

## General Personnel

### **5:150 Personnel Records**

#### Maintenance and Access to Records

The Director or designee shall manage the maintenance of personnel records in accordance with State and federal law and Policy Board policy. Records, as determined by the Director, are retained for all employment applicants, employees, and former employees given the need for the Cooperative to document employment-related decisions, evaluate program and staff effectiveness, and comply with government recordkeeping and reporting requirements. Personnel records shall be maintained in the Cooperative's administrative office, under the Director's direct supervision.

**Please refer to the following current agreement:**

#### **The Agreement Between Executive Committee of Tazewell-Mason Counties Special Education Association and SOS-IEA-NEA**

**For those employees not covered:**

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Director.
2. An employee's supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee's written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Executive Committee policy 2:250, *Access to Cooperative Public Records*.

#### Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance

The Director or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Director shall:

1. Execute the requirements in the Abused and Neglected Child Reporting Act whenever another district asks for a reference concerning an applicant who is or was a Cooperative employee and was the subject of a report made by a Cooperative employee to Ill. Dept. of Children and Family Services (DCFS); and
2. Comply with the federal law prohibiting the Cooperative from providing a recommendation of employment for an employee, contractor, or agent that Cooperative knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, but the Director or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.

When requested for information about an employee by an entity other than a prospective employer, the Cooperative will only confirm position and employment dates unless the employee has submitted a written request to the Director or designee.

LEGAL REF.:

20 U.S.C. §7926.

325 ILCS 5/4, Abused and Neglected Child Reporting Act.

745 ILCS 46/10, Employment Record Disclosure Act.

820 ILCS 40/, Personal Record Review Act.

23 Ill.Admin.Code §1.660.

CROSS REF.: 2:250 (Access to Cooperative Public Records), 5:90 (Abused and Neglected Child Reporting), 7:340 (Student Records)

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 12, 2020

**Tazewell-Mason Counties Special Ed Association**

---