

Personnel Records

An official personnel file will be established for each person employed by the district.

The superintendent will be responsible for establishing regulations regarding the control, use, safety, and maintenance of all personnel records. Such files will be maintained in a central location.

Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file, and may submit a written response which will be attached to the file copy.

An employee or designee may arrange with the personnel office to inspect the contents of his/her personnel file during business hours of any day the personnel office is open.

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

1. The individual employee;
2. Others designated in writing by the employee;
3. A member of the Board when specifically authorized by the Board, the comptroller or auditor when such inspection is pertinent to carrying out their 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 by Board members;
4. The superintendent and members of the central administrative staff;
5. District administrators and supervisors will have access to the files of employees they currently or prospectively supervise;
6. Employees of the personnel office;
7. Attorneys for the district on matters of district business;
8. The superintendent may permit persons other than those specified above to use and inspect employee 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;

9. 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.
10. 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.

Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order requiring their release.

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.

END OF POLICY

Legal Reference(s):

[ORS 342.143](#)
[ORS 342.850](#)
[ORS 652.750](#)

SB 755 (2005)

OSEA v. Lake County School District, Case No. C-202-83, 8 PECBR 7837 (1985); rev'd, 81 Or App 623 (1986); order on remand, 9 PECBR 9501 (1987); aff'd, 93 Or App 481 (1988).

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

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