

Lake County School District 7

Code: **GBL**
Adopted: 11/28/05
Readopted: 3/28/11
Orig. Code(s): GBL

Personnel Records*

It is the policy of the Board that all official records of personnel employed by the district be kept in the administration office under adequate protection at all times. Such records may be inspected only by the individual concerned, the superintendent, a Board member when specifically authorized by the Board, legal counsel, others authorized in writing by the individual concerned, the auditor when such inspection is pertinent to carrying out his/her respective duties, district administrators and supervisors who currently or prospectively supervise the employee. Arrangements for inspection should be made in advance with the personnel office and the files shall remain in the personnel office at all times during the inspection process. The superintendent may permit persons other than those specified above 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.

Personnel files will be maintained in accordance with the following requirements:

1. Content: There shall be an official personnel file which shall include, but is not necessarily limited to, the following items:
 - a. Completed application for employment;
 - b. Academic transcripts;
 - c. Employment contracts;
 - d. Teacher license and related information;
 - e. Annual performance evaluation reports, using state form(s) and those of the district, if any;
 - f. Records of additional academic work and related growth experience;
 - g. Copies of commendations, complaints and suggestions, and written disciplinary actions, related to professional performance.
2. Removal of Materials: All charges resulting in disciplinary action for a teacher shall be considered a permanent part of the teacher's personnel file and shall not be removed for any reason.
3. Employee Convicted of a Crime: 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.

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

4. Suspected Child Abuse: 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.
5. Medical Records: 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.
6. Employee's Responses: Individual employees may have placed in their files any replies, comments or explanations the employee wishes to append to such data and reports.
7. Working Files: Each supervisor may maintain an official working folder to assist with supervisory responsibilities.
8. Copying Charges: The superintendent may determine charges for copying or otherwise reimbursing the district for costs involved in meeting requests for records.
9. Release of Records: Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order.

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