

It shall be the policy of the Lordsburg Board of Education that the privacy of current, former, and prospective employees be protected to the extent permitted by law. Accordingly, all personnel information retained by the Lordsburg Municipal Schools shall be considered confidential unless the Inspection of Public Records Act, NMSA 1978, Section 14-2-1, requires otherwise.

Confidential personnel information shall not be released without the affected person's written consent, unless the superintendent determines that such release is legally required under Federal or State law or regulation. 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 the Inspection of Public Records Act 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 of applicants for positions with the Lordsburg Municipal Schools, until and unless interviews have been scheduled between an applicant and one or more officers or employees of the Lordsburg Municipal Schools with authority to make a hiring recommendation or decision; provided, however, that affected applicants shall be notified prior to interviews so that they may withdraw from consideration prior to public disclosure of their names if they so desire; and
5. other types of personal information, such as military discharge or arrest records, (a) which is solicited by the Lordsburg Municipal Schools; (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.

The District will treat these types of information 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 superintendent shall be entitled to ask persons seeking disclosure of personnel records to provide reasonable justification for such disclosure.**