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ARTICLE 10TEN
PERSONNEL FILE ACCESS & SECURITY

- A. **Number of Files:** There shall be no more than two (2) personnel files (the official file and the site file) maintained for each employee. The official file will be maintained at the ~~district personnel office~~ Human Resources Support Services Department. ~~In the event two (2) such files are maintained, one (1)~~The site file, shall be kept ~~at the work location in the principal's or director's office at the school or other location~~ where the employee is then employed. Each document placed into either file ~~into the employee's file maintained in the administrator's office shall be duplicated and the original transmitted to the district Employment Services Office for inclusion within the employee's file maintained at the district Employment Services Office shall be in accordance with Florida Statutes, Section 1012.31~~. When the employee transfers to another school or work location site within the ~~d~~District, the site file will be transferred with the employee. ~~When the employee leaves the district, the file maintained in the administrator's office may remain there for up to three (3) years.~~
- B. **Anonymous Items:** No item from any anonymous source may be placed in the personnel file.
- C. **Investigative File:** The file established by the ~~district~~District as a result of any investigation of an employee is not one of the two personnel files listed above. Access to a file dealing with an investigation shall be in accordance with the provisions of Florida ~~Statute~~Statutes, Section 1012.31. If the preliminary investigation is concluded with the finding that there is not probable cause to proceed further and with no disciplinary action taken or charges filed, a statement to that effect signed by the responsible investigating official shall be attached to the complaint. ~~then the district will ask the Department of State, Division of Library and Information Services, for permission to destroy the investigation file.~~
- D. **Notification To Employee:** Items may not be placed in an employee's official personnel file unless the item has been made known to the employee, pursuant to the methodology described in Florida ~~Statute~~Statutes, Section 1012.31. In addition, items challenged under the provisions of the grievance procedure may not be placed in the employee's file until the grievance has been resolved pursuant to the grievance procedure of this contract. The employee shall have the right to respond to any item(s) to be placed in his/her personnel file and to have the response attached to such item. The employee's signature shall indicate only that he/she has read the item and shall not necessarily indicate agreement with its contents.

E. **Review and Copying of File:** Each employee shall have the right, upon request, to review and reproduce any contents of his/her personnel file. A representative of BTU-TSP may, at the request of the employee, accompany the employee in such reviews and may, upon written authorization by the employee, review and reproduce any contents of the employee's personnel file. The review or reproduction of the contents of an employee's personnel file shall be made in the presence of the administrator responsible for the safekeeping of such file. An employee's personnel file shall be open to inspection pursuant to the criteria and requirements in Florida ~~Statute~~Statutes, Section 1012.31.

D. **Prohibited Materials and Remedy:** Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee. An employee has the right to answer in writing any materials in a personnel file, and the answers shall be attached to the file copy. An employee has the right to request that the Superintendent or the Superintendent's designee make an informal inquiry regarding material in the employee's personnel file which the employee believes to be false. The official who makes the inquiry shall append to the material a written report of his or her findings.