

RANCHO SANTA FE SCHOOL DISTRICT

Board Policies Covering All Employees

Board Policy No. 4008: PERSONNEL FILES

A. The District shall maintain personnel files of regular classified and certificated employees who may examine and receive a copy of such files pursuant to this Policy and 1198.5 of the Labor Code.

B. Materials in the personnel files of an employee which may serve as a basis for affecting the status of the employee's employment are to be made available for the inspection of the employee or the employee's representative. Upon written request, the District shall also provide a copy of personnel records, at a charge not to exceed the actual cost of production. An employee may not inspect or copy:

1. Records relating to the investigation of a possible criminal offense.
2. Letters of reference.
3. Ratings, reports, or records that were:
 - a. Obtained prior to the employee's employment.
 - b. Prepared by identifiable examination committee members.
 - c. Obtained in connection with a promotional examination.

Every employee shall have the right to inspect such materials upon request, provided that the request is made at a time when such person is not actually required to render services to the District.

C. Information of a derogatory nature shall not be entered or filed unless and until the employee is given notice and an opportunity to review and comment thereon. Such notice shall allow ten (10) working days for review and comment. An employee shall have the right to enter comments and have them attached to any such derogatory information. Review of any derogatory information shall take place during normal business hours, and the employee shall be released from duty for this purpose without salary reduction.

This paragraph C does not apply to information listed in the three numbered phrases in paragraph B immediately above. An employee may not inspect ratings, reports, or records which: were obtained prior to the employment of the employee, were prepared by identifiable examination committee members, or were obtained in connection with a promotional examination.

D. If an employee disagrees with materials or the contents of materials to be placed in the employee's personnel files, the employee may prepare a written statement within ten (10) work days of acquiring knowledge of the materials which will be attached to the materials in the personnel file.

Legal Reference:

Education Code section 44031

Labor Code section 1198.5

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007, October 14, 2022

Date Policy Reviewed By The Board: December 11, 2008