

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1126

Short Title: Exclude Info/Teacher's File.

(Public)

Sponsors: Representatives B. Ethridge; and Grady.

Referred to: Public Employees.

April 10, 1989

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW SUPERVISORS THE DISCRETION TO EXCLUDE FALSE,
2 INACCURATE, OR MISLEADING INFORMATION FROM A TEACHER'S
3 PERSONNEL FILE.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 115C-325(b) reads as rewritten:

7 "(b) Personnel Files. – The superintendent shall maintain in his office a personnel file
8 for each teacher that contains any complaint, commendation, or suggestion for
9 correction or improvement about the teacher's professional conduct. The complaint,
10 commendation, or suggestion shall be signed by the person who makes it and shall be
11 placed in the teacher's file only after five days' notice to the teacher. If any complaint,
12 commendation, or suggestion for correction or improvement is known to the supervisor
13 to be false, inaccurate, or misleading, he may choose not to place it in the teacher's
14 personnel file. Any denial or explanation relating to such complaint, commendation, or
15 suggestion that the teacher desires to make shall be placed in the file. Any teacher may
16 petition the local board of education to remove any information from his personnel file
17 that he deems invalid, irrelevant, or outdated. The board may order the superintendent
18 to remove said information if it finds the information is invalid, irrelevant, or outdated.

19 The personnel file shall be open for the teacher's inspection at all reasonable times
20 but shall be open to other persons only in accordance with such rules and regulations as
21 the board adopts. Any preemployment data or other information obtained about a
22 teacher before his employment by the board may be kept in a file separate from his
23 personnel file and need not be made available to him. No data placed in the

1 preemployment file may be introduced as evidence at a hearing on the dismissal or
2 demotion of a teacher."

3 Sec. 2. This act is effective upon ratification.