

MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 33

CONFIDENTIALITY IN THE HIRING PROCESS

Maine state law strictly requires that all information relating to applicants for employment remain confidential. This applies to school board members, administrators, and secretarial staff by virtue of their positions. It also applies to other staff and members of the public whenever they are involved in a screening and/or interviewing committee assisting in the selection process.

Therefore, the following three components shall be included in procedures used to fill all positions:

1. Potential candidates shall be notified on the application form that the materials submitted may be disclosed to a screening and/or interviewing committee which may include board members, administrators, staff, and members of the community. An individual must sign the consent form in order to be considered an applicant.
2. Any screening and/or interviewing committee is to receive a thorough orientation on the strict responsibility to maintain confidentiality pursuant to state law.
3. Each individual, prior to serving as a screening and/or interviewing committee member, shall sign a standard form acknowledging that he/she understands and intends to honor the strict requirement to maintain confidentiality regarding applicant information. Such forms shall be retained on file in the Superintendent's Office.

Legal Reference: Title 20A MRSA, Section 6101.2,B.

(d#9)

File:GBJAA-E

CONFIDENTIALITY FORM

The school board appreciates your willingness to assist in the process of screening applicants for the position of _____ . We are confident that your participation will contribute to our selection of the best possible candidate.

Understanding the intent and seriousness to the legal requirement to maintain strict confidentiality is most important. In this regard, Title 20A, Section 6101.2,B of the Maine Statutes reads in part:

...information in any form relating to an employee or applicant for employment, or to the employee's immediate family, shall be kept confidential if it relates to the following:

- (1) All information, working papers and examinations used in the examination or evaluation of all applicants for employment;

At least one test case has substantiated that even the name of an applicant is protected (including the fact that a person has applied). Moreover, the prohibition from discussing these confidential matters does not end with the selection and appointment of the successful candidate. It is permanent and applies to all unsuccessful candidates as well.

Therefore, in agreeing to participate in this important undertaking, we expect you to acknowledge having been provided with an orientation on the requirement for confidentiality, and that you are accepting this responsibility.

Again, thank you very much for your assistance.

I understand and pledge to honor the strict requirement to maintain confidentiality regarding applicant information.

Signature_____ Date

Signature_____ Date
(Board/Search Committee
Chairman)

Approved by the Board of Directors
on 12-04-95
See Minutes # 675