

Douglas Education Service District

Code: **GBL**
Adopted: 4/17/08
Readopted: 4/16/15
Orig. Code(s): 2025

Personnel Records

An official personnel file will be established for each person employed by the ESD. Personnel files will be maintained in a central location.

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 (ADA), Health Insurance Portability and Accountability Act (HIPAA) or other applicable law.

The superintendent will be responsible for establishing administrative 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 for any reason. Employees may submit a written response to any materials placed in their personnel file.

Except as provided below, or required by law, district employees' personnel records will be available for use and inspection only by the following:

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 designated in writing by the 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 specifically 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 members of the central administrative staff;
6. District administrators and supervisors who currently or prospectively supervise the employee;
7. Employees of the personnel office;
8. Attorneys for the district or the district's designated representative on matters of district business.

The superintendent may permit persons other than those specified above and in the collective bargaining agreement to use and to inspect personnel records when, in his/her opinion, the person requesting access has a legitimate official purpose. The superintendent will determine in each case the appropriateness and extent of such access.

END OF POLICY

Legal Reference(s):

[ORS 342.850](#)

[ORS 652.750](#)

[OAR 581-024-0245](#)

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).

Americans with Disabilities Act Amendments Act of 2008.