

# **BOARD OF EDUCATION**

Cherry Hill, New Jersey

## **POLICY 4112.6/4212.6**

### **PERSONNEL RECORDS**

Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The board of education recognizes that there is a distinction between those personnel records which are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the commissioner of education or the courts.

The superintendent or designee shall consult with the board attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The superintendent and the board attorney shall be responsible for limiting administrative records to those which are consistent with New Jersey and federal law.

The superintendent shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The superintendent shall devise procedures for making this file available to the public in accordance with the Public Right to Know Laws.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance, record of attendance; original application filed by the employee; original salary and increments, date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
  - 1. At any time, by the superintendent or the supervisory personnel he/she designates;
  - 2. During regular business hours, by the employee or his/her personally authorized representative, in accordance with regulations;
  - 3. During regular business hours, or at any meeting of the board or any committee thereof, by any member of the board when necessary to make an informed decision regarding any assigned board responsibility or duty.
- C. Employee health records shall be maintained in strict confidentiality by the chief medical inspector.

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- D. Staff emergency contact cards for all employees shall be maintained by the superintendent and updated annually.

*Legal References:*

<i>N.J.S.A. 18A:6-7</i>	<i>Oaths of persons employed in teaching capacity</i>
<i>N.J.S.A. 18A:6-7A</i>	<i>Alleged child abuse, neglect by school employee; no use if unfounded</i>
<i>N.J.S.A. 18A:6-11</i>	<i>Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice</i>
<i>N.J.S.A. 18A:11-1</i>	<i>General mandatory powers and duties</i>
<i>N.J.S.A. 18A:54-20</i>	<i>Powers of board (county vocational schools)</i>
<i>N.J.S.A. 47A:1A</i>	<i>Examination and copies of public Records (Public Right to Know Law)</i>
<i>N.J.S.A. 47:3-15 et</i>	<i>Destruction of Public Records Lawseq.</i>
<i>N.J.A.C. 6:29-7.4 (g)</i>	<i>Requirements of physical examinations</i>
<i>N.J.A.C. 6:29-9.2(a),7</i>	<i>Adoption of policies and procedures</i>
<i>N.J.A.C. 12:100-4.2</i>	<i>Safety and health standards for public employees occupational Exposure to bloodborne pathogens</i>

*29 CFR 1910.1030 – Bloodborne Pathogen Standard*  
*Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974*

*Citizens for Better Education v. Camden Bd. Of Ed., 124 N.J. Super 523 (App. Div. 1973)*

*Trenton Times Corp. v. Trenton Bd. Of Ed., 138 N.J. Super 357 (App. Div. 1976)*

*Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)*

*Brick Township Education Association v. Brick Township Bd. Of Ed., 1974 S.L.D. 111*

*Sayreville Education Association v. Sayreville Bd. Of Ed., S.L.D. 197*

*White v. Galloway Township Bd. Of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D. 903*

*Witchel v. Cannici and the Passaic Bd. Of Ed., 1966 S.L.D. 159*

*Mendall v. Cimmino and the Kinnelon Bd. Of Ed., 1970 S.L.D. 185*

*Cordano v. Weehawken Bd. Of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323*

*Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752*

*Lacey Township Board of Education v. Lacey Township Education Association, 130n N.J. 312 (1992)*

Approved: 10/23/00