

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Personnel Records

NUMBER: 4.1.3

A. PURPOSE

To define that employee personnel records are confidential and to identify what personnel information that can be shared upon request.

B. DEFINITIONS

None.

C. POLICY

1. Exempt Personnel Records Confidentiality

Unless required for grievance or litigated matters, all exempt personnel records of the Board of Regents and its institutions pertaining to applications for employment, to personnel investigations, to performance appraisals and to other personnel-related materials shall be held confidential. An exempt employee's name, title, salary, institution, and department number may be released upon request. Additional information may only be released upon written permission signed by the employee or if traditionally released or required by management needs of the state higher education system. The costs of producing this information may be assessed by the originator to the requestor of the information. Requests for departmental, institutional, or system-wide salary data shall omit name identification unless justified in writing as to specific need.

Additional information may also be released to a party outside the institution requesting a professional reference, so long as the following conditions are met:

- 1.1. The person giving the reference has a reasonable basis to believe that the person making the request has authority to obtain a reference on behalf of a prospective employer, granting agency or other entity that may properly seek such information.
- 1.2. The person giving the reference has a reasonable basis to believe that the reference shall be used for a legitimate end, related to employment, education, funding, or other customary academic purpose.
- 1.3. The person giving the reference makes a written memorandum noting the identity of the party making the request, the basis under paragraphs a and b for giving the reference and the date and means used to give the reference, which memorandum should be retained in departmental files for a period of three years. (March 1991)

FORMS / APPENDICES:

None

SOURCE:

BOR June 1987; BOR March 1991; BOR October 1993; October 2023 (Clerical).