

5.20.110-P Personnel Records

- (1) **Maintenance and Control**. The superintendent of schools shall establish, maintain and control records for employees, which relate to the character, personal history, scholarship, school reports, and other data of a confidential nature, as may be needed.
- (2) **Confidentiality**.
 - (a) The superintendent shall establish procedures for the use of personnel records which will assure confidential use of such records as follows:
 - (A) By members of his staff;
 - (B) By courts and public agencies with the power of subpoena and attorney for the district's when relevant to and necessary in the performance of their respective duties;
 - (C) By the Board.
 - (b) Those using such files shall maintain their confidential character by restricting their use to the official purposes for which such was authorized and shall allow other access thereto only to the extent necessary to performance of such purposes and in accordance with any restriction specifically made applicable to their access thereto. In addition, the individual employee or his/her authorized representative may inspect his/her own personnel files as provided by other policies or agreements of the Board.
- (3) **Access to Files**.
 - (a) The superintendent shall designate those members of his staff who shall be authorized to have access to and the control of such files.
 - (b) When requests by others than said designated members of such files, the superintendent or his designee shall determine in each case the appropriateness and extent of such access within the limitations described in this policy.
 - (c) Except as otherwise expressly provided herein, no files shall be removed from the office of the superintendent for inspection by individual Board members, members of the staff, or other persons, unless such action is authorized by a vote of the majority of the Board.

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Legal References: 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. Section 12101 et seq. 29 CFR Part 1630

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