

University of Cincinnati

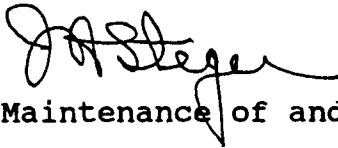
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ADMINISTRATIVE MEMORANDUM NO. 118

DATE: April, 1996

TO: Academic Vice Presidents  
Deans  
Academic Unit Heads

FROM: Joseph A. Steger 

RE: Guidelines on the Maintenance of and Access to Faculty Personnel Files

The attached document contains guidelines to be used by colleges and academic departments in maintaining faculty personnel files. They are effective immediately.

The principles stated in the Guidelines are not rigid rules. They are instead what the title implies, guidelines to be followed whenever possible with a view toward providing uniformity among colleges and departments in maintaining faculty personnel files and in responding to requests for access to the files from persons other than those who are authorized to see them. As such, they are designed to supplement--but cannot displace--the legal rules that apply to personnel and other records that are maintained by state institutions, including the Public Records Law, ORC 149.43, and the provisions of ORC, Chapter 1347, relating to Personal Information Systems. Questions concerning the legal rules applicable to personnel and other records should be referred to the Office of General Counsel.

Any disagreements that may arise between affected faculty and the custodians of faculty personnel records should be worked out informally, whenever possible, through discussions among the involved parties. Should informal methods fail, a dissatisfied party may appeal by means of a letter stating the substance of the disagreement and addressed to the next highest academic officer, i.e., dean, provost or president, as the case may be.

PASSED BY THE FACULTY SENATE  
ON FEBRUARY 8, 1996  
AS AMENDED BY THE ACADEMIC-ADMINISTRATIVE COUNCIL  
ON FEBRUARY 9, 1996

**GUIDELINES  
ON THE MAINTENANCE OF AND ACCESS TO FACULTY PERSONNEL FILES**

**Introduction**

During the 1994-1995 academic year, a small group of administrators and faculty initiated an effort intended (1) to clarify existing policies and procedures concerning the maintenance of and access to personnel files and (2) to encourage consistency in the practices of colleges and departments.

A preliminary report including a description of existing state regulations and laws, university policies, and general recommendations was prepared and distributed during the Spring Term, 1995. Reactions were solicited from faculty, deans and their staffs, and other administrators. Their comments and suggestions have been incorporated into this revised document.

The existing guidelines and *Rules of the University* governing this issue have been previously disseminated and copies are available in the Faculty Senate Office, in the University Legal Office, and in various official university publications. This proposal is predicated upon those guidelines and rules and pertains specifically to the practices of the university for access to and maintenance of personnel files held in college and departmental offices.

***Personnel files are identified as files that contain information of the type described under Guideline B-2 of this document and can be retrieved by name, identifying number, symbol, or other identifier assigned to a person.***

**Recommendations**

It is clear that public access to personnel files of faculty and administrators cannot be denied. However, some safeguard is possible through (1) development of specific guidelines governing access to personnel files and (2) development of specific guidelines clarifying which materials are ordinarily to be "housed" in the personnel files.

**(A) Conditions for the maintenance of and access by requestors to personnel files held at college and departmental locations [Conditions for Central files are clearly specified by existing *Rules of the University*]**

## **1. Site Management Guidelines**

- a. As at Central Sites, at the college and departmental levels, [a] specific person(s) [*herein referred to as custodian*] should be appointed to monitor/maintain personnel files.
- b. As at Central Sites, at both the college and departmental levels, personnel files should be maintained and consulted under supervised conditions.
- c. College and departmental files should be reviewed periodically by the faculty member and the unit head for their compliance with stated guidelines.
- d. Contents of personnel files should be maintained for a minimum of the faculty members's tenure plus five years.
- e. There shall be placed, at the front of each personnel file, a log indicating the (1) name of the requestor, (2) date of request, and (3) signature of the file custodian supervising the access.

## **2. Guidelines for University Requestors**

- a. University administrators and staff whose jobs routinely and reasonably require access to personnel files shall have such access.
- b. Such requestors shall, upon entering a specific file, so indicate on an enclosed log. Said indications can be accomplished either in writing or by use of name and date stamps.
- c. An exception to the rule that each entry into a file must be logged individually will be made only when routine access is for the purpose of compiling collective or aggregate data on an identifiable group of Faculty (e.g. all women in the College of Arts and Sciences, all untenured Faculty, etc.). In such cases, the administrator or staff charged with compiling said data may make a single entry in a separate [master] log indicating the group of Faculty whose files were consulted.
- d. Faculty members need not be informed of this routine access to their files.
- e. Persons/groups within the university, who have received authorization from the General Counsel of the University, shall have access to personnel files without specifically informing Faculty members. Such persons/groups shall also have to log their access to these files.
- f. Upon request, Faculty members shall be informed, by the university, as to the general identity of those administrators, staff, and groups who have been granted routine access.

### 3. Guidelines for Non-University Requestors

- a. All requestors other than (1) university administrators and staff whose jobs routinely or reasonably require access to personnel files; or (2) persons/groups within the university who have received authorization from the General Counsel of the University shall come under the heading of Non-University Requestors. This will include university personnel who consult files, not as part of their university function but, as private citizens.
- b. Such requestors will be logged in and out. Requestors will be asked to complete a form specifying their name and the date of the request.
- c. If a requestor refuses to sign the log, then the file custodian is directed to complete the log information insofar as is possible. Even in instances when the custodian does not know the identity of the requestor, the fact that the file was consulted will be indicated on the enclosed log.
- d. A notification of this request for access will be forwarded, within ten working days, to the Faculty member whose file is being reviewed.
- e. Requests must be made during specified operating hours and materials which have been copied should be picked up in person by the requestor.
- f. As specified by State of Ohio regulations, requestors may be required to pay for all photocopying expenses--at a reasonable fee.

#### (B) Stipulations for the placement of materials in personnel files

##### 1. Requirements for University/Central Files:

- a. "business of the university" (primarily concerned with any situation which affects the pay status of the individual as designated on the *PAF* and/or *PDF*) with previously-noted exceptions

##### 2. Guidelines for Materials Maintained in College Files:

Colleges may choose to include other materials as deemed necessary to carry out the business of the college. In any case, Faculty must be informed of such conditions; and Faculty must be informed of college policies as related to the maintenance of personnel files.

- a. appointment documentation (A-126, A-900, title approval, letter of offer)
- b. copies of all PAFs and PDFs
- c. copies of annual performance review documentation
- d. notices of awards and commendations
- e. copies of disciplinary action documentation

*items continued on next page*

- f. reappointment, promotion, and tenure documentation/summaries
- g. requests for leaves or for other special requests for a change in status (eg. as pay equity or medical needs)
- h. copies of collateral employment agreements
- i. correspondence as directed to the Dean's Office

(The Faculty member must be notified when materials , other than B-2 a to h, are added to or deleted from a college personnel file.)

### 3. Guidelines for Materials Maintained in Departmental/Program Files:

Departments/Programs may choose to include other materials as deemed necessary to carry out the business of the Department. In any case, Faculty must be informed of such conditions; and Faculty must be informed of policies as related to the maintenance of personnel files.

- a. items as specified in B-2 a; b; c; d; e; f; g; h (*optional as determined by department/program policy*)
- b. copies of annual performance review summaries
- c. copy of original and/or renegotiated "job description"
- d. copy of most current professional vita
- e. copies of annual workload statements
- f. correspondence as directed to the Department/Program Head

(The Faculty member must be notified when materials, other than B-3 a to e, are added to or deleted from a departmental personnel file.)

#### Faculty Rights:

- ✓ Materials that do not meet stated guidelines should not be placed in personnel files.
- ✓ If a Faculty member has any doubts or concerns about the status of a personnel file (any location), he/she should immediately ask to review that file. It is the Faculty member's prerogative.
- ✓ A Faculty member may ask that material be removed from a personnel file and has the Right to add to the file a brief rebuttal statement relative to any disputed information.