

PERSONNEL RECORDS:

Personnel records shall be maintained in two areas. Those records required for payroll purposes and for record keeping under the Fair Labor Standards Act and other laws pertaining to payroll record keeping will be maintained by the Business Manager. All personal information as defined by law will be maintained in this file. Only employees who have a need to know in order to perform their duties will have access to this information. All other personnel records will be maintained in the Superintendent's office.

It is deemed to be a Class B misdemeanor for any person in any public school district in this state to maintain a secret personnel file concerning any teacher or teachers to which said teacher or teachers do not have access.

The Superintendent shall keep a personnel folder for each employee, certificated and classified. The folder shall contain such information as is required by law and shall include performance evaluations, the Business Manager's record of the certificate held for all certificated personnel, an itemized list of all documents in the file, and a record of access including the date of review and identity of persons reviewing the file if they choose to identify themselves. This file must be open and accessible during reasonable office hours of the District.

Employment references, transcripts, and other material used in the process of hiring will be destroyed unless the applicant requests the items be returned and provides a self-addressed stamped envelope.

Transcripts used in the process of hiring will be returned to the employee. Certificated staff will be required to have them available for accreditation purposes as needed.

With the exception of the Superintendent's folder, the folder shall be maintained in the District administrative office and shall be available during school hours for review by members of the public under the following procedures:

1. The request to review an employee's record may be made in writing, in person, or by phone. Written requests shall become a part of the file.
2. The file may be viewed in the administrative office. A school district employee other than the employee whose file is being reviewed shall be present during the review of the file to maintain the security of the file's contents.
3. Copies of any documents in the file will be made upon request and a reasonable charge to the person requesting them. The charge may include the cost of materials, use of equipment, and labor for making the copies, but not time spent in locating the file. The cost of mailing may also be included in the charge if the copy is to be mailed. This charge shall be applied uniformly and without discrimination.
4. The employee shall be notified that the file will be reviewed or has been reviewed.
5. The Superintendent or Business Manager may seek legal advice on matters pertaining to the review, but access may not be unreasonably delayed.

Records of medical treatment or use of employee assistance programs is not a part of the personnel record and shall not be released without written consent of the employee.

The Superintendent's folder will be maintained by the Business Manager and review of the Superintendent's folder shall follow the same procedures. The Board President may serve as the school employee who is present during the viewing of the file.

Legal Ref:	NDCC Ch. 15.1-17	Teachers' Personnel Files
	NDCC 44-04-18	Access to public records
	NDCC 44-04-18.1	Public employee personal, medical, and employee assistance records - Confidentiality