

PERSONNEL

PERSONNEL RECORDS

Personnel records shall be kept on all current school district employees and shall contain information pertaining to employment that is customarily maintained in such files. Records containing medical information of employees shall be maintained in separate files and treated as confidential medical records.

Access to employees' personnel records

Unless otherwise provided in a collective bargaining agreement, an employee's personnel records shall be available for his/her inspection at reasonable times when the employee is not on duty. An administrator or other individual responsible for maintaining the employee's personnel records shall be present when the employee inspects the records. Upon request, the employee will be provided with a copy of the information contained in his/her personnel records.

Consistent with state law, each employee certified by the Connecticut State Board of Education shall be entitled to knowledge of, access to, and, upon request, a copy of supervisory records and reports of competence, personal character and efficiency maintained in such employee's personnel file with reference to evaluation of performance as a professional employee.

Disclosure of personnel records to persons other than the employee

Pursuant to the Freedom of Information Act, all records maintained or kept on file by the Board of Education are public records and any person has the right to inspect and copy such records during regular office or business hours. With regard to personnel records that are maintained by the school district, the following conditions apply:

- Records of teacher performance and evaluation will not be disclosed unless the teacher who is the subject of the request consents in writing to the release of such records.
- Records of the personal misconduct of a teacher are subject to disclosure. Disclosure of such records shall not require the consent of the teacher
- The school district will not disclose an employee's personnel, medical or similar files if the disclosure would constitute an invasion of personal privacy. The following procedure applies:
 1. The Superintendent of Schools shall notify an employee and the employee's collective bargaining representative, if any, when a request is made for disclosure of the employee's personnel, medical or similar files and the Superintendent reasonably believes that the disclosure would legally constitute an invasion of privacy.
 2. The records will be disclosed unless written objection is received from the employee or employee's collective bargaining representative, within seven (7) business days from the receipt of the notice or, if there is no evidence of receipt of written notice, not later than nine (9) business days from the date the notice is actually mailed, sent, posted or otherwise given.
 3. Objections to disclosure of records by the employee or collective bargaining representative shall be made in writing on a form provided by the school district including a statement to be signed by the employee or the employee's collective bargaining

representative, under the penalties of false statement, that to the best of his/her knowledge, information and belief there is good ground to support it and that the objection is not interposed for delay.

4. If an objection is received in a timely manner, the Superintendent shall not disclose the requested information unless directed to do so by the Freedom of Information Commission.

5. Unless a collective bargaining agreement provides otherwise, the Superintendent need not notify an employee of the disclosure the contents of personnel or medical files and similar files when the Superintendent does not reasonably believe that such disclosure would legally constitute an invasion of personal privacy.

- Medical information contained in an employee's records may be disclosed to the employee's supervisor or manager for the purpose of providing the employee with necessary accommodations or restrictions on work or duties. Such medical information may also be disclosed to first aid and safety personnel if the employee's condition might require emergency medical treatment.

- In accordance with federal law, the District shall release information regarding professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians upon request for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school.

Legal References:

Connecticut General Statutes:

1-210 Access to public records. Exempt records

1-213 Agency administration. Disclosure of personnel, birth and tax records

1-214 Public employment contracts as public record. Objection to disclosure of personnel or medical files

10-151a Access of teacher to supervisory records and reports in personnel file

10-151c Nondisclosure of records of teacher performance and evaluation. Exceptions

Federal law and regulations:

20 U.S.C.A. § 6311(h)(6) No Child Left Behind

34 C.F.R. 200.61 Parents right-to-know

42 U.S.C.A. § 12112(d)(3)(B) Americans with Disabilities Act

29 CFR § 1630.14 Medical examinations and inquiries specifically permitted.