

**PERSONNEL RECORDS**

The building principal shall keep a personnel folder for each employee, licensed 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 license held for all licensed 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.

**Location**

Personnel records shall be maintained in the following areas:

1. The Business Manager shall maintain records:
  - a. Required for payroll purposes, for record keeping under the Fair Labor Standards Act and the Family Medical Leave Act, and any other laws pertaining to payroll or leave recordkeeping.
  - b. Containing all personal information as defined by law, including but not limited to records of medical treatment and use of employee assistance programs.
2. The Director shall seal and mark as confidential all state and federal criminal history records and, if applicable, credit history records and motor vehicle records. These records shall be stored in a secure area.
3. Records relating to alcohol and controlled substance use/testing shall be maintained in accordance with federal regulations. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.
4. Each building principal's office shall maintain all other personnel records, excluding the Director's and the principal's file.
5. The Business Manager shall maintain the Director's personnel record. The Director shall maintain each building principal's personnel record.

Only employees who have a need to know in order to perform their duties shall have access to information listed in section one, two, and three above.

**Former Employees**

A file shall be kept for all resigned, terminated, or retired employees, including such essential information as shall seem appropriate to the administration, for at least six years following separation of employment.

**Pre-Employment Records**

Employment references should be returned to the author immediately following employment.

An attempt will be made to contact authors of confidential pre-employment references to inform them of the North Dakota open records law. Reference materials shall be returned only upon request of the author.

## **RECOMMENDED**

Descriptor Code: DI

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

### **Record Review**

The Board shall establish and approve a procedure for handling requests to review personnel records. The Director, Business Manager, and Board President may seek legal advice on matters pertaining to review requests but access to open public records will not be unreasonably delayed by such requests.

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#### Complementary Documents

- DI-BR, Personnel Records Review Procedure
- DI-E1, Personnel File Records Checklist
- DI-E2, Notice of Confidential Record on File
- DIA, Distribution of Personnel Directory
- DIB, Review of Material in Teacher Personnel Files
- DHAB, Title I Qualification Notification Requirements

**End of East Central Special Education Policy DI ..... Adopted: 5.22.23**

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