

PETITION FOR REMOVAL OF PERSONNEL RECORDS

Policy Code: 7821

Any employee may petition the board of education to have removed from his or her personnel file any information that the employee believes to be invalid, irrelevant or outdated. The board may order the superintendent to remove said information if it finds the information is invalid, irrelevant or outdated.

1. The petition must be in writing, signed by the employee and submitted to the director of human resources.
2. The petition must identify the specific information in question and the reasons for claiming it is invalid, irrelevant or outdated.
3. The written petition and the information in question, together with a recommendation from the superintendent or designee, must be submitted by the administration to a panel of the board consisting of not less than two members appointed by the chairperson.
4. The board panel must review the petition and the information in question and may make a decision including, but not limited to, the following:
 - a. deny the request for removal;
 - b. make a specific finding that the information in question is "invalid, irrelevant or outdated" and instruct the superintendent to remove the information in question from the employee's personnel file;
 - c. make a specific finding that the information in question is "invalid, irrelevant or outdated"; but decide to leave the information in question in the employee's personnel file and add to the personnel file a copy of the petition, the superintendent's recommendation and the panel's findings;
 - d. request more written information from the petitioner and/or the person who submitted the information in question for placement in the petitioner's personnel file;
 - e. schedule a hearing to allow both parties to present additional information; or
 - f. such other appropriate action as the panel may deem proper.

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5. The decision of the panel will constitute the decision of the full board.

Legal References: G.S. 115C-36, -47, 325(b) (applicable to career status teachers), 325.2 (applicable to non-career status teachers)

Cross References:

Adopted: May 1, 2000

Updated: August 3, 2009

Updated: June 2, 2014