

PERSONNEL

PERSONNEL FILES

Minnesota state law places duty on school districts to establish appropriate safeguards on all records containing data on individuals. The use and dissemination of information on individuals must be limited to what is necessary “for the administration and management of programs specifically authorized by the legislature or local governing board or mandated by the federal government.”

In keeping with this mandate, the Bemidji School District has designated the Director of Personnel Services or his designee to be responsible for monitoring the collection and dissemination of data.

Personnel files cannot be accessed by anyone and the information contained in a personnel file cannot be disseminated to anyone until the matter has been reviewed by the individual responsible for the maintenance of the data.

Anyone who has been given permission to access a personnel file must complete a log indicating the data accessed, name of the person accessing the file and the purpose for which the file was accessed.

When a disciplinary action against an employee is in process, the following information can be released:

1. the existence and status of the complaint or charge against the employee;
2. whether or not the complaint or charge resulted in disciplinary action;
3. the final disposition of the disciplinary action;*
4. the specific reasons for the disciplinary action; and
5. data documenting the basis of the action, except data that would identify confidential sources who are employees of the school district.

*Final Disposition: In the law, final disposition is defined rather narrowly. A final disposition does not occur until the School District makes its final decision. Thus, the final decision is not made until the grievance procedure has ended either by an arbitrator’s award or by the employee failing to pursue a grievance to the next step. Thus, the School District will not release information until the employee has completed or abandoned the grievance.