

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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AS PASSED AT THE
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ONE HUNDRED AND NINTH LEGISLATURE
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CHAPTER 320

S. P. 123 — L. D. 249

AN ACT to Clarify the Publication of School Records.

Be it enacted by the People of the State of Maine, as follows:

20 MRSA §§ 807 and 808 are enacted to read:

§ 807. Personnel records

1. Record of directory information. Each school administrative unit shall maintain a record of directory information pertaining to each employee of the administrative unit that contains the following information: Name, residence address, date and place of birth, date of employment by the administrative unit, regular and extracurricular duties and subjects taught since the commencement of employment by the administrative unit, post-secondary educational institutions attended, major and minor fields of study as recognized by those institutions, degrees received and dates degrees were awarded. The record of directory information with respect to each employee shall be open to inspection and copying by any member of the general public.

2. Confidential information. Records and documents, including written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained that is in the possession or custody of any school administrative unit pertaining to an employee or an applicant for employment or to the immediate family of either, shall be confidential insofar as such records and documents contain or reflect information in any of the following categories:

A. All information, working papers and examinations used in the examination or evaluation of all applicants for employment;

B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

C. Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character;

D. Credit information;

E. Except as provided by subsection 1, the personal history, general character or conduct of the employee or any member of the employee's immediate family; and

F. Complaints, charges of misconduct, replies thereto, and memoranda and

other materials pertaining to disciplinary action.

3. **Disciplinary action.** Any written record of a decision involving disciplinary action taken with respect to an employee by the governing body of the school administrative unit shall not be included within any category of confidential information set forth in subsection 2.

§ 808. **Personnel file; review**

The superintendent of schools shall, upon written request from an employee or former employee, provide the employee or former employee or his duly authorized representative with an opportunity to review his personnel file, if the superintendent of schools has a personnel file for that employee. These reviews shall take place at the location where the personnel files are maintained and during normal school hours. For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habit, compensation and benefits which the superintendent of schools has in his possession.

Effective September 14, 1979

CHAPTER 321

H. P. 1316 — L. D. 1570

AN ACT Relating to Certified Seed Potatoes.

Be it enacted by the People of the State of Maine, as follows:

7 MRSA § 2101, as amended by PL 1977, c. 694, § 130, is further amended by adding at the end the following new paragraph:

No seed potatoes grown outside the State shall be sold or exposed for sale in the State unless that seed meets the standards of Maine certified seed potatoes as defined by the commissioner.

Effective September 14, 1979

CHAPTER 322

H. P. 810 — L. D. 1013

AN ACT to Make Arson a Class A Crime under the Maine Criminal Code.

Be it enacted by the People of the State of Maine, as follows: