



Responsible Office: Office of Human Resources

BOARD POLICY 4125

EMPLOYEE RECORDS AND INFORMATION

PURPOSE

The Board of Trustees (“Board”) is committed to safeguarding personal employee information in its possession to ensure the confidentiality of the information. The Washoe County School District (“District”) will only collect personal information that is necessary to conduct operations and to comply with government reporting and disclosure requirements.

POLICY

1. For the purposes of this policy, “employee” or “staff” refers to all current and former paid employees of the District, whether full-time, part-time or temporary.
2. Governing Principles
 - a. The District shall organize, compile and maintain personnel records and files for each staff member related to the employee's duties and responsibilities to the District and the District's responsibilities to the employee, to include maintaining confidentiality of personal information.
 - b. The District shall require and maintain records sufficient to ensure an employee's qualifications for the job held, compliance with District policies, and evidence of completed evaluations.
 - c. Personnel records will be received, created, maintained, and retained in compliance with state and federal laws and regulations.
 - d. Only information submitted by authorized District personnel may be entered in the official personnel file.
3. Governing Practices
 - a. Employee Records
 - i. Employee information maintained by the District includes, but is not limited to:

1. Personal information, such as employee address and phone numbers;
2. Pre-Employment Documents;
3. Employment Eligibility;
4. Work History, to include employee evaluations;
5. Salary and Benefits Plan Information;
6. School/college or certification credentials; and
7. Separation of Employment.

ii. Public Records

1. The District shall maintain an official roster of employees as a public record. The public record shall include the employee's name, class title of the position held, and rate of pay.

iii. Confidential Records.

1. Confidential records include:
 - a. any records that are confidential by law; and
 - b. any records where an individual's right to privacy weighs greater than the public's right to know.
2. The District, as a subdivision of the State of Nevada, adopts the provisions codified in Nevada state laws and regulations related to the confidentiality of employee records. This includes Chapter 284 related to personnel records and Chapter 288 related to Collective Bargaining.

- iv. See Administrative Regulation 4126, Personnel Records, for additional information regarding types of records, to include confidential records.

b. Maintenance and Storage of Employee Records

- i. Employee records or copies of records may be kept in electronic or hard-copy format and may include several locations to include, the Office of Human Resources, Office of Business and Financial Services, and the work site location. Records do not include drafts, only final versions of documents.

- ii. Certain records shall be maintained separate from the employee's personnel file to protect the privacy rights of the employee. Such records include, but are not limited to, employee medical records, internal investigations, placement offers and professional references.

c. Access to Records

- i. The contents of personnel files shall be available to those staff designated by Superintendent as authorized to organize, compile and maintain personnel files.
- ii. Additionally, personnel records may be accessed or released in the following circumstances:
 - 1. On request, in writing, by the individual staff member;
 - 2. To an outside party with permission, in writing, of the individual staff member;
 - 3. When necessitated by state or federal laws or regulations;
or
 - 4. Under subpoena or court order.
- iii. The personal information of participants in the District's benefit plans may be shared with plan providers as required for the handling of claims or record keeping needs.
- iv. The District shall not collect, disclose, or use the personal information of employees for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

d. Retention, Security and Privacy

- i. Personnel files shall be kept in a secure location, whether such file is retained electronically, located at the District administration building or as a site-based file.
- ii. Personal employee information is considered confidential and will only be shared as required and with those have a need to know the information.
- iii. Staff who have access to personnel files shall maintain the confidentiality of the files and their contents.

- iv. Records shall be maintained and retained based on the official retention schedule utilized by the District.
- e. Destruction of Records
 - i. As necessary and in compliance with the records retention schedule, the District shall destroy records containing certain employee and applicant personal information by shredding, erasing or other means to render the information unreadable or undecipherable.
- f. Breach in Confidentiality
 - i. If an employee believes a material breach has occurred in the maintenance of the confidentiality of his/her personal information, the employee should report the incident to the Office of Human Resources.
 - ii. Human Resources shall investigate the incident and take any necessary corrective action.
 - iii. The District shall utilize a standard of reasonableness in these circumstances.
- g. The Superintendent shall cause to be created procedures related to the retention, maintenance and destruction of personnel information and records in accordance with the District's policies as well as federal and state laws governing records.

DESIRED OUTCOMES

1. Through this policy, the Board of Trustees seeks to:
 - a. Safeguard the employee information in the possession of the District to ensure the confidentiality of that information and protect employee privacy;
 - b. Comply with state and federal laws related to the retention of employee records; and
 - c. Reduce the risk of and defend against employment-related litigation.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This Policy reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 4105, Employment Practices

2. This policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. Chapter 241, Public Records
 - b. Chapter 284, State Personnel, and specifically:
 - i. NAC 284.702 – 284.734, Personnel records
 - c. Chapter 288, Relations Between Governments and Public Employees
 - d. Chapter 391, Personnel
3. This policy complies with federal laws and regulations, to include:
 - a. Title VII of the Civil Rights Act
 - b. Fair Labor Standards Act
 - c. Health Insurance Portability and Accountability Act (HIPAA)
 - d. National Labor Relations Act
 - e. OSHA Recordkeeping (maintain record of job related injuries and illnesses)
 - f. Americans with Disabilities Act
 - g. Family and Medical Leave Act

REVISION HISTORY

Date	Revision	Modification
11/28/2017	1.0	Adopted