

**Linn Benton Lincoln  
Education Service District**

Code: **GBL**  
Adopted: 7/8/98  
Readopted: 10/10/07

**Personnel Records**

Files with personnel records that may contain such information as applications for employment, references, records relative to compensation, payroll deductions, evaluations, complaints and written disciplinary actions will be maintained for all regular ESD employees.

Employees or a designee may inspect their own personnel records and may copy documents in the file. Employees may make written statements relating to any evaluation or any other document placed in their individual file. All charges resulting in disciplinary action for ESD teachers shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. Inspections by employees must be requested to the personnel department and will be scheduled at a mutually convenient time. All inspections must be conducted in the presence of a designated member of the personnel department.

Supervisory and management employees who have a legitimate employment related need for information about another employee may inspect the files of that employee. The inspection must be approved by the personnel department.

An ESD Board member, when specifically authorized by the Board, may inspect a personnel file. The information will be kept confidential and no file will be removed from the central location for personal inspection.

All records containing employee medical condition information such as workers' compensation reports and release/permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

Release of personnel records to parties other than those authorized to inspect such records will occur only upon receipt of a court order, subpoena or written release by the employee.

END OF POLICY

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**Legal Reference(s):**

[ORS 342.850](#)

[ORS 652.750](#)

[OAR 581-024-0245](#)

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

**Cross Reference(s):**

ACA - Americans with Disabilities Act