

Greater Albany SD 8J
Board Policy

Code: **GBL**
Adopted: 2/11/80
Revised/Readopted: 3/12/01, 1/23/06
Orig. Code(s): BP 1750

Personnel Records

Personnel files will be maintained for all regular employees of the district and shall be maintained in the district's central administrative offices. A personnel file shall be open for inspection by the employee and such other persons as are officially designated by the Board or employee. The district official personnel records are kept in personnel files which are the property of the district.

All records containing employee medical condition information such as workers' compensation reports and release/permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

The superintendent will be responsible for establishing regulations regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file. All charges resulting in disciplinary action shall be considered a permanent part of the employee's personnel file and shall not be removed except by mutual consent. Employees may submit a written response to any materials placed in their personnel file.

Inspection of personnel files will be provided only to the following designated persons:

1. The individual employee. An employee or designee may arrange with the human resources office to inspect the contents of his/her personnel file on any day the human resources office is open for business;
2. Others with written authorization of employee;
3. The comptroller or auditor, when such inspection is pertinent to carrying out his/her respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;
4. A Board member when authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The superintendent and designated members of the superintendent's staff;
6. The personnel and business department employees;
7. District building administrators who currently supervise or prospectively supervise the employee;

8. Courts and public agencies with the power of subpoena and attorneys for the district when relevant to district business;
9. The superintendent may permit persons other than those specified to use and inspect employee records when, in his/her opinion, the person requesting access has a legitimate official purpose. The superintendent shall determine in each case the appropriateness and extent of such access.
10. The disciplinary records¹ of a district employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502 and may be released to any person upon request. Prior to the release of disciplinary records the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a district employee who is not the subject of the disciplinary record.
11. Upon request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission, a district shall provide the records of investigation of suspected child abuse by a district employee.

END OF POLICY

Legal Reference(s):

[ORS 342.850](#)
[ORS 652.750](#)
[ORS 342.143](#)
[ORS 339.370 - 339-375](#)

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Cross Reference(s):

[ACA](#) - Americans with Disabilities Act
[EH](#) - Record Retention
JHFE - Mandatory Reporting of Suspected Child Abuse

¹Disciplinary records is defined as records related to a personnel discipline action or materials or documents supporting that action.