

## SCHOOL BOARD ACCESS TO PERSONNEL RECORDS

In accordance with the Regulations of the Commissioner of Education, members of the Board of Education may review employee personnel records only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions in such employee personnel matters as appointments, assignments, promotions, demotions, remuneration, discipline, or dismissal, or to aid in the development and implementation of personnel policies, or such other uses as are necessary to enable the Board to carry out legal responsibilities.

A member of the Board of Education may review an employee record provided that:

1. the Superintendent is requested in advance to present the file at a regularly scheduled Stated Meeting of the Board of Education;
2. a majority of the Board of Education agrees that there is a legitimate purpose for which the file may be reviewed;
3. the file is reviewed during an Executive Session;
4. the personnel records are returned in their entirety to the Superintendent of Schools at the conclusion of the Executive Session; and
5. no reproduction of the records is made and no written notes are taken of the contents of employee records.

Ref: Education Law §§1604; 1708; 1709; 1710; 2554; 2563  
8 NYCRR, Part 84  
*Appeal of Meyer & Pavalow*, 46 Ed Dept Rep 43 (2006)  
*Application of Bean*, 42 Ed Dept Rep 171 (2002)  
*Matter of Krasinski*, 29 Ed Dept Rep 375 (1990)  
*Gustin v. Joiner*, 95 Misc. 2d 277 (1978), aff'd 68 AD2d 880 (1978)  
*Matter of Bruno*, 4 EDR 14 (1964)

Adoption date: July 20, 2011

Revised:

