Category: 7000 PERSONNEL	Policy Number: 7570
Policy Title: Personnel Files	**Effective Date: February 20, 2019**

This district will maintain a personnel file for each employee. Each personnel file will contain any and all job-related conduct and performance materials relevant to the evaluation of the employee. The personnel records of all district employees will be maintained in the district's central office. In addition to records relating to job performance or job-related conduct set forth below, personnel records will include completed application forms, recommendations, college transcripts, and other information deemed necessary by the district or administration.

Timely notice will be given to the employee of all materials placed in the personnel file. The employee will have the right to attach a rebuttal to any materials that are objected to by the employee within thirty (30) days of receipt of notice of such placement.

Personnel files are confidential with the exception of information contained in the file pertaining to public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, including bonuses, severance packages, other compensation or vouchered and unvouchered expenses for which reimbursement was paid, status, workplace, and employing agency. Disclosure of information in personnel files by the district will comply with the Idaho Public Records Law, Idaho Code §74-101 *et seq*.

An employee has the right to access his or her own personnel file upon request and will be provided copies of materials contained in the file. However, an employee is not entitled to access letters of recommendation or material used to screen and test for employment (i.e. college placement files).

All non-certificated employees will be required to review and sign any entries made to his or her own personnel file.

It shall be the personal responsibility of each employee of the District to submit copies of the following material to the District Office to be filed in his/her personnel record file.

1. **Certificate** (for certificated staff only). A valid Idaho teacher's certificate for the courses being taught or services being performed. The certificate should be on file prior to the time the employee begins their assignment.
2. **Transcript of Credits** (for certified staff only). There must be a complete official transcript of credits on file in the District Office for each teacher no later than Friday of the third week of school.
3. **District Application Form** (all staff). A completed District application form must be in each employee's personnel file.
4. **Government Required Identification** (all staff). Copies of identification required by law must be kept for each employee in a binder or separate from the employee's personnel file.
5. **Withholding Tax Statement** (all staff). Every employee of the District must complete a Withholding Tax Statement to be kept in each employee's personnel file. Federal income tax and State tax deductions will be withheld according to this statement. It is the responsibility of the employee to make corrections or changes that occur during the time of their employment with the District.

Within twenty (20) business days after receipt of a statement signed by an employee or former employee, any and all material contained in the personnel file related to job performance or job related conduct of an employee may be disclosed in good faith to another Idaho district, so long as the statement provides the appropriate consent for the release of documents and further releases this school district and its employees from any liability for providing the requested information.

Documentation relating to the job performance or job-related conduct of an employee includes the following:

- All annual evaluations;
- Letters of reprimand or direction;
- Letters of commendation or award;
- Disciplinary actions and documentation of disciplinary investigations;
- Recommendations for probation, notices of probation, and notices of removal from probation;
- Recommendations for termination or nonrenewal;
- Notices of termination or nonrenewal;
- Notices from the Idaho Professional Standards Commission or other similar state agency of action taken against an individual's certificate; and
- Any rebuttal documentation filed by the employee related to any of the above documents.

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Upon separation from employment with the district, all documents from any other file, including an investigative file, will be moved into the former employee's personnel file. The requirement to submit investigative files to the personnel file will not be construed to be a waiver of the attorney client privilege. Names of any student, fellow employees or complainants, other than the employee's administrative supervisor or administrative author of a document, will be redacted prior to the record being moved into the personnel file.

The former employee will be provided a copy of the documents and written notice of the inclusion of the information into his or her personnel file to the former employee's last known address. The former employee will be permitted the opportunity to file a rebuttal to the new documents placed into the personnel file. If an ongoing personnel investigation was taking place, the contents of the district's investigative file will be forwarded to the professional standards commission when the district submits the report required pursuant to Idaho Code §33-1208A.

In the event the district elects to enter into a resignation or severance agreement with an employee, no provision in the agreement will allow for the suppressing of information concerning negative job performance, or allow for expunging information regarding unethical conduct from the district's personnel, investigative, or other files regarding the employee. This does not, however, restrict the expungement of information from a personnel file about alleged verbal or physical abuse or sexual misconduct that has not been substantiated.

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LEGAL REFERENCE:
Idaho Code Sections
74-106(1)– Records Exempt from Disclosure – Personnel Records, Personal Information, Health Records, Professional Discipline
33-517 – Noncertificated Personnel
33-518 – Employee Personnel Files
33-1210 – Information on Past Job Performance
Policy:
Policy 3020, "Evaluation of Administrators"
Policy 7150, "Evaluation and Probation of Certificated Employees"
Policy 7235, "Classified Employee Evaluations"

ADOPTED: 01/17/2007

AMENDED: 02/20/2019