

POLICY: PERSONNEL RECORDS AND FILES

The school unit shall maintain a personnel file in the Office of the Superintendent for each employee. The personnel file shall include the following sections:

Directory Information

As required by law, a record of directory information for each employee shall be open to inspection and copying by any person. Directory information shall contain:

- A. Name of employee;
- B. Date(s) of employment by the school unit;
- C. Regular and extra-curricular duties, courses, subjects taught, and any other responsibilities since the start of employment by the school administrative unit;
- D. Post-secondary education institution(s) attended;
- E. Major and minor field(s) of study as required by those institutions; and
- F. Degrees received and dates degrees were awarded.

Confidential Information

As required by law, the following information shall be categorized as confidential as it pertains to an employee or an applicant for employment or to the immediate family of either:

- A. All information, working papers, and examinations used in the examination or evaluation of all applicants for employment;
- B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
- C. Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
- D. Credit information;
- E. Except as provided by the section on Directory Information, the personal history, general character or conduct of the employee or any member of the employee's immediate family;
- F. Complaints, charges of misconduct, replies thereto and memoranda and

other materials pertaining to disciplinary action;

G. Social Security number; and

H. Any teacher action plan and support system documents and reports maintained for certification purposes.

Disciplinary Action Information

Any written record of a decision involving disciplinary action taken with respect to an employee by the school board shall not be included within any category of confidential information.

Procedures for Review of Personnel Files

A. The superintendent shall, upon written request from an employee or former employee, provide the employee or former employee or his/her duly authorized representative(s) with an opportunity to review his/her personnel file, if the superintendent has a personnel file for that employee.

B. Reviews of personnel files shall take place at the location where the personnel files are maintained and during normal school hours.

C. For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the superintendent as in his/her possession.

General Access to Personnel Files

Access to a personnel file may be given to the following persons without the consent of the employee:

A. The superintendent or his/her designee, the employee's principal or other supervisor(s). Personnel files are not accessible to individual board members. Relevant portions may be summarized for the board by the superintendent when consideration is being given to performance evaluation and continuation of employment; and

B. The general public shall have access only to the Directory Information as outlined above.

No other person shall have access to a personnel file except under the following circumstances:

A. When the employee gives written consent to the release of his/her records. The written consent must specify the record(s) to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and

B. When subpoenaed or under court order.

Records Management

The superintendent shall charge a staff member with the overall responsibility for maintaining and preserving the confidentiality of personnel files. This staff member shall be responsible for granting or denying access to records on the basis of the above guidelines.

Full and appropriate written reports are to be maintained in personnel files to document implementation of and compliance with federal and state laws and regulations and school board policies regarding evaluations of staff. Once it is determined by established procedures that such a document is to be placed in a personnel file, it is to so remain permanently.

Legal Reference: TITLE 20a MRSA SEC. 6101

Cross Reference: KDB - PUBLIC'S RIGHT TO KNOW/FREEDOM OF INFORMATION

Adopted: 12/11/96