

4028-R - Personnel Records and Files

1. A personnel folder for each present and former employee shall be accurately maintained at the Educational Services Center office. In addition to the application for employment and references, the folders shall contain records and information relative to compensation, payroll deductions, evaluations, and other pertinent information.
2. The superintendent **or their designee** shall be the official custodian for personnel files and shall have overall responsibility for maintaining and preserving the confidentiality of the files with the provisions of the Wyoming Public Records Act.
3. All personnel records are considered confidential under the law and shall not be open to public inspection. Access to personnel files shall be limited to persons authorized by the superintendent to use the files for the reasons cited above. Access shall also be permitted to the information described in paragraph (4) of this policy and shall not be considered confidential for that purpose.
4. Pursuant to the ~~No Child Left Behind Act of 2001~~ **Elementary and Secondary Education Act of 2015**, a parent of a child attending school within Campbell County School District may request the following information regarding any teacher(s) that are teaching the parent's child:
 - Whether the teacher is qualified or licensed to teach in the areas that he/she is teaching
 - Whether the teacher is teaching under ~~emergency or provisional~~ **an exception** status **and**
 - ~~○ The teacher's college major and degree and any other graduate degrees; and~~
 - Whether the student received any services from a paraprofessional and the qualifications of that paraprofessional.

To the extent that the disclosure of the above information is inconsistent with the Wyoming Public Records Act, employees of Campbell County School District No. 1 shall be considered to have consented to and waived the disclosure of this information in order to comply with the ~~No Child Left Behind Act of 2001~~ **Elementary and Secondary Education Act of 2015**.

5. Each employee shall have the right to review the contents of his own personnel file. Employee may view records during regular business hours. Employees who wish to review their own personnel file shall:
 - A. Request access
 - B. Review the record in the presence of the administrator designated to maintain said records or designee;
 - C. Make no alterations or additions to the record nor remove any material there from;
 - ~~D. Sign and date a log attached to the file.~~
6. Campbell County School District will provide copies within a reasonable time after receiving an employee's written request; request must identify the material employee wants copied. Campbell County School District may charge a fee that is based on the cost of supplying documents.
7. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and shall become part of the employee's personnel file.
8. Lists of district employees' names and home addresses shall be released only to governmental agencies as required for official reports, unless approval to do so is granted by the employees.

9. CRIMINAL BACKGROUND CHECK. Information received from criminal background checks shall not be placed in the District personnel file retained for each District employee. This information shall be placed in a separate locked file room maintained at the central administration office. The access to this information shall be limited to the Superintendent or responsible party designated by the Superintendent to receive criminal history record information. The Superintendent and any other responsible party designated by the Superintendent shall be the persons responsible for the security of the criminal history record information. The criminal history record information shall be retained only so long as necessary to verify the suitability of a selected applicant or, in the case of applicants that are denied, for so long as is necessary to ensure that all challenges/appeals have been concluded, which shall generally be at two years. Criminal history record information will be destroyed by shredding when no longer needed for applicant suitability or to support denial of any application. When criminal history record information is destroyed, the District may retain a record indicating that the information was received and the date the information was destroyed, in order to verify compliance with the mandatory criminal history record information review process. The record verifying acquisition and destruction of the CHRI will be retained by the District so long as any successful applicant is employed.

10. MEDICAL RECORDS. The District from time to time may find it necessary to require a medical examination (and/or inquiry) of an employee that is job-related and consistent with business necessity. Medical examinations and/or inquiries may be necessary to help assess an employee's ability to perform job-related functions. Medical information may be acquired determining F.M.L.A. eligibility, as well as to assess necessary leave and/or fitness to return to duty. Information acquired by the District regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as a confidential medical record except that:

- (i) Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- (ii) First aid and safety personnel may be informed when appropriate if the medical condition/disability might require emergency treatment.

In the event the School District should make available to staff an employee health program, information acquired from medical examinations, including voluntary medical histories, shall also be collected and maintained on separate forms and in separate medical files.

11. Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures. This could include termination.

ADOPTION DATE: December 10, 2013; **Reviewed with minor revisions April 26, 2022**

LEGAL REFERENCE(S): Wyoming Statutes 16-4-201, et seq. (Wyoming Public Records Act) Family Educational Rights and Privacy Act of 1974. Wyoming Statutes 9-2-410, et seq. (Record Retention Schedules for Political Subdivisions).

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATION: