

manager at the above address. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of records regarding you in this system, contact the system manager at the above address and reasonably identify the record and specify the information contested. Your request must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by the individual to whom it applies, is derived from information he or she supplied or is obtained from information supplied by others.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THIS ACT:

None.

18-05-10

SYSTEM NAME:

General Performance Appraisal System (GPAS).

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Human Resources Group, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2E300, Washington, DC 20202-4737. See the Appendix at the end of this system notice for additional system locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The U.S. Department of Education (Department), General Performance Appraisal System (GPAS) contains the performance appraisal of all Department employees in General Schedule (GS), General Merit (GM), Administratively Determined (AD), and prevailing rate plans.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Department GPAS software holds two categories of data on employees participating in Department's performance appraisal process. These records include:

(1) Personnel data, such as name, social security number, organizational entity, supervisor, position title, series and grade; and

(2) Performance appraisal data: GPAS Employee Performance Agreement, evaluation standards, list of evaluators, scores and comments.

Hard copies of an employee's GPAS Employee Performance Agreement,

Rating of Record, and any required comments are maintained in an Employee Performance File (EPF). These files are located in cabinets in a locked secure room with Department employees' Official Personnel Folders.

Hard copies of the "Summary Evaluation and Comments Reports", are generated by the GPAS System/Group Administrator. These reports are treated with utmost confidentiality. They are provided to the employee's supervisor and shared with the employee, approving official and with other appropriate management employees on a "need-to-know" basis. The GPAS System/Group Administrator retains a hard copy of the Summary and Comments Reports for each employee for one year.

The GPAS System/Group Administrator maintains hard copies of the feedback and comments reports for one year.

Hard copies of the GPAS Employee Performance Agreement, Rating of Record, and any required comments are maintained in the employee's Employee Performance File for four years.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 43; Title 5, Code of Federal Regulations (CFR), part 430, Performance Management, subparts A and B.

PURPOSE(S):

The information in this system is used to generate feedback reports on employees which are taken into consideration when the employee's supervisor provides the summary rating incorporated in the "Rating of Record," which is the official rating document placed in an employee's Employee Performance File (EPF).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The Department may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purpose for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Employment-Related Disclosures.* The Department may disclose records to Department supervisors and other management personnel on a "need-to-know" basis. The records may be used as a basis for, or in conjunction with,

Reduction-in-Force, performance-based actions, within-grade actions, adverse actions, decisions regarding retention of employees during probationary period, recognition, promotions, reassignments and other appropriate personnel actions. When the Official Personnel Folder (OPF) and EPF of a GPAS employee are sent to another agency or to the National Personnel Records Center, the Servicing Personnel Office shall include all Ratings of Record that are four years old or less, any required comments, and the associated GPAS Employee Performance Agreements in the EPF.

(2) *Disclosure for Use by Other Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation if that information is relevant to any enforcement, regulatory, investigative, or prosecute responsibility within the receiving entity's jurisdiction.

(3) *Enforcement Disclosure.* In the event that information in this system of records indicates, either on its face or in connection with other information, a violation or potential violation of any applicable statute, regulation, or order of a competent authority, the Department may disclose the relevant records to the appropriate agency, whether foreign, Federal, State, Tribal, or local, charged with the responsibility of investigating or prosecuting that violation or charged with enforcing or implementing the statute, executive order, rule, regulation, or order issued pursuant thereto.

(4) *Litigation and Alternative Dispute Resolution (ADR) Disclosures.*

(a) *Introduction.* In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation or ADR, the Department may disclose certain records to the parties described in paragraphs (b), (c) and (d) of this routine use under the conditions specified in those paragraphs:

- (i) The Department of Education, or any component of the Department; or
- (ii) Any Department employee in his or her official capacity; or
- (iii) Any Department employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;
- (iv) Any Department employee in his or her individual capacity where the agency has agreed to represent the employee; or
- (v) The United States where the Department determines that the

litigation is likely to affect the Department or any of its components.

(b) *Disclosure to the DOJ.* If the Department determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the Department may disclose those records as a routine use to the DOJ.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear, an individual or entity designated by the Department or otherwise empowered to resolve or mediate disputes is relevant and necessary to the administrative litigation, the Department may disclose those records as a routine use to the adjudicative body, individual, or entity.

(d) *Parties, counsels, representatives and witnesses.* If the Department determines that disclosure of certain records to a party, counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation, the Department may disclose those records as a routine use to the party, counsel, representative or witness.

(5) *Employment, Benefit, and Contracting Disclosure.*

(a) *Decisions by the Department.* The Department may disclose a record to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, or to another public authority or professional organization, if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee or other personnel action, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

(b) *Decisions by Other Public Agencies and Professional Organizations.* The Department may disclose a record to a Federal, State, local, or foreign agency or other public authority or professional organization, in connection with the hiring or retention of an employee or other personnel action, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit, to the extent that the record is relevant and necessary to the receiving entity's decision on the matter.

(6) *Employee Grievance, Complaint or Conduct Disclosure.* The Department may disclose a record in this system of records to an arbitrator or another agency of the Federal Government if the record is relevant to one of the following proceedings regarding a present or

former employee of the Department: complaint, grievance, discipline or competence determination proceedings. The disclosure may only be made during the course of the proceeding.

(7) *Labor Organization Disclosure.* A component of the Department may disclose records to a labor organization if a contract between the component and a labor organization recognized under Title V of the United States Code, Chapter 71, provides that the Department will disclose personal records relevant to the organization's mission. The disclosures will be made only as authorized by law.

(8) *Freedom of Information Act (FOIA) Advice Disclosure.* The Department may disclose records to the Department of Justice and the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the FOIA.

(9) *Disclosure to the Department of Justice (DOJ).* The Department may disclose records to the DOJ to the extent necessary for obtaining DOJ advice on any matter relevant to an audit, inspection, or other inquiry related to the programs covered by this system.

(10) *Contract Disclosure.* If the Department contracts with an entity for the purposes of performing any function that requires disclosure of records in this system to employees of the contractor, the Department may disclose the records to those employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

(11) *Research Disclosure.* The Department may disclose records to a researcher if an appropriate official of the Department determines that the individual or organization to which the disclosure would be made is qualified to carry out specific research related to functions or purposes of this system of records. The official may disclose records from this system of records to that researcher solely for the purpose of carrying out that research related to the functions or purposes of this system of records. The researcher shall be required to maintain Privacy Act safeguards with respect to the disclosed records.

(12) *Congressional Member Disclosure.* The Department may disclose records to a member of Congress from the record of an individual in response to an inquiry from the member made at the written request of that individual. The member's right to the information is no

greater than the right of the individual who requested it.

(13) *Disclosure to the Office of Management and Budget (OMB) for Credit Reform Act (CRA) Support.* The Department may disclose records to OMB as necessary to fulfill CRA requirements.

DISCLOSURES TO CONSUMER REPORTING AGENCIES:

Not applicable to this system of records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The Department GPAS electronic records reside on a single dedicated computer that is housed in a secure area. The GPAS System Administrator retains for one year a hard copy of each employee's "Summary Appraisal Report," "Summary Evaluation Report," and any Comments Reports. These are housed in locked file cabinets in the GPAS unit at the Department. Hard copies of Ratings of Records, GPAS Employee Performance Agreements and any related required comments are stored in an employee's EPF in a locked room.

RETRIEVABILITY:

The GPAS records may be retrieved by an employee's name or social security number.

SAFEGUARDS:

All physical records are maintained in locked file cabinets. Employees have access to the GPAS software at their workstations, controlled by passwords that the employees designate. If individuals walk into employees' work area while employees are using the GPAS software, the software includes a Hide key so that the evaluations will not be compromised. System and group administrators maintain the GPAS software. These individuals are the only individuals who have access to the entire database. They do not have employees' passwords, but have the ability to change the passwords upon request.

The database is protected by stringent security mechanisms that include a combination of hardware, operating system, application software, database software, and procedures. All physical access to the Department site, and the sites of Department contractors where this system of records are maintained, is controlled and monitored by security personnel who check each individual entering the building for his or her employee or visitor badge.

RETENTION AND DISPOSAL:

An employee's records remain in the GPAS database until employment with the Department is terminated. Some data is housed temporarily in the GPAS database during each of the Department's annual and midpoint reviews or surveys during which new data is entered directly into the GPAS system by the employee and their evaluation team members and accumulates over the course of the review process. An employee's GPAS Employee Performance Agreement, which identifies their performance elements and standards, and the "Rating of Record," Department's official performance review document, are kept in the employee's EPF for four years. If the employee leaves the Department prior to the end of the 4 years, the GPAS records are forwarded to either the National Personnel Records Center or the agency to which the employee transferred.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Human Resources Group, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., FB-6, Room 2E300, Washington, DC 20202-4737. See the Appendix at the end of this system notice for additional system managers.

NOTIFICATION PROCEDURE:

If an employee wishes to determine whether a record exists regarding them in the system of records, the employee should provide the system manager with his name (including all names used) and social security number. The request must meet the requirements of the regulations at Title 5, Code of Federal Regulations, part 34 § 5b.5, including proof of identity. The employee may present a request in person at any of the locations identified for this system of records or address it to the appropriate system manager.

RECORD ACCESS PROCEDURES:

If you wish to gain access to the records regarding you in this system of records, you should contact the system manager at the above address. Your request must meet the regulations at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of a record, you should contact the system manager at the above address. Your request must meet the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

The information in this system comes from the Department's integrated personnel/payroll system, the

employees, supervisors, and evaluation team members.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix to 18-05-10*Additional System Locations and System Managers*

Regional Personnel Officer, Human Resources Group, U.S. Department of Education, 61 Forsyth Street, SW., Suite 18T55, Atlanta, GA 30303.

Regional Personnel Officer, Human Resources Group, U.S. Department of Education, 111 N. Canal Street, Room 1084, Chicago, IL 60606.

Regional Personnel Officer, Human Resources Group, U.S. Department of Education, 50 United Nations Plaza, Room 207, San Francisco, CA 94102-4987.

18-05-11**SYSTEM NAME:**

Training Registration and Information System (TRAINS).

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Training and Development Center, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2W210, Washington, DC 20202. See Appendix at the end of this system notice for additional system locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

TRAINS contains records of employees who register to attend training classes within the Department or who request training with an outside vendor for which approval and payment is required.

CATEGORIES OF RECORDS IN THE SYSTEM:

TRAINS consists of records relating to an employee's applications for, and participation in, Department training classes (internal training) and training courses, conferences, or other training-related activities offered by vendors or government agencies outside the Department (external training). In addition to the employee's name, the system contains the employee's Social Security Account Number, position level, pay plan, grade, series, organization in which employed, building/room/telephone number, service completion date, supervisor's name, training requests, record of whether the employee attended or did not attend the internal class, and record of approval by principal office and cost of the external training, conference or

training-related activity. For internal training use, TRAINS has tables of course names and categories required to set up internal training classes and report the statistics on training offerings (numbers of attendees for specific courses during specific date parameters, for example). TRAINS also contains tables of users' identification information, building addresses, room locations, and vendor names and addresses.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 4103 (1994).

PURPOSE(S):

TRAINS is used for the following purposes: (1) To track course enrollments; (2) provide course rosters; (3) to produce attendance records for employees who attend internal training classes; (4) to produce reports on individual employees' training activities; (5) to produce reports on training activities conducted by individual organizations within the Department; and (6) by employees to request approval to attend training activities conducted outside the Department.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record in this system of records under the routine uses listed in this notice without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Disclosure for Use by Other Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation if that information is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility within the receiving entity's jurisdiction.

(2) *Enforcement Disclosure.* In the event that information in this system of records indicates, either on its face or in connection with other information, a violation or potential violation of any applicable statute, regulation, or order of a competent authority, the Department may disclose the relevant records to the appropriate agency,