

SCHOOL EMPLOYEE PERSONNEL FILE POLICY

I. STATEMENT OF PURPOSE

This policy is designed to comply with provisions of the School Employee Personnel Files Act of 1987 enacted by the Legislature. The policy provides the District with a uniform system for the use and maintenance of school employee personnel files (employee files).

II. DEFINITIONS

- A. Document means any written or otherwise tangible material intended to be or actually used as a part of or any evidence of the work history of any employee including but not limited to any and all reports, comments, reprimands, correspondence, memoranda, evaluations, observations and grievances relative to a particular employee.
- B. Personnel File means the file in the Human Resources Division Department (and/or file at the work site or in a supervisor's office) which contains the cumulative collection of any and all documents maintained by the school system with respect to each individual employee.
- C. Personnel File Custodians (file custodians) means those persons employed by the school system charged with the duty of maintaining and preserving the personnel files.
- D. School System means a parish or city school system.
- E. Third Party means any person or entity not regularly employed or employed under a contract by the school system in which the employee is employed.

III. HANDLING OF FILE DOCUMENT

- A. An original document which will be placed in the employee file shall bear the location(s) of the original and copy/copies and a statement of receipt signed by the employee. See examples below:

- 1. "Original: File, Human Resources Division Department"
"Copy: File, Principal's Office"
- 2. "I have received a copy of this document."

Signature

Date

- B. Upon receipt of an original document and a copy of the same, the employee shall sign and date the original as an acknowledgment of receipt of the copy prior to placement of original in the file.
- C. Signature of employee shall not be construed as an agreement to the contents of the document.
- D. The original document (signed and dated) shall be placed in the employee's file within a reasonable time.

IV. REBUTTAL AND RESPONSE TO FILE DOCUMENT

- A. Each employee shall have the opportunity to rebut and respond to a document placed in his/her file.
- B. A rebuttal and response shall be filed in writing within 15 school or work days from the date which employee signs document acknowledging its receipt.
- C. The employee may be granted an additional 10 school or work days for filing a rebuttal and response.
 - 1. A written request shall be addressed to File Custodian within the original 15 day period.
 - 2. File Custodian's response to extension request shall not be unreasonably withheld.
- D. The rebuttal and response shall be deemed filed by the delivery of the original and a copy of same to file custodian.
 - 1. File Custodian signs and dates the original, attaches same to applicable document and places both documents in employee's file.
 - 2. File Custodian signs and dates the copy and returns same to the employee.
- E. Rebuttal and response is a permanent part of employee's file as long as the original document remains in the file.
- F. Use of the document or copy thereof for any purpose without the rebuttal and response attached to it is prohibited.

- G. An employee has the right to receive proof of any allegations or statements contained in a document placed in his/her file that the employee believes to be inaccurate, invalid or misrepresented.

If such proof is not presented, the document shall be removed from the employee file and destroyed in the manner set forth in the Grievance and Complaint Policies, File GAE, Lafayette Parish School Board Policy Manual.

V. ACCESS TO FILE

- A. An employee who submits to the File Custodian a written request to see his/her file shall be given access within a reasonable time.
- B. Contents of an employee file can be divulged to a third party by a File Custodian without express written consent of employee when ordered by a court or by subpoena.
- C. Access to an employee file without written consent of same is limited to the File Custodians, Superintendent (or designee) and the employee charged with duty of supervising that particular employee's performance.
- D. When an employee file is accessed by the Superintendent or designee, the employee whose file was so accessed shall receive written notice of the fact and the name and title of the person who was permitted access.
- E. Contents of and access to an employee file can be divulged or granted to parties other than those individuals identified in Sections V-B and V-C only after written consent by employee is presented to the File Custodian.
- F. All persons permitted access to a file shall maintain confidentiality of documents which are not matters of public record.

Adopted: 08/03/88

Revised: 04/21/99