

Personnel Records

This Policy Required by the No Child Left Behind Act

The administration of Bon Homme School District is directed to establish a system for keeping personnel records of all certified and classified staff in the district. These records will be established for the employee upon employment in the district and will be kept in the District Office in the custody of the Superintendent. A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration as specified by State and Federal Laws.

Confidentiality

Personnel information concerning district employees is generally confidential and may be reviewed only on a "need to know" basis under conditions which guarantee management's right of access to information necessary to make judgments and the protection of the employees of the district against unnecessary invasion of privacy. Some personnel information is "public record" and must be released to any person upon request.

1. salaries,
2. routine directory information, consisting of employee's name and address, and subject to the employee's right to direct that his/her address not be disclosed), and
3. employment applications and related materials submitted by individuals hired into executive or policy making positions within the district.

The Superintendent shall notify an employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel, medical, or similar files, if the Superintendent reasonably believes disclosure would invade the employee's privacy. The records will be disclosed unless written objection is received from the employee or the employee's collective bargaining representative, within seven business days from the receipt by the employee or the collective bargaining representative.

Records of an employee's evaluation shall not be released without the written consent of the employee.

Files containing medical information regarding an employee, including employment accommodations pursuant to Americans with Disabilities Act (ADA) and Rehabilitation Act Section 504, will be kept separate from other personnel files and shall not be released without the written consent of the employee unless authorized or required by Law.

Types of Information

It shall be the responsibility of each certified employee to see that there is filed with the district any record of prior teaching experience. In addition, if the teacher has rendered military service, the proof of discharge from the service must be furnished. It is the obligation of the employee to see that information, which will maintain the employee's personnel file on a complete and up-to-date basis, is sent to the Superintendent's Office. The records shall contain the following information:

1. The correct name, the current address, and telephone number of the employee
2. An accurate record of the work experience of the employee
3. Current data on education completed, including the transcripts of all academic work
4. Proof of requirements fulfilled in order to be eligible for salary
5. Current data on credentials and certification
6. Any current data requested concerning the health of the employee, or medical examinations which the employee may have undergone

7. Records of assignment
8. Evaluations of performance
9. Letters of commendation, reprimand, or omission of duty
10. Other materials mutually agreed upon between the principal, the teacher, supervisor, and employee

Use of Personnel Records

All the contents of the personnel records file, with the exception of evaluations, comments, or recommendations provided to the district on a confidential basis by universities, colleges, or persons not connected with the district, shall be available for inspection by the employee concerned. The district reserves the right to have a member of the Superintendent's Office staff present at the time the employee inspects his or her personnel file for the purpose of explaining and interpreting the information therein. Similarly, at the time the record is reviewed, the employee shall have the right to have present a representative of his or her own choosing, if desired.

The employee shall have the right to respond to all materials contained in the personnel file and to any materials to be placed in the file in the future. Responses shall become part of the file.

Any complaints directed towards an employee, which are placed in the personnel file, are to be promptly called to the employee's attention in writing.

Parental Notice

If the school district receives Title I funds, the No Child Left Behind Act requires the district to provide parents with notice that they may request information about the professional qualifications of classroom teachers. The notice to parents must include the following:

1. Whether the teacher has met State Qualifications for the grade levels and subject areas taught
2. Whether the teacher is teaching under "Plan of Intent" status or under emergency status
3. The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area(s) of the certification or degree
4. Whether the child is provided services by paraprofessionals, and, if so, their qualifications

If a parent requests the above-listed information, the district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught a child for four or more weeks, the district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified.

Legal References: SDCL 60-4-12; Public Law 107-110; No Child Left Behind Act of 2001; The Americans with Disabilities Act

Revised: July 8, 1996; March 8, 2010; July 14, 2014