Jerome Joint School District No. 261

PERSONNEL **5500**

Personnel ~~Files~~ Records

The District maintains a complete personnel record for every employee, certificated and classified. Much of the information contained in employee personnel files is confidential and access to such files should be limited to the Superintendent, principal, supervisor, the employee, the employee's designee or representative, and school districts requesting information based upon Idaho Code for hiring.

A log of those persons other than the Superintendent, principal, or other administrative staff will be kept indicating the date and time of inspection; name of person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested.

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 upon request, 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. Access to other information contained in the personnel records of District employees is governed by Policy 4260 Records Available to the Public.

In accordance with state law, not later than 20 days after receiving a request from another Idaho public school, the District shall release information regarding job performance or job related conduct, as defined by Idaho Code, to school districts requesting such information for hiring purposes. The District shall also release materials as required by IC 33-145. See Policy 5100 Hiring Process and Criteria and Procedure 5100P Procedures for Obtaining Personnel Records for Applicants.

The District shall maintain official District files for employees.

An employee's official file shall be kept in the District administrative office. It should, at a minimum, contain the following records:

1. Application materials;
2. Contracts of employment;
3. Communications from the administration;
4. Performance evaluations;
5. Rebuttals to performance evaluations;
6. Parental input materials;
7. Written reprimands, directives, commendations, or awards;
8. Original statements and releases to and from hiring school districts;
9. A copy of the employee's job description signed by the employee;
10. A signed acknowledgement that the employee has received a copy of the District's sexual harassment policy;
11. A signed acknowledgement that the employee has received a copy of the District's email and internet use policy;
12. Documentation of additional training received, course work completed, in-services attended, etc.;
13. Documentation of fingerprints and background checks;
14. Documentation of record and reference checks pursuant to Idaho Code 33-1210;
15. Rebuttal documents;
16. Copies of certifications from the Office of the Superintendent of Public Instruction;
17. Transcripts of credits earned for credit review purposes;
18. Salary schedule placement; and

19. Any information relevant to the evaluation of the employee.

The file may contain notes and observations. Letters of recommendation will be kept in a separate, sealed file maintained by the Superintendent or a separate, sealed portion of the personnel file. Personal notes of supervisors should be placed in the personnel file, if they are relevant to the evaluation of the employee.

Each employee will be provided written notice of all materials placed in an employee's personnel file. Notice shall be provided within ten days of placement of information in the employee's file or, if possible, presented to the employee prior to placement in the file. An employee will have the opportunity to attach a rebuttal to any information placed in the employee's personnel file. An employee will have twenty-one (21) days from the date of written notice of placement to attach a statement or notification of rebuttal.

Upon request, an employee or the employee's designee or representative will have access to the employee's personnel file, with the exception of letters of recommendation, and will be provided copies, upon request within a reasonable period of time. The request, inspection, and/or copying of the file will be logged indicating the date and time; name of the person requesting access; description of the records copied, if any; and the initials of the person providing the access and/or copies requested.

Other Files upon Separation

Idaho law recognizes that other files may be kept ~~relative to~~ about employees, such as investigative files. Upon separation of employment, all documents from such files, including investigative files, shall be moved into the employee's personnel file. Names of students, fellow employees, or complainants (with the exception of the employee's administrative supervisor or other administrative authors) shall be redacted from such documents before they are placed in the personnel file. Copies of such documents shall be provided to the employee within ten days of placement in the personnel file and written notice of their inclusion in the file shall be provided by sending such to the employee's last known address. The employee shall be given the opportunity to file a rebuttal to such information in the same manner outlined above.

Record Keeping Requirements under the Fair Labor Standards Act

In addition to the information to be placed in an employee's personnel file set forth hereinabove, any and all payroll information required by the Fair Labor Standards Act shall also be kept for each employee as follows:

1. Records required for ALL employees:

    A. Name in full (same name as used for Social Security);
    B. Employee's home address, including zip code;
    C. Date of birth if under the age of 19;
    D. Gender (may be indicated with Male/Female, M/F, or a Mr., Mrs., Miss, or Ms.);
    E. Time of day and day of week on which the employee's work week begins;
    F. Basis on which wages are paid (such as $5/hour, $200/week, etc.);
    G. Any payment made which is not counted as part of the "regular rate";
    H. Total wages paid each pay period; and
    I. I-9.

2. Additional records required for non-exempt employees:

    A. Regular hourly rate of pay during any week when overtime is worked;
    B. Hours worked in any work day, meaning a consecutive 24 hour period;
    C. Hours worked in any work week, or work period in case of 207[k]);
    D. Total daily or weekly straight-time earnings, including payment for hours in excess of 40 per week, but excluding premium pay for overtime;
    E. Total overtime premium pay for a work week;

F. Date of payment and the pay period covered;
G. Total deductions from or additions to wages each pay period;
H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
I. Number of hours of compensatory time earned each pay period;
J. Number of hours of compensatory time used each pay period;
K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;

In no case will attorney communications be placed in the employee file or produced to the employee.

Cross Reference:	**Description:**
3085	Sexual Harassment, Discrimination, and Retaliation Policy
4260	Records Availale to the Public
4260F1	Records Available to Public - Request for Public Records
5100	Hiring Process and Criteria
5100F1	Hiring Process and Criteria - Authorization for Release of Information on Past Employment with School Employers
5100F2	Hiring Process and Criteria - Request to Employer
5100P	Hiring Process and Criteria - Procedures for Obtaining Personnel Records for Applicants
5240	Sexual Harassment/Intimidation in the Workplace
5240F	Sexual Harassment/Intimidation in the Workplace Policy Acknowledgement
5330	Employee Email and Online Services Usage
5330F	Employee Electronic Mail and On-Line Services Use Acknowledgment
5340	Evaluation of Certificated Personnel
5340F	Evaluaion of Certificated Personnel - Parent or Guardian Input Form— Classroom Teacher Evaluation
5820	Evaluation of Non-Certified Staff

Legal Reference:	**Description:**
29 USC 201, et seq.	Fair Labor Standards Act
29 C.F.R. § 516.2 and 3	Record keeping requirements
I.C. § 74-106	Records Exempt from Disclosure – Personnel Files, etc.
I.C. § 33-517	Non-certificated Personnel
I.C. § 33-518	Employee personnel files
I.C. § 33-1210	Information on past job performance

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