

# Hermiston School District 8R

Code: **GBL**  
Adopted: 7/1/92  
Revised/Readopted: 7/6/04, 5/3/05  
Orig. Code(s): GBL

## Personnel Records

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

Each employee shall have the right to review the contents of his/her own personnel file in the presence of a witness from the personnel office except that all confidential material supplied by outside agencies concerning an original employment may be removed from the file and shall not be subject to review by the employee. The employee may request a third party to accompany him/her in such review.

Access to personnel files shall be as follows:

1. The immediate supervisor of the employee as designated by the superintendent;
2. The superintendent;
3. Members of the superintendent's staff so designated;
4. As designated in any duly authorized collective bargaining agreement and under conditions stipulated in the agreement;
5. Any other access required by laws of the state of Oregon or the United States.

END OF POLICY

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**Legal Reference(s):**

[ORS 342.850](#)

[ORS 652.750](#)

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).

**Cross Reference(s):**

ACA - Americans with Disabilities Act