

PERSONNEL FILE RECORDS CHECKLIST

Personnel Files Maintained by Administrators or Human Resources

Record	Open, closed, or exempt	Notes
Absence records	Open, NDCC 15.1-07-25 (1)	
Current contact information	Exempt, NDCC 44-04-18.1 (2)	
Disciplinary notices and documents	Open, During an investigation all evidence gathered is closed for 60 days or until the investigation is complete (whichever is first) NDCC 15.1-07-25 (2)	Evidence gathered during an investigation may be retained in a separate file. The investigation outcome letter or a notice of investigation form (KACB-E4) may be placed in the administrator's copy of the personnel file
Employee bonds	Open, NDCC 15.1-07-25 (1)	
Intent to hire letter, intent to rehire letter, and contracts	Open, NDCC 15.1-07-25 (1)	
Job descriptions	Open, NDCC 15.1-07-25 (1)	
Letters of recognition	Open, NDCC 15.1-07-25 (1)	
Licenses and/or required certifications	Open, NDCC 15.1-07-25 (1)	Driver's license id numbers are exempt, NDCC 44-04-18.1 (2)
Notice of confidential records on file form (DI-E2)	Open, NDCC 15.1-07-25 (1)	
Observation and evaluations records	Open, NDCC 15.1-07-25 (1)	
Policy acknowledgment and agreement forms (BDA-E)	Open, NDCC 15.1-07-25 (1)	
Records relating to job offers, promotion, demotion, and	Open, NDCC 15.1-07-25 (1)	

Record	Open, closed, or exempt	Notes
transfers		
Reasonable accommodation requests (AAC-E4)	Closed, NDCC 44-04-18.1	
Termination and resignation records, including nonrenewal or discharge notices for teachers and administrators	Open, NDCC 15.1-07-25 (1)	Nonrenewal and discharge hearing executive session tapes and exhibits are closed record and must be retained in a sealed envelope in a secured area
Veteran's Preference verification	Open, NDCC 15.1-07-25 (1)	

Records to be Retained in Payroll Files

Record	Open, closed, or exempt	Notes
Attendance and absence records	Open, NDCC 15.1-07-25 (1)	
Benefit applications and waivers (e.g., health insurance, cafeteria plans, and 403bs)	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact any medical information and account numbers from these forms NDCC 44-04-18.10
Current contact information	Exempt, NDCC 44-04-18.1 (2)	
Direct deposit forms	Closed, NDCC 44-04-18.9	
I-9 form	Closed, NDCC 44-04-28	
Intent to hire letter, intent to rehire letter, and contracts	Open, NDCC 15.1-07-25 (1)	
Leave request forms, including bereavement, FMLA, personal, and sick	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact any medical information from these forms NDCC 44-04-

Record	Open, closed, or exempt	Notes
		18.10
Licenses and/or required certifications	Open, NDCC 15.1-07-25 (1)	
Time sheets	Open, NDCC 15.1-07-25 (1)	
Unemployment claim forms	Open, NDCC 15.1-07-25 (1)	
Union dues withholding form	Open, NDCC 15.1-07-25 (1)	
W-4 form	Closed, NDCC 44-04-28	
Wage garnishment documents	Open, NDCC 15.1-07-25 (1)	Before providing under an open records request, redact exempt and confidential information from these documents
Workforce Safety and Insurance claim forms	Closed, NDCC 65-05-32	

Confidential Records (Retain in a secured area, place form DI-E2 in personnel file maintained by administrators)

Record	Legal Reference	Notes
Criminal history records	NDCC 12-60-24 and NDCC 12-60-16.1 through 12-60-16.10	
Drug testing records	49 CFR 40.321	
Executive session tapes	NDCC 44-04-19.2 (5)	
Medical and treatment records	NDCC 44-04-18.1	Includes records requested for purposes of FMLA and ADA, 29 CFR 825.500

End of McClusky School District #19 Exhibit DI-E