

**K. Personnel Records (PP3030)**

The superintendent 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 other laws pertaining to payroll 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 superintendent shall seal and mark 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 secured 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. The superintendent's office shall maintain all other personnel records, excluding the superintendent's file.
5. The business manager shall maintain the Superintendent's personnel record. The superintendent shall maintain each building principal's personnel record.

Only employees who have a need to know in order to perform their duties will 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 at least six years.

**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 will be returned only upon request of the author.

Transcripts used in the process of hiring will be returned to the employee. Licensed staff will 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 superintendent, 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.

Personnel records subject to open records laws shall be available during school hours for review by members of the public under the following procedures:

1. The request to view 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 or a copy may be mailed to the person requesting to view the file if that person so chooses. 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 at reasonable charge in accordance with law to the person requesting them. The charge may include the cost of materials, use of equipment, and labor for making the copies, and 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 may be notified that the file will be reviewed or has been reviewed.

Review of the superintendent's folder shall follow the same procedures. The board president or other board member may serve as the school employee who is present during the viewing of the file.