

**PARK COUNTY SCHOOL DISTRICT #6
BOARD OF EDUCATION POLICY**

CODE: GBJ

PERSONNEL RECORDS AND FILES

Information about staff members is required for the daily administration of the school district, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the Board's educational reporting requirements. To meet these needs, the superintendent shall implement a comprehensive and efficient system of personnel records maintenance control, under the following guidelines:

1. A personnel folder for each present and former employee shall be accurately maintained in the central administrative 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 shall be the official custodian for personnel files and shall have overall responsibility for maintaining and preserving the confidentiality of the files within 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 the Every Student Succeeds Act signed into law on December 10, 2015, any district that receives funds under the ESSA shall notify parents of each student attending any school receiving funds that the parents may request the following information regarding the professional qualifications of the student's classroom teachers:
 - (a) Whether the teacher:
 - (1) Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - (2) Is teaching under emergency or other provisional status through which state qualification or licensing critieria have been waived; and
 - (3) Is teaching in the field of discipline in the certification of the teacher.
 - (b) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

To the extent that the disclosure of the above information is inconsistent with the Wyoming Public Records Act, employees of Park County School District #6 shall be considered to have consented to and waived the disclosure of this information in order to comply with the Every Student Succeeds Act (ESSA).

5. Each employee shall have the right, upon request, to review the contents of his own personnel file, with the exception of references and recommendations provided to the district on a confidential basis by universities, colleges, or persons not connected with the district.
6. 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.

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7. **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 cabinet 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 (CHRI). The Superintendent and any other responsible party designated by the Superintendent shall be the persons responsible for the security of CHRI. The CHRI may be maintained in electronic format so long as the file is secure and access is limited only to the Superintendent or responsible party designated by the Superintendent. The data base must be password-protected in order to limit access to only those individuals designated. If IT individuals or contractors have access to the data base, then additional precautions should be taken to train IT individuals and to specifically limit their ability to review the information. If CHRI is received or stored electronically, district shall require network security and passwords so as to ensure that only the person or persons designated to have access can gain access to the CHRI. The CHRI 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 least one year. The CHRI will be retained for at least one (1) year, after which it will be destroyed for all unsuccessful candidates by shredding or other permanent electronic deletion, but may be retained and considered for successful applicants, which information may be reviewed in the event of the applicant's transfer to a new position. The CHRI will be destroyed after termination of employment. When CHRI 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 CHRI 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. Misuse of CHRI may result in disciplinary action, up to and including termination, as per District disciplinary policies. For hiring procedures pertaining to criminal background check, refer to regulation GCF-R for certified staff and Policy GDE for classified staff.

8. **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 for determining FMLA 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.

LEGAL REF.: Wyoming Statutes 16-4-201, et seq. (Wyoming Public Records Act)
Family Educational Rights and Privacy Act of 1974

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