

**All Personnel**

BP 4112.6

4212.6

**PERSONNEL RECORDS**

4312.6

Personnel records shall be kept for all current employees in accordance with applicable collective bargaining agreements and law and shall include information usually expected in good personnel administration.

A file shall be kept for all former employees, including such information as shall seem appropriate to the administration.

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the Superintendent, and those authorized by the Superintendent. The Superintendent or designee shall also protect the privacy of an employee's health records in accordance with the law (HIPPA 45,CFR, 164.534)

Ratings, reports, or records shall not be available for inspection by employees if they were obtained prior to the employment of the person involved, prepared by identifiable examination committee members, or obtained in connection with a promotional examination. However, noncredentialed employees shall have access to any numerical scores obtained as result of written examinations. (Education Code 44031)

All other written materials filed in personnel records shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of an administrator or designee.

Except for the ratings, reports or records specified above as not open to inspection, employees shall be notified whenever derogatory information is to be placed in their personnel files. Any employee so notified may ask to review and comment on the contents. Such a review shall take place during normal school hours. The employee shall be released from duty for this purpose without a salary reduction.

*Legal Reference:*

**EDUCATION CODE**

*44031 Personnel file contents and inspection*

*44663 Performance appraisals and related materials*

**ATTORNEY GENERAL'S OFFICE NO. CV 75-73 June 6, 1975**

Policy

adopted: June 22, 1998

revised: July 11, 2006

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California