

It shall be the policy of the Board and administration of the Pojoaque Valley School District to protect the privacy of current, former and prospective employees to the extent permitted by law. Accordingly, all personnel information retained by the district shall be considered confidential unless the Inspection of Public Records Act requires otherwise.

Confidential personnel information will not be released without the affected person's written consent unless an administrator who is responsible for maintaining the relevant records determines that is required or permitted by law. Other personnel information will be made available pursuant to the Inspection of Public Records Act, as interpreted by the New Mexico courts.

The Act and decisions interpreting it provide that the following types of personnel information may be treated as confidential:

- 1) Letters of reference concerning employment, licensing or permits;
- 2) Letters or memoranda which are matters of opinion in personnel files, including documents concerning infractions and disciplinary actions, performance evaluations, and related materials, opinions as to whether a person should be rehired or reasons why an applicant was not hired, and any other material expressing an opinion as to a current or former employee or an applicant for employment;
- 3) Medical and related information pertaining to illness, injury, disability to perform a job task, or sick leave;
- 4) Names or other identifying information on applicants for positions with the Pojoaque Valley Schools, until and unless one or more persons outside the district are contacted for further information regarding a particular applicant; and
- 5) Other types of personal information, such as military discharge or arrest records,
 - (a) which is solicited by the district;
 - (b) which is considered vital to the employment procedure;
 - (c) which was furnished after a promise to keep the information confidential; and
 - (d) for which disclosure would not appear to serve any identifiable public interest.

These types of information will be treated as confidential to protect the privacy of current, former and prospective employees and to encourage qualified persons to apply for positions with assurance that the mere fact of their application for another job need not become public information. The district shall be entitled to ask persons seeking disclosure of personnel records to provide reasonable justification that the requested disclosure falls within an exception to any right or privilege to claim confidentiality.