

Coos Bay School District 9

Code: **GBL**
Adopted: 9/12/05
Readopted: 2/27/12
Orig. Code(s): GBL

Personnel Records

The school administration shall maintain a personnel file in the central office for each employee. The personnel file shall include the following:

Basic Information – Shall include the application of the employee, pre-employment references that are not classified as confidential, records of inservice activities, etc.

Evaluation Information – Shall include all complaints against, and commendations of, the employee, written records of conferences that include suggestions for corrections and improvements, and evaluation reports made by supervisors.

Additions to the personnel file, either complaint, commendation, suggestion or evaluation, may not be included in the personnel file unless they meet the following requirements:

1. The comment is signed by the person making the complaint, commendation, suggestion or evaluation; and
2. The employee may offer a denial or explanation of the complaint, commendation, suggestion or evaluation, and such denial or explanation shall become part of the employee's personnel file.

Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel files. All charges resulting in disciplinary action shall be considered a permanent part of licensed staff's personnel file and shall not be removed for any reason.

Access to the employee's personnel file shall be available to the following persons without the consent of the employee:

1. The superintendent and administrators in the central administration office for the district.
2. The employee's principal(s) and/or immediate supervisor.
3. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection.
4. The attorney for the Board.
5. Personnel secretary and payroll clerk.
6. Accountant for the Board as necessary for audit. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection.

7. The individual employee. An employee or designee may arrange with the central office to inspect the contents of his/her personnel file on any day the central office is open for business.

No other person may have access to an employee's personnel file except under the following circumstances:

1. When the employee gives written consent to the release of the records. The written consent must specify the records to be released. Each request for consent must be handled separately; blanket permission for release of information shall not be accepted.
2. When subpoenaed or under court order.
3. When designated by the Board.

An employee or the employee's designee may have access to the employee's personnel file during regular office hours. Any employee has the right to make written objections to any information contained in the file. The employee must sign any written objection and it shall become part of the personnel file. Files may not be removed from the Personnel Office and will be examined in the presence of a personnel office employee.

Notwithstanding the foregoing, the disciplinary records 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 shall be released to any person upon request. "Disciplinary records" is defined as records related to a personnel discipline action or materials or documents supporting that action. Prior to disclosure, the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or district employee who is not the subject of the disciplinary record.

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 investigations of suspected child abuse by a district employee.

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 shall be the records manager for employee personnel files and shall have the overall responsibility for maintaining and preserving the confidentiality of employee personnel files. The superintendent may, however, designate another official to perform the duties of record manager. The records manager is responsible for granting or denying access to records on the basis of these regulations.

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 - Electronic Data Management