

PERSONNEL FILES POLICY

ALL DISTRICT PERSONNEL

1. A personnel file will be maintained by this district for each employee.
2. Each personnel file will contain any and all job-related conduct, and/or job performance, materials relevant to the evaluation of the employee, **completed application forms, recommendations, college transcripts, and other information deemed necessary by the district or administration.**
3. Timely notice will be given to the employee of all materials placed in the personnel file.
4. 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.
5. Personnel files are confidential with the exception of information contained in the file pertaining to public service or employment history, classification, pay grade and/or 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.**
6. 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 pursuant to Idaho Code Section 33-1210, so long as the statement

29 provides the appropriate consent for the release of documents and further releases this
30 school district and its employees from any liability for providing the requested information.

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32 7. An employee, or employee's representative, designated by written authorization, has the
33 right to access his or her own personnel file upon request and will be provided copies of
34 materials contained in the file at the employees cost if necessary. However, an employee
35 is not entitled to access letters of recommendation or material used to screen and test for
36 employment.

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38 8. Any material to an employee's conduct, service, character, personality, etc., may be placed
39 in an employee's personnel file be it in formal written form or informal form. A signature
40 on a document in no way indicates agreement with the contents thereof.

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

- 43 • All annual evaluations;
- 44 • Letters of reprimand or direction;
- 45 • Letters of commendation or award;
- 46 • Disciplinary actions and documentation of disciplinary investigations;
- 47 • Recommendations for probation, notices of probation, and notices of removal from
48 probation;
- 49 • Recommendations for termination or nonrenewal;
- 50 • Notices of termination or nonrenewal;
- 51 • Notices from the Idaho Professional Standards Commission or other similar state
52 agency of action taken against an individual's certificate; and

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- 54 • Any rebuttal documentation filed by the employee related to any of the above
55 documents.
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- 57 9. Upon separation from employment with the district, all documents from any other file,
58 including an investigative file, will be moved into the former employee's personnel file.
59 The requirement to submit investigative files to the personnel file will not be construed to
60 be a waiver of the attorney client privilege. Names of any student, fellow employees or
61 complainants, other than the employee's administrative supervisor or administrative author
62 of a document, will be redacted prior to the record being moved into the personnel file.
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- 64 10. The former employee will be provided a copy of the documents and written notice of the
65 inclusion of the information into his or her personnel file to the former employee's last
66 known address. The former employee will be permitted the opportunity to file a rebuttal
67 to the new documents placed into the personnel file. If an ongoing personnel investigation
68 was taking place, the contents of the district's investigative file will be forwarded to the
69 professional standards commission when the district submits the report required pursuant
70 to section 33-1208A, Idaho Code.
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- 72 11. In the event the district elects to enter into a resignation or severance agreement with an
73 employee, no provision in the agreement will allow for the suppressing of information
74 concerning negative job performance, or allow for expunging information regarding
75 unethical conduct from the district's personnel, investigative, or other files regarding the
76 employee. This does not, however, restrict the expungement of information from a
77 personnel file about alleged verbal or physical abuse or sexual misconduct that has not
78 been substantiated.

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80 **NON-CERTIFICATED AND CLASSIFIED DISTRICT PERSONNEL**

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82 All non-certificated and classified employees of this district will be required to review and sign
83 any entries made to his or her personnel file. The employee may inspect documents contained in

84 his or her official personnel file at reasonable times and places, in the presences of appropriate
85 district officials.

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89 **LEGAL REFERENCE:**

90 Idaho Code Sections:

91 74-106(1) – Records Exempt from Disclosure – Personnel Records, Personal Information, Health
92 Records, Professional Discipline

93 33-517 – Noncertificated Personnel

94 33-518 – Employee Personnel Files

95 33-1210 – Information on Past Job Performance

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98 **ADOPTED:** January 17, 2012

99 Revised: December 20, 2016

Revised:

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