

2006 SESSION

INTRODUCED

060776308

HOUSE BILL NO. 434

Offered January 11, 2006

Prefiled January 6, 2006

A BILL to amend and reenact § 22.1-295.1 of the Code of Virginia, relating to employee personnel records.

Patrons—Griffith and Ware, O.

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-295.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-295.1. Employee personnel files; maintenance of employee records.

A. Personnel files of all school board employees may be produced and maintained in digital or paper format. Each local school division shall maintain complete personnel records of all employees for 20 years from the date an employee of the school division ends his employment with the school division. After such time the school division shall only be required to retain records on employees' years of service and, if terminated, information relating to the employee's termination.

B. Information determined to be unfounded after a reasonable administrative review shall not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Privacy Protection Act, Chapter 38 (§ 2.2-3800 et seq.) of Title 2.2, shall be settled through the employee grievance procedure as provided in §§ 22.1-306 and 22.1-308 through 22.1-314.

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