

**Personnel Records**

Personnel records shall be maintained securely and confidentially in the Bethany Public School District (District) Central Office for all current and former District employees and shall include information customarily kept in personnel files and as required by state and federal laws.

There shall be only one (1) personnel file for each current and former employee, and the school administration shall not maintain employee files separate from the official employee file in the Central Office.

No material originating after initial employment, which concerns the District employee's performance, shall be placed in a personnel file unless the employee has been notified and has had an opportunity to review the material. The employee may submit a written notation regarding any such material, and the same shall be attached to the file copy of the material in question. If such material requires a signature by the employee, the understanding shall be that such signature indicates the employee's awareness of the material but not in any instance shall said signature be interpreted to mean agreement with the content of the material.

Any substantial complaint made against a District employee or person for whom the Superintendent or designee is administratively responsible by any parent, student, or other person shall promptly be called to the employee's attention. In no case shall any anonymous and/or unsubstantiated complaint be placed in any employee's file.

Requests for access to personnel files, except from an employee to see their own file, shall be referred to the Superintendent or designee who shall determine whether disclosure of such records would legally constitute an invasion of employee privacy. If the Superintendent or designee believes disclosure is not an invasion of privacy, requested information shall be disclosed, but professional courtesy suggests the employee should be notified of such disclosure.

If the Superintendent or designee determines disclosure would invade employee privacy, the employee and collective bargaining representatives if any, shall be notified in writing of the request. If the Superintendent or designee does not receive a written objection, from the employee or bargaining representative, within seven (7) business days from receipt of their notification, or if there is no evidence of receipt not later than nine (9) business days from the date the notice was mailed, sent, posted, or otherwise given, requested records shall be disclosed. However, if an objection is received in a timely manner on the form prescribed, the Superintendent or designee shall not disclose requested information unless directed to do so by the Freedom of Information Commission. Notwithstanding an objection filed by an employee's bargaining representative, the employee may subsequently approve disclosure of records by filing a written notice with the Superintendent or designee.

Employee or bargaining representative objections to disclosure of records shall be made in writing to the Superintendent or designee which shall include a signed statement by the employee or bargaining representative, under penalties of false statement, that to the best of respondent's knowledge, information, and belief, there are good grounds to support the objection and that the objection is not interposed for delay.

## **PERSONNEL – CERTIFIED/NON-CERTIFIED**

**4112.6(b)**

**4212.6(b)**

The records may be disclosed when the Superintendent or designee does not believe such disclosure would legally constitute an invasion of privacy. The records, in such a situation, shall first be disclosed to the requestor, followed within a reasonable time after disclosure, with the sending of a written or electronic copy or brief description of such request to the employee and any applicable collective bargaining representative. Disclosure shall only be considered an invasion of privacy where 1) such records do not pertain to a legitimate matter of public interest and 2) disclosure of such records would be highly offensive to a reasonable person.

Records maintained or kept on file by the State Department of Education or the District which are records of an employee's personal misconduct shall be deemed to be public records, and subject to disclosure under the Freedom of Information Act. Disclosure of such records of an employee's personal misconduct shall not require the consent of the employee.

Notwithstanding earlier provisions of this policy, personnel evaluations of certified employees, except the Superintendent, are not public records subject to disclosure - unless the employee consents in writing to the release of such records.

Each employee's own file shall be available for inspection at reasonable times, and, upon request, employees will be provided a copy of the information contained in the employee's file.

In accordance with federal law, the District shall notify parents at the beginning of each school year of their right to request information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals 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. The District will provide such information on request in a timely manner. The District shall also provide notification to the parent/guardian of a child who has been assigned or has been taught for four (4) or more consecutive weeks by a teacher not meeting applicable state certification at the grade level and subject area in which the teacher has been assigned.

Files containing medical information regarding an employee will be kept separate from other personnel files.

Each employee is expected to immediately notify the Superintendent or designee when an employee has any changes to personnel information.

**PERSONNEL – CERTIFIED/NON-CERTIFIED**

**4112.6(c)  
4212.6(c)**

Legal Reference: Connecticut General Statutes § 1-206  
Connecticut General Statutes § 1-213  
Connecticut General Statutes § 1-214  
Connecticut General Statutes § 1-215  
Connecticut General Statutes § 10-151a  
Connecticut General Statutes § 10-151c  
Perkins v. Freedom of Information Commission, 228 Conn 158  
The Americans with Disabilities Act  
Section 1112(c)(6)  
Section 1112(e)(1)(B)

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