

Adopted: 04.20.2016

Revised: 10.3.24

NORTH METRO FLEX ACADEMY POLICY No. 4.2.1 PUBLIC AND PRIVATE PERSONNEL DATA

I. PURPOSE

The purpose of this policy is to provide guidance to employees regarding the collection, storage, and disclosure of personnel data at North Metro Flex Academy. This policy is updated to comply with applicable state laws, including the 2024 changes to the Minnesota Government Data Practices Act, to ensure the protection of employee and public data.

II. POLICY STATEMENT

It is the policy of North Metro Flex Academy to comply with the latest statutes, rules, and regulations to ensure personnel data is appropriately gathered, stored, disclosed, and available upon request in compliance with the law. The policy and procedures outlined below may be modified due to any future legal changes.

III. SCOPE OF THE POLICY

This policy applies to all employees of North Metro Flex Academy and provides guidance to those involved in the creation, use, or maintenance of personnel data. It also provides information for employees and the public who request access to such data.

This policy includes the following updates based on 2024 legislative changes to Minnesota law.

A. Responsibility for Administering the Policy The Principal or designee is responsible for maintaining all official personnel records in a secure, locked file cabinet.

B. Internal Records Review Current employees may review their official personnel files once every six months by submitting a written request. Requests will be complied within seven working days. Employees may request copies of their files.

Former Employees Former employees may review their records once a year or request a one-time copy in lieu of annual reviews, for as long as the records are maintained.

D. Disputing Data In the event of a dispute regarding specific information, the employee may request a revision. If no agreement is reached, the employee may submit a position statement of up to five pages, which will be included in the file.

E. Requests by Others Internal requests by employees within the academy must be made to the Principal or designee and will only be granted if related to their work assignments. External requests

from individuals outside the academy must be submitted in writing, and no verbal requests will be honored. Copies will be provided at a fee, and affected employees will be notified.

F. Harassment Data In accordance with Minn. Stat. §13.43 Subd. 8, if harassment allegations are made against an employee, the employee will not have access to data that identifies the complainant or witnesses if disclosure threatens their safety or subjects them to further harassment. However, if disciplinary proceedings are initiated, relevant data will be made available to the employee to prepare a defense.

G. Critical Incident Stress Management and Peer Counseling Data Data acquired by peer support counselors or critical incident stress management team members in the course of their duties are protected by law. These data will be handled in compliance with Minn. Stat. §13.43 Subd. 9 and 9a.

H. Prohibition on Agreements Limiting Data Disclosure As per Minn. Stat. §13.43 Subd. 10, North Metro Flex Academy will not enter into any agreement that limits access to personnel data or restricts the discussion of personnel-related information. Any such agreement is void and unenforceable.

I. Required Disclosures The Principal or designee will disclose personnel data as required by law, including mandatory reporting as per Minn. Stat. §122A.20, Subd. 2. This includes, but is not limited to, sharing data relevant to student safety, law enforcement investigations, or when requested by the Department of Employment and Economic Development for unemployment benefits purposes.

Legal References:

- Minnesota Government Data Practices Act, Minn. Stat. Chap. 13
- Minn. Stat. §122A.20, Subd. 2 (Mandatory Reporting)
- Minn. Stat. §181.961 (Review of Personnel Record by Employee)
- Minn. Stat. §13.43 (Updated Provisions for Personnel Data)