derogatory material with comments attached will be entered into the personnel file and will become a part of the employee's permanent record.

Management Review Record

Management personnel with a valid "right to know" or need to know" may, with the County Superintendent of Schools or his/her designee's authorization, review an employee's personnel file.

**Legal Reference: Education Code
44031, 44663
Government Code
6254.3, 6254(c)
Labor Code
1198.5
Attorney General's Office No. CV 75-73 June 6, 1975**