

Unauthorized Release Of Confidential/Privileged Information

The Solano County Office of Education (SCOE) recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

An employee who willfully releases confidential/privileged information about SCOE, students, or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the County Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

Requests for Information Concerning Employees

1. The following procedures are established to ensure consistent handling of requests for information concerning SCOE employees in compliance with the Privacy Act and the policies of the Office of the Solano County Superintendent of Schools.
 - a. All written verification of employment requests should be referred to the Human Resources (HR) Department for response on the same day they are received. It is possible that a person can be denied a loan because of lack of a prompt response. Requests which include salary information must be in writing and must include the employee's written authorization. Salary figures must not be initiated over the phone, but may be verified if the inquiring party can state the salary.
 - b. Sick leave verification and absence information may be provided only to the employee or the Superintendent or management designee.
 - c. An employee's home address and phone number are not to be released to the public and may be released internally or with discretion by HR. If the request is urgent, the person accepting the call may contact the employee and leave a message to return the call.
 - d. Verification of employment and responses to reference checks will be handled only by HR, the immediate supervisor, or other management designee. Evaluation(s) and attendance records may be made available to the employee or management designee before compiling a verification form or reference check. After the information or form is completed, it should be returned to HR for processing.
 - e. All forms received from the Employment Development Department concerning unemployment insurance, disability insurance, or employment and/or salary verification should be referred to HR on the same day received. Failure to meet timelines may be harmful to the office or the employee.

Legal Reference:

EDUCATION CODE

- 44031 Personnel file contents and inspection
- 44932 Grounds for dismissal of permanent employees
- 44933 Other grounds for dismissal
- 45113 Rules and regulations for classified service
- 49060-49079 Pupil records

GOVERNMENT CODE

- 1098 Public officials and employees: confidential information
- 6250-6270 Inspection of public records
- 54950-54963 Brown Act

UNITED STATES CODE, TITLE 20

- 1232g Family Education Rights and Privacy Act

Policy Cross-Reference:

- 4112.6 Personnel Files
- 4112.62 Maintenance of Criminal Offender Records
- 4118 Dismissal/Suspension/Disciplinary Action
- 4143 Negotiations/Consultation
- 5125 Student Records
- 5125.1 Release of Directory Information
- 5141.4 Child Abuse Prevention and Reporting
- 6164.2 Guidance/Counseling Services