ALL PERSONNEL

Employee Records

Confidential individual personnel files are permanent records and shall be established and maintained for all employees in accordance with law and collective bargaining agreements.

Personnel files shall be made available for inspection as required by law. Inspection shall take place in the presence of a County Office representative. A record of file inspections shall be maintained.

The following records are, by law, not open to inspection by employees:

1. Records relating to the investigation of a possible criminal offense;
2. Letters of reference;
3. Ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination.

Non-credentialed employees shall have access to numerical scores obtained as result of written examinations.

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 and shall have the right to enter, and have attached to any such derogatory statement, his/her own comments thereon. Such a review may take place during normal work hours. Upon request the employee shall be released from duty for this purpose without a salary reduction.

Home addresses, telephone numbers and other personal information regarding employees shall not be disclosed to the general public. It shall be each employee's responsibility to keep personnel records current by immediately reporting changes of address, number of dependents, telephone number changes, name changes, and other information as may be required.

Criminal Offender Record Information

Information received by the County Office from the Department of Justice is confidential. The Director of Human Resources is the Record Custodian of all confidential fingerprint and criminal record history. The Record Custodian shall be subject to California Department of Justice fingerprinting and criminal background check requirements. The Record Custodian shall have and acknowledge an understanding of the laws regarding Criminal Offender Record Information.

Any questions regarding Criminal Offender Record Information shall be resolved by the Record Custodian. Criminal Offender Record Information shall be accessible only to the

Record Custodian and shall be kept in a locked file separate from other personnel files. The contents of criminal offender records shall be disclosed only in accordance with law on a "needs to know" basis and shall not be reproduced. These records shall be used only for the purpose for which they were requested.

Upon making a hiring determination, Criminal Offender Record Information shall be destroyed in accordance with law to the extent that the identity of the individual can no longer be reasonably ascertained.

Interagency Agreements

Upon County Office receipt from the Department of Justice of a criminal history record or report of subsequent arrest for any person on an inter-agency "common list of persons eligible for employment", notice shall be provided to the appropriate participating agency.

The Superintendent's designee of Record Custodian will maintain a record of all persons to whom criminal history or arrest record information has been provided.

Legal Reference:
EDUCATION CODE
44030 Effect of registration of certification document
44031 Personnel file contents and inspection
44663 Written evaluation and assessment of certificated employees and certificated non-instructional employees
44252 Issuance and renewal; basic skills proficiency list of criteria
44254 Restricted reading certificates
ATTORNEY GENERAL OPINION
Opinion No. CV 75-53, JUNE 6, 1975 (58 Cal Att. Gen. Op. 422)