

# SANBORN REGIONAL SCHOOL DISTRICT

SRSD File: GBJ

## **PERSONNEL RECORDS**

### Statement of Purpose

This policy outlines the procedures and regulations of the district in maintaining personnel records. This policy is not intended to supersede guidelines or policies previously adopted by the Sanborn Regional School Board except insofar as those prior guidelines or policies are inconsistent with this policy, and is not intended to supersede any position of the statute or federal regulations.

### Statement of Policy

The Sanborn Regional School Board and its employees shall adhere to the following policy.

## **DEFINITIONS**

Personnel Record. “Personnel Record” means those records which (a) are directly related to a full or part-time employee of the school district, and (b) are maintained by the Sanborn Regional School District or by a party acting for the school district.

Employee. “Employee” means any person who is paid to work for the Sanborn Regional School District.

Record. “Record” means any information or data recorded in any medium, including but not limited to handwriting, print, tapes, film, microfilm, microfiche, or computer.

Superintendent. “Superintendent” means the Superintendent of the Sanborn Regional School District, New Hampshire School Administrative Unit No. 17.

Public Information. “Public Information” includes the name, address, contract, and salary of any employee of the Sanborn Regional School District.

## **INSPECTION AND REVIEW OF RECORDS**

Inspection. Any employee may review and inspect his or her own personnel record upon demand during the normal business hours. The Sanborn Regional School District may require that a school official be present during the inspection and review.

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Copies. The right to inspect and review includes the right to obtain copies of the records from the Sanborn Regional School District. The school district will not charge a fee to search for or to retrieve such records, but will charge a fee to make copies. The copy fee shall be \$.25 per 8 1/2 x 11 inch or 8 1/2 x 14 inch photocopy. For other sorts of copies, the copy fee shall be equal to the cost of the material and time involved in the copying, but may not exceed the fee charged by commercial copying businesses. If the record is maintained in such media form as tapes, film, microfilm, or otherwise not capable of being conveniently copied on equipment of the Sanborn Regional School District, the school district may, at its discretion, require the employee to assume the initiative in identifying a resource to copy such records, and/or require the employee to pay in advance the costs of such copying.

## **TYPES AND LOCATIONS OF *PERSONNEL* RECORDS**

General. The Sanborn Regional School District maintains personnel records classified as Category A - "Employment", Category B - Financial and Attendance; and Category C - Building Level.

Category A - Employment. "Category A - Employment" may include an employee-completed application form, a copy of his/her most current certification credential (if required), evaluation forms, transcripts (if required), staff development forms, correspondence, employment eligibility (form I-9), commendations or reprimands, certification of medical examination and other information as required by the Superintendent of Schools or requested by the employee or required by state or federal statutes.

Category B - Financial and Attendance. "Category B - Financial and Attendance Records" may include an employee's federal withholding tax Form, health/dental/life insurance forms with copy of COBRA notice, Personnel Employee/Payroll Data Sheets, Contract History Sheet, Attendance Record, New Hampshire Retirement System application, signed contracts, requests for payroll deductions, employee separation form, and other information as required by the Superintendent of Schools or requested by the employee, or required by state or federal statutes.

Category C - Building Level. "Category C - Building Level Records" may include a signed copy of an employee's evaluation form, letters of commendation or reprimand, correspondence, and any other information as required by the building principal or requested by the employee, or required by state or federal statutes.

Locations. Category A and B records are maintained in the School Administrative Unit No. 17 Office. Category C records are maintained in the principal's office of each school.

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Persons Responsible for Records. The Superintendent of Schools or his/her designee is responsible for the maintenance of Category A and B records. The building principal is responsible for Category C records.

## **DISCLOSURE**

Limitation. The Sanborn Regional School District will not disclose the confidential personnel records without the prior written consent of the employee, except as permitted under this policy, or as otherwise required by federal or state statutes or regulations, or school policies.

## **DISCLOSURE TO OTHER SCHOOL OFFICIALS**

No Prior Written Consent Required. The Sanborn Regional School District may disclose Category A, B, and C records without the written consent of the employee to other officials of the school district who have a legitimate interest.

Legitimate Interest. The school official's interest shall be deemed legitimate when access to the record would assist the school official in performing his or her responsibilities in the planning, implementing, monitoring or evaluating of the educational program or the performance of an individual staff member or group of staff members, or in carrying out responsibilities incidental to the requirements of federal, state or local law, policy or guidelines.

School Officials. School officials include members of the school board, the Superintendent of Schools, and personnel performing under the Superintendent's authority and direction, including administrators, secretarial and clerical personnel and legal counsel.

## **PUBLIC INFORMATION**

No Consent Required. "Public information" concerning a staff member may be released without prior written consent to any eligible citizen.

## **MAINTENANCE AND DESTRUCTION OF RECORDS**

Records of Current Employees. The Sanborn Regional School District will maintain personnel records (A, B, and C) of every employee during his/her term of employment with the Sanborn Regional School District.

Records of Past Employees. The records of past employees will be maintained in an inactive record file.

Destruction of Records of Former Employees. Category A and Category C records will be maintained in the inactive file for three (3) years following the termination of the employee. Category B records will be maintained permanently in the inactive file.

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## **CORRECTION OR AMENDMENT OF RECORD**

Request to Amend. Any employee who believes that information contained in his/her personnel records is inaccurate or misleading or violates the privacy or other rights of the employee may request that the Sanborn Regional School District amend them. Such request shall state specifically the item or items of information under question and the amendment which the employee requests. The request to amend shall be in written form and addressed to the Superintendent of Schools.

Decision on Request. The Superintendent of Schools shall decide whether to amend the personnel records of the employee in accordance with the request, and shall inform the employee of his/her decision or action in writing within a reasonable period of time after receipt of the written request. If the employee does not agree with the decision, he/she may submit a written statement to be included in the file.

## **DISCLAIMER OF LIABILITY**

This policy establishes standard operating procedures, but is not intended to create any new legal rights beyond those created by state or federal law. Failure by the school district, its employees or agents to comply with the provisions of this policy shall not constitute the basis for any legal proceeding for damages or other relief.

## Legal Reference

RSA 91:A:5 - Access to Public Records

Effective: November 2, 1983

Revised: October 21, 1998

Reaffirmed: May 18, 2011