



Code: **GBL**  
Adopted: 9/28/05  
Revised/Readopted: 7/09/08; 10/26/16

## **Personnel Records**

An official personnel file will be established for each person employed by the district. Such 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 or designee will be responsible for establishing procedures 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 and have attached 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 (with written permission) may arrange with the personnel office to inspect the contents of his/her personnel file on any day the personnel 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 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;
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. Personnel office employees;
8. Attorneys for the district or the district's designated representative on matters of district business;

9. The disciplinary records<sup>1</sup> of a district employee convicted of a crime listed in Oregon Revised Statute (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 disclosure, the district shall remove any personally identifiable information from the records that would disclose the identity of a child, a crime victim or a school 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 Teacher Standards and Practices Commission, a district shall provide the records of investigations of suspected child abuse by a district employee.

The superintendent or designee 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 or director of personnel services will determine in each case the appropriateness and extent of such access

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

END OF POLICY

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**Legal Reference(s):**

[ORS 342.143](#)  
[ORS 342.850](#)  
[ORS 652.750](#)  
[ORS 339.370](#) to -339.400

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.

**Cross Reference(s):**

ACA - Americans with Disabilities Act  
EH - Electronic Data Management

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<sup>1</sup>“Disciplinary records” is defined as records related to a personnel discipline action or materials or documents supporting that action.