

ROANE COUNTY BOARD OF EDUCATION	
Central Office Personnel Files	Policy # 5.40
	Date Passed August 17, 2000

1 **5.40 - CENTRAL OFFICE PERSONNEL FILES**

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3 The Director/designee shall be authorized to maintain personnel records and to permit
4 inspection of the same, except for matters deemed confidential by law. The following
5 personnel records shall be maintained for all employees as appropriate:

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7 1. Employee applications and contracts;

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9 2. Professional certificates and other documents required by state and federal laws and
10 regulations;¹

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12 3. Evaluations (maintained at the school);

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14 4. Cumulative information files;² and

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16 5. INS Form I-9.³

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18 The following guidelines shall be followed:

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20 1. Information contained in personnel records shall be limited to job-related matters;

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22 2. The Director/designee shall be responsible for notifying all employees of the types of
23 records kept and uses made of such records;

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25 3. Employees shall be granted an opportunity to respond in writing to material placed in
26 records;

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28 4. Employee records are public records, except for matters deemed confidential by law,
29 and shall be open for inspection during regular business hours;⁴

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31 5. In accordance with federal law, the System shall release information regarding the
32 professional qualifications and degrees of teachers and the qualifications of
33 paraprofessionals to parent(s)/guardian(s) upon request for any teacher or
34 paraprofessional who is employed by a school receiving Title I funds and who provides
35 instruction to their child at that school;⁵

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37 6. Members of the public may not obtain an employee's unpublished telephone number,
38 bank account information, social security number or driver license information except
39 where driving or operating a vehicle is considered to be a part of the employee's duties,
40 unless release of this information is expressly authorized by the employee;⁶

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42 7. A record of the person inspecting and the date of inspection shall be recorded; and

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44 8. Copies of records may be made under rules determined by the Director.⁷

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46 **5.40a - MAINTENANCE**

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48 The school system shall maintain a teacher's personnel file at the System's Central Office.
49 Additional file(s) may be kept at the teacher's employment site(s). The teacher shall have
50 knowledge of all of his/her files. A teacher may at any time, request in writing to see any and
51 all files as well as receive copies of any document contained therein. A teacher may have a
52 representative of the Association accompany him/her during such review. Any time a file is
53 reviewed, an administrator/principal must be in attendance.

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55 Any material placed in a teacher's personnel file shall contain the following: signature of the
56 originator, date received, signature of person placing material in the file, date of placement,
57 and written acknowledgement of the teacher.

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59 Any information removed/copied from a teacher's personnel file(s) shall be acknowledged in
60 writing by the teacher. A log shall be kept of those reviewing the file(s).

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62 Central Office employee(s) and/or their designee(s) are excluded from restrictions of this
63 article when working with a professional employee's personnel and/or payroll file.

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65 No evaluative type of material shall be placed in the personnel file of a teacher after his/her
66 last paid day of employment.

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68 **5.40b - COMPLAINTS**

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70 Any written complaint regarding a teacher made to any member of the administration by a
71 parent, student, or other person which may be used in any manner in evaluation of a teacher
72 shall be promptly investigated. The teacher shall have the right to respond to such material
73 and the written response shall be reviewed by the Director or his/her designee and attached to
74 all copies of the material. If the investigation determines the complaint to be without merit,
75 any and all references to the complaint shall be removed from the teacher's personnel file.

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77 **5.40c - USE OF FILES**

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79 Any disciplinary action taken by the Board/Director shall be placed in the teacher's personnel
80 file immediately following the action. The Board/Director shall not take action against any
81 tenured teacher concerning any information about which he/she is unaware.

Legal References:

¹ TCA 49-2-301(f)(1)(BB)

² County Records Manual, Department of Education, CTAS, 1978

³ Immigration Reform and Control Act of 1986

⁴ TCA 49-2-301(f)(28); TCA 10-7-503-504

⁵ 20 U.S.C. 6311 § 1111 (6)(A)

⁶ TCA 10-7-504

⁷ TCA 10-7-506; TCA 49-2-301(f)(29); TCA 8-5-108