

**§6101. Record of directory information**

The following provisions apply to employee records. [PL 1981, c. 693, §§5, 8 (NEW).]

**1. Contents.** A school administrative unit shall maintain a record of directory information on each employee as follows:

- A. Name; [PL 1981, c. 693, §§5, 8 (NEW).]
  - B. Dates of employment; [PL 1981, c. 693, §§5, 8 (NEW).]
  - C. Regular and extracurricular duties, including all courses taught in that school administrative unit; [PL 1981, c. 693, §§5, 8 (NEW).]
  - D. Post-secondary educational institutions attended; [PL 1981, c. 693, §§5, 8 (NEW).]
  - E. Major and minor fields of study recognized by the post-secondary institutions attended; and [PL 1997, c. 452, §1 (AMD).]
  - F. Degrees received and dates awarded. [PL 1997, c. 452, §1 (AMD).]
  - G. [PL 1997, c. 452, §2 (RP).]
- [PL 1997, c. 452, §§1, 2 (AMD).]

**2. Access.** The following provisions apply to access of employee records.

A. The record of directory information shall be available for inspection and copying by any person. [PL 1981, c. 693, §§5, 8 (NEW).]

B. Except as provided in paragraph A, information in any form relating to an employee or applicant for employment, or to the employee's immediate family, must be kept confidential if it relates to the following:

- (1) All information, working papers and examinations used in the examination or evaluation of all applicants for employment;
  - (2) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
  - (3) Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
  - (4) Credit information;
  - (5) Except as provided by subsection 1, the personal history, general character or conduct of the employee or any member of the employee's immediate family;
  - (6) Complaints, charges of misconduct, replies to complaints and charges of misconduct and memoranda and other materials pertaining to disciplinary action;
  - (7) Social security number;
  - (8) The teacher action plan and support system documents and reports maintained for certification purposes; and
  - (9) Criminal history record information obtained pursuant to section 6103. [PL 1995, c. 547, §4 (AMD).]
- C. Any written record of a decision involving disciplinary action taken with respect to an employee by the governing body of the school administrative unit shall not be included within any category of confidential information set forth in paragraph B. [PL 1981, c. 693, §§5, 8 (NEW).]
- [PL 1995, c. 547, §4 (AMD).]

**3. Commissioner's review.** The commissioner shall have access to any of the records or documents designated as confidential in this section for carrying out the commissioner's duties pursuant to section 13020. Copies of any such records or documents shall simultaneously be provided to the employee.

The commissioner shall also have access to support system documents for carrying out the commissioner's certification and support system approval duties pursuant to chapter 502 and to other confidential employee records for carrying out the commissioner's school approval duties pursuant to chapter 206.

[PL 1987, c. 620, §2 (AMD).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 470, §5 (AMD). PL 1983, c. 806, §60 (AMD). PL 1983, c. 862, §58 (AMD). PL 1985, c. 506, §A37 (AMD). PL 1987, c. 620, §§1,2 (AMD). PL 1995, c. 547, §§2-4 (AMD). PL 1997, c. 452, §§1,2 (AMD).

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