

NORTH BRANFORD BOARD OF EDUCATION

SERIES 2000: PERSONNEL

P2120

PERSONNEL RECORDS

Personnel records on all current or former employees shall be maintained in the Central Office of the Board of Education as required by state law.

The confidentiality of employee personnel files will be honored by the school administration to the extent required by law. If a request to inspect or copy records of employee personnel or medical files is received from any third party, and if the school administration reasonably believes that the disclosure of such records would legally constitute an invasion of personal privacy, the school administration shall immediately notify the employee concerned in writing, with a copy to his/her collective bargaining representative, if any. Disclosure to such third party shall be made unless written objection to such disclosure is received by the school administration from either the employee concerned or his/her collective bargaining representative within seven (7) business days from receipt by the employee or collective bargaining representative of such notice, or in the absence of evidence of such receipt of written notice, if no response is received within nine (9) business days from the date on which notice is actually mailed, sent, posted or otherwise given. Any objection filed pursuant to this policy shall be signed by the employee or his/her collective bargaining representative under penalty of false statement, stating that to the best of his/her knowledge, information and belief there is good ground to support his/her objection and that the objection is not interposed for the purpose of delay.

The Board of Education understands the importance of protecting employee privacy with regard to health information. Where applicable, the Board of Education will comply with the requirements of federal and state law, and will only permit the use and disclosure of personnel records, personally identifiable information of its employees as authorized or required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Privacy Rule regulations promulgated thereunder, and the No Child Left Behind Act.

All written materials filed (except those prohibited by law) shall be made available for inspection by the employee involved at an off-duty time in the presence of an administrator.

Legal Reference: C.G.S. §1-214 (Public employment contracts as public record. Objection to disclosure of personnel or medical files.)
C.G.S. §1-215 (Record of an arrest as public record. Exception.)
C.G.S. §1-216 (Review and destruction of records consisting of uncorroborated allegations of criminal activity.)
C.G.S. § 1-213 (Agency administration. Disclosure of personnel, birth and tax records)
C.G.S. § 1-206 (Denial of access to public records or meetings)
C.G.S. § 10-151a, as amended by P.A. 02-138 (Access of teacher to supervisory records and reports in personnel file)
C.G.S. § 10-151c, as amended by P.A. 02-138 (Records of teacher performance and evaluation not public records)
Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191
HIPAA Privacy Rule, 45 C.F.R. Parts 160 and 164
No Child Left Behind Act, P.L. 107-110, Sec. 1111

Policy Adopted: 09/18/03