

Section G: Personnel

GBJ Personnel Records and Files

Directory Information

As required by law, a record of directory information for each employee shall be open to inspection and copying by any person. Directory information shall contain:

- A. Name of employee;
- B. Date(s) of employment by the school;
- C. Regular and extra-curricular duties, courses, subjects taught, and any other responsibilities since the start of employment by the school;
- D. Post-secondary education institution(s) attended;
- E. Major and minor field(s) of study as required by those institutions; and
- F. Degrees received and dates degrees were awarded.

Confidential Information

As required by law, all information (except Directory Information) about an employee, applicant for employment or an employee/applicant's immediate family shall be kept confidential if it relates to the following:

- A. All information, working papers, and examinations used in the evaluation or selection of applicants for employment;
- B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
- C. Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
- D. Credit information;
- E. The personal history, general character or conduct of the employee or any member of the employee's immediate family;
- F. Complaints, charges of misconduct, replies thereto and memoranda and other materials pertaining to disciplinary action;
- G. Social Security number;
- H. Any teacher action plan and support system documents and reports maintained for certification purposes; and

- I. Criminal history record information;
- J. Personal contact information, including home address, home telephone number, home facsimile number, home e-mail address, personal cellular telephone number and personal pager number.

Personnel Files

Personnel files will contain a cumulative history of the staff member's employment, including formal or informal employee work evaluations and reports pertaining to the employee's character, credit, work habit, compensation and benefits.

Other Confidential Personnel Records

The school must maintain the following confidential employee records separate from personnel files:

- A. Medical information of any kind; and
- B. Teacher action plan and support system documents and reports maintained for certification purposes.

Disciplinary Action Information

Any written record of a decision involving an employee disciplinary action by the Board shall not be included within any category of confidential information.

Procedures for Review of Personnel Files

For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the Director has in his/her possession.

- A. The Director shall, upon written request and within 10 business days, provide the employee, former employee, or his/her duly authorized representative(s) with an opportunity to review a copy of his/her personnel file, if the Director has a personnel file for that employee.
- B. Review of personnel files shall take place at the location where the personnel files are maintained and during normal office hours.
- C. The cost of any copying is to be paid by the person requesting the copy.
- D. Access to confidential college placement records and letters of reference will be granted only to the Director/designee.

Access to Personnel Files

Access to personnel files may be given to the following persons without consent of the employee.

- A. The Director or confidential designee.

- B. Relevant portions of a personnel file may be summarized and/or shared with the Board by the Director when consideration is being given to performance evaluation, continuation of employment or disciplinary action. Personnel files are not accessible to individual Board members.
- C. The general public shall have access only to the Directory Information as outlined above.
- D. The Commissioner of Education, when necessary to carry out his/her duties pursuant to law.

Access to personnel files will not be granted to any other persons except under the following circumstances:

- A. When an employee gives written consent for the release of his/her records. The written consent must specify the record(s) to be released and to whom they are released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and
- B. Upon advice of counsel, when subpoenaed or under court order.

Records Management

The Director has overall responsibility for maintaining and preserving the confidentiality of all employee/applicant records. The Director may designate a staff member who shall be responsible for granting or denying access to records according to the guidelines in this policy. Any person designated to screen requests for access to personnel records should receive appropriate training.

Once a document is properly placed in a personnel file, it shall remain in the file permanently.

Records Retention

The school will retain all personnel files in accordance with applicable laws and regulation.

Legal Reference: 20-A MRSA 6101; 13015
 26 MRSA 631
 1 MRSA Section 402(3)(O)
 Chapter 10, Rules for Disposition of Local Government Records
 (Maine State Archives)
 Americans with Disabilities Act of 1990, 42 U.S.C.
 Family and Medical Leave Act of 1993, 29 U.S.C. 2611 et seq.

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