



# Huntington Beach Union High School District Board Policies and Administrative Regulations

AR 4112.6

4312.6

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## Certificated Personnel

### Personnel Records

#### 1. Purpose and Scope

To implement Board Policy 4112.6 on personnel records and file(s). Defines content of the official personnel file(s) and stipulates employee rights pertaining thereto.

#### 2. Regulation

##### A. Authorization and Responsibility

- (1) The Certificated Personnel Office shall establish and maintain file(s) for each certificated employee.
- (2) The file(s) shall be the official district repository for material in the following categories:
  - (a) Initial Employment - Materials associated with initial employment, such as application, transcripts, placement file(s).
  - (b) Continuing Employment - Materials necessary for and resulting from a person's employment in the district, such as credentials and payroll, assignment, promotion, transfer, performance evaluation, commendations and recommendations.
- (3) The district shall take such precautions as necessary to provide for the physical security of these records.
- (4) Material kept in any file between formal evaluations and not then included in the subsequent evaluation will be discarded or placed in the permanent personnel file at the district office.

Personnel Records (continued)

B. Employee Rights

Each certificated employee shall possess the following rights with reference to his/her personnel file(s) whether established and maintained at the district office or at the local campus.

- (1) Strict observance of the employer of absolute confidentiality of the personnel file(s), which shall mean that:
  - (a) Access to and use of the contents of the file(s) shall be limited exclusively to those persons with a legitimate administrative need for such data.
  - (b) Such access to and use of the contents of the file(s) including insertion of materials into the file(s) shall be under direct authorization and responsibility of the Governing Board, the Superintendent, or his/her designee.
- (2) Each certificated employee or former employee or his/her designated representative shall possess the right to have the contents of his/her file(s) disclosed to himself/herself, and the employee shall possess the right to have copies of the contents included within the file(s) made available to him/her at a reasonable fee, except documents originating from outside this district which were solicited or received prior to the origin of employment in this district, were prepared by identifiable examination committee members, or were obtained in connection with promotional examination.
- (3) Any derogatory material not shown to a certificated employee within thirty (30) days after receipt or composition shall not be allowed as evidence in any grievance or in any disciplinary action against an employee.

Personnel Records (continued)

- (4) No evaluations, correspondence, or other material making derogatory reference to an employee's or former employee's competence, character, or manner shall be kept or placed on file without the employee's knowledge and opportunity to attach his/her own comments.
  - (a) Derogatory statements from nonprofessional sources shall not be included in the employee's personnel file(s) unless the employee has first been provided with a written and signed copy of the derogatory material and has been given an opportunity to attach a response thereto. In no case shall derogatory materials from anonymous sources be placed in an employee's personnel file.
  - (b) Copies of all written evaluations made by management personnel shall be made available to the employee concerned within thirty (30) days of said evaluation.
  - (c) Each certificated employee or former employee shall possess the right to make part of his/her personnel file(s) any written response to any documents included within the file(s) and to make part of his/her file(s) any comments or exhibits which, in the judgment of the employee, relates to his employer-employee relations or his/her conditions of employment.
  - (d) No derogatory information contained in an employee's personnel file(s) shall be released to persons outside the district except in writing and with a copy forwarded to the employee. Any information may be released at the employee's request.

Legal Reference:

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