

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, tenure recommendations, 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.

Board members may review employee personnel records provided:

1. the Superintendent is requested in advance to present the file at a regularly scheduled open meeting of the Board;
2. the records are reviewed during an executive session;
3. the personnel records are returned in their entirety to the Superintendent at the conclusion of the executive session; and
4. no reproduction of the records is made and no written notes are taken of the contents of employee personnel records.

Ref: Education Law §§1604; 1604-a; 1701; 1708; 1709; 1710
 8 NYCRR, Part 84
Gustin v. Joiner, 95 Misc. 2d 277 (1978), *aff'd* 68 AD2d 880 (1978)
Matter of Bruno, 4 EDR 14 (1964)

Approved:	03/03/2010
2nd reading (replacing 8:06.4):	03/03/2010
1st reading (replacing 8:06.4):	02/03/2010