

Existing policy with suggested modification based on PA 18-93.

Personnel -- Certified/Non-Certified

Personnel Records

Personnel records shall be maintained securely and confidentially in the central office for all current employees and shall include information usually expected in good personnel administration. Personnel records shall also be kept for all past employees, including such essential information as shall seem appropriate to the administration as specified by state and federal laws.

Requests for access to personnel files, except from an employee to see his or her own file, shall be referred to the Superintendent who shall determine whether disclosure of such records would legally constitute an invasion of employee privacy. If the Superintendent 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.

The Superintendent, on behalf of the Board, shall notify any employee and a collective bargaining representative, if any, in writing when a request is made for disclosure of the employee's personnel file, 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 collective bargaining representative, within seven business days from the receipt of notice by employee or collective bargaining representative, or if there is no evidence of receipt not later than nine business days from the date the notice was mailed, or otherwise given. However, if an objection is received in a timely manner, the Superintendent 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 unit representative, the employee may subsequently approve disclosure of records by filing a written notice with the Superintendent.

Employee or bargaining representative objections to disclosure of records shall be made in writing within seven days. A signed statement shall be submitted by the employee or bargaining representative, under penalties of false statement, that to the best of respondent's knowledge, information and belief, there is good grounds to support the objection and that the objection is not interposed for delay.

The records may be disclosed when the Superintendent 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.

Personnel -- Certified/Non-Certified

Personnel Records (continued)

Records of a certified employee's performance and evaluation shall not be released without the written consent of the employee.

Records maintained or kept on file by the Board or by the State Department of Education, 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 personal misconduct shall not require the consent of the employee.

All written materials shall be made available for inspection by the employee and a collective bargaining representative, if any, involved at an off-duty time in the presence of an administrator. Upon request, an employee will be provided a copy of any documents maintained in said employee's personnel file.

In accordance with federal law, the District shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians upon request for any teacher or paraprofessional who is employed at a school receiving Title I funds and who provides instruction to their child at that school. In the event such disclosure is required pursuant to No Child Left Behind or any other state or federal legislation, the District shall comply with such requests, regardless of Title I funding.

In accordance with federal law, (ESSA), 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 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 and benefits enrollment information regarding an employee will be kept separate from other personnel files.

Any employee who, in the opinion of the administration, (school or central office) has made an exceptional contribution to better the education in New Fairfield shall be so informed in writing, and a copy of said document shall be kept in the employee's personnel file. The administration shall make an effort to inform the Board of each exceptional contribution.

Any employee who, in the opinion of the administration, (school or central office) has displayed significant actions which could have a deleterious effect upon the educational system in New Fairfield shall be so informed by the administration of such action in writing and a copy of said document shall be kept in employee's personnel file.

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Personnel Records (continued)

Legal Reference: Connecticut General Statutes

- 1-210(a) Access to public records. Exempt records.
- 1-213 Agency administration. Disclosure of personnel and tax records. Judicial records and proceedings.
- 1-214 Objection to disclosure of personnel or medical files. (as amended by PA 18-93)
- 1-215 Record of arrest as public record.
- 1-206 Denial of access to public records or meetings.
- 10-151a Access of teacher to supervisory records and reports in personnel file. (as amended by PA 02-138)
- 10-151c Records of teacher performance and evaluation not public records.

Perkins v. Freedom of Information Commission, 228 Conn. 158 (1993)

~~PL 107-110, No Child Left Behind Act, Sec. 1119.~~

The Americans with Disabilities Act.

Section 1112(e)(1)(B) The Every Student Succeeds Act (ESSA)

Policy adopted: June 1, 2006
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

NEW FAIRFIELD PUBLIC SCHOOLS
New Fairfield, Connecticut

DATE

TO: Human Resources

FROM:

RE: Employee Request to View or Copy File

I, _____, who works for the
(Name)

- Board of Education
- Town of New Fairfield

as a _____ am requesting:

- a copy
- to view my employee file.

I understand that the Human Resources Department has 24 hours to respond to my request.

I wish to pick up,
 have my copies mailed to my home,
 have my copies sent via inter-office mail.

Employee Signature

Date

pc: employee request for files