

KANAWHA COUNTY BOARD OF EDUCATION POLICY

Personnel Records - Access to Records

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9.01 General Policy. Personnel records of all employees are kept in the Department of Information Systems of the Kanawha County School System. All personnel records of employees are open to inspection by the respective employee upon request. Requests are to be made to Information Systems. It shall be the duty of the Information Systems to provide the employee with his file, removing only the confidential references requested at the time the employee made application with the school system. A member of the personnel services staff will sit with the employee to give any assistance or answer any questions required by the employee.

9.02 Maintenance of Records. The Superintendent of Kanawha County Schools shall maintain in, the administrative offices of the school system under the control and supervision of the Department of Information Systems a personnel file for each employee of the Board of Education.

9.03 Applicant Information. The pre-employment file may contain, but shall not be limited to, the following types of pre-employment information:

- A. Application for employment
- B. References
- C. Evaluations of prior employers
- D. Academic records
- E. Resumes
- F. Pertinent test results
- G. Other pre-employment information

9.04 Employment Information. The employment file may contain, but shall not be limited to, the following types of post-employment information:

- A. Applicant information, including the types of information in Section 19.02
- B. Evaluations
- C. Certification and certificate renewal data
- D. Payroll records
- E. Record of work history, e. g. assignments, transfers, promotions, raises, etc
- F. Insurance records

- G. Personal data - address, telephone number, dependents, security number, etc.
- H. Complaints, commendations, and suggestions for corrections or improvement of the employee
- I. Health Records
- J. Records of administrative or disciplinary actions
- K. Retirement information
- L. Other employment information

9.05 Procedures for Placement of Complaints, Commendations and Suggestions in an Employee Personnel File

- A. Only complaints, commendations, or suggestions for improvement or correction which are signed by the employee's supervisor may be placed in an employee's personnel file.
- B. Before any complaint, commendation, or suggestion for improvement may be placed in the personnel file, a copy of it shall be given to the employee. The employee shall have the right to place in the file any explanation or denial relating to such complaint or suggestion.
- C. Personnel files shall not be used as depositories for information preparatory to hearings and other administrative procedures.
- D. The Superintendent, at his discretion, may exclude from an employee's personnel file any information which is clearly false, malicious, or libelous per se.

9.06 Release of Information from Personnel Files. The following information contained in an employee's personnel files may be released to members of the general public upon request:

- A. Name
- B. Date of original employment
- C. Current title and/or position
- D. Current assignment
- E. Salary or rate of pay

9.07 Confidential Information in Personnel Files; Access to Such Information.

A. The following information when contained in an applicant and/or employment file shall be deemed confidential and shall not be released to the public:

- 1. References
- 2. Evaluations

3. Insurance records
4. Complaints and suggestions for correction or improvement
5. Health records
6. Records of administrative or disciplinary actions

B. All other information contained in a personnel file shall be confidential and shall not be open for inspection except as provided below:

1. An employee or his/her properly authorized agent shall have the right to inspect and make a copy of any employment information in the personnel file at any reasonable time. No material will be removed before the employee's inspection.
2. Prior to inspection the person desiring to inspect personnel records shall present sufficient personal identification (e.g. driver's license, employee identification card, birth certificate, credit cards).
3. The members of the Board of Education in their official capacities, the Superintendent, and the administrative staff, when authorized by the Superintendent or his designee, shall have the right to inspect an employee's entire personnel record.
4. The employee's address and telephone number may be released in an emergency situation.
5. Personnel records shall be released pursuant to a lawfully issued court order to subpoena or pursuant to a request for production of documents made under the Rules of Civil Procedure in pending litigation.
6. Confidential information not listed in A, may be released to the public by the Board of Education at its discretion after consultation with the Superintendent provided that three (3) days advance notice, in writing, is given to the employee affected.

Release of confidential information will be made in compliance with the Freedom of Information Act, West Virginia Code §29B-1-1, et seq.

7. Only adult employees may handle personnel files.