

Policy

PERSONNEL RECORDS

Orderly administration of the Jersey City School District and compliance with state and federal law require the compilation of information about all employees of the district. The board of education recognizes that there is a distinction between those personnel records that are clearly a matter of public concern, and those that must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The superintendent shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The superintendent and the board attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the superintendent shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The superintendent shall establish the necessary regulations for maintaining both public and confidential employee records.

Public Record

The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The superintendent shall devise procedures for making this file available to the public in accordance with the Open Public Records Act;

Personnel File

The confidential file shall consist of an individual personnel folder for each current employee.

- A. The information in this file shall include all records mandated by state and federal law including:
1. Evaluation of performance;
 2. Written performance reports and supporting data for tenured staff, including but not limited to indicators of student progress and growth (N.J.A.C. 6A:10-2.3h);
 3. Record of attendance;
 4. Original application filed by the employee;
 5. Original salary and increments;
 6. Date of tenure;
 7. Notations of commendation and disciplinary actions consistent with law.
- B. The personnel file is available for examination:
1. At any time, by the superintendent or the supervisory personnel he/she designates;
 2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;

PERSONNEL RECORDS (continued)

3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty;

Personnel records shall be maintained in strict confidentiality. Procedures shall be established for monitoring the viewing of personnel records and will include date, time and signature of the reviewers. Personnel records will not be available unless a monitor is present during the viewing;

Health Records

Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the superintendent shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee;

Electronic Records

All electronic records shall be maintained in strict confidentiality by the district according to law and board policy on records (3570 District Records and Reports, 4112.6/4212.6 Personnel Records, and 5125 Student Records).

Emergency Contact Information

Staff emergency contact cards for all employees shall be maintained by the superintendent and updated annually.

Adopted: March 13, 2008
 NJSBA Review/Update: March 2013
 Readopted: October 17, 2013

Key Words

Records, Personnel Records, Employee Records

Legal References: N.J.S.A. 18A:6-7
N.J.S.A. 18A:6-7a
N.J.S.A. 18A:6-11
N.J.S.A. 18A:11-1
N.J.S.A. 18A:54-20
N.J.S.A. 47:1A et seq.
N.J.S.A. 47:3-15 et seq.
N.J.A.C. 6A:10-1.4
N.J.A.C. 6A:10-2.3 et seq.
See particularly:
N.J.A.C. 6A:10-2.3(h)
N.J.A.C. 6A:32-6.1 et seq.
N.J.A.C. 12:100-4.2

Oaths of persons employed in teaching capacities
 Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
 Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
 General mandatory powers and duties
 Powers of board (county vocational schools)
 Examination and copies of public records (Open Public Records Act)
 Destruction of Public Records Law
 Educator evaluation data, information and written reports
 Evaluation of tenured teaching staff members
 School Employee Physical Examinations
 Safety and health standards for public employees
 occupational exposure to bloodborne pathogens

PERSONNEL RECORDS (continued)

(Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogens StandardNo Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974

Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111Sayreville Education Association v. Sayreville Bd. of Ed., 1971 S.L.D. 197White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D. 903Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992)Beatty v. Chester 1999 S.L.D. August 31Ciambrone v. Bloomingdale 2000 S.L.D. May 7**Possible**

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| <u>Cross References:</u> | *3570 | District records and reports |
| | *4111 | Recruitment, selection and hiring |
| | *4112.4/4212.4 | Employee health |
| | *4115 | Supervision |
| | *4116 | Evaluation |
| | *4211 | Recruitment, selection and hiring |
| | *4215 | Supervision |
| | *4216 | Evaluation |
| | *5141.4 | Child abuse and neglect |

*Indicates policy is included in the Critical Policy Reference Manual.