

Chapter VII

PERSONNEL FILES

Overview

There are a number of issues related to personnel files that colleges should address. Some of these should be identified in the faculty handbook.

First, the policy should identify what and where the files are. Most colleges possess several faculty files located in the deans and president's office. The most common files are a general personnel file and an evaluation file. Usually the business office will maintain required employment information on the faculty member.

Second, the policy should establish who has access to the various files. Colleges approach this issue in a number of ways. Some provide faculty access to the entire personnel file; some provide limited access to certain information which does not require confidentiality; and others protect the personnel file from disclosure to the faculty member and make it available only to certain decision makers in the personnel process.

Third, the policy should identify whether the faculty member has the right to put material in the personnel file. If the college permits the faculty member to review the file, it may also permit the faculty member to comment on some or all of the evaluative information in the file, or to add material to the file.

Sample Policies

Definition of Personnel Files

Colleges may maintain several files on faculty. It is important to designate a personnel file and define the materials which it contains.

Policy Option 1: Faculty personnel files will include the following kinds of documents: professional data (transcripts, vitae, etc.), personnel actions (appointment, tenure, promotion, salary, etc.), evaluation documents, and letters of recommendation.

Policy Option 2: Faculty personnel files in the offices of department chairs and deans consist of initial letters offering employment, records of professional development revealed by annual reports, evaluations for tenure and promotion, and other matters of concern at the school level.

Policy Option 3: The evaluation file will contain a current resume, self-appraisals, colleague appraisals, student course evaluations, and summaries of professional development committee meetings, as well as annual reviews for nontenured faculty, sabbatical leave reports, a current resume of education and experience, and any specific items requested by the personnel committee in relation to impending personnel decisions. Other items may be placed in the file at the discretion of the individual to document their work.

Policy Option 4: Faculty personnel files contain materials which are assembled for the purpose of professional reviews of a faculty member's activities in considering a faculty member for salary adjustments, contract renewals, tenure, promotion, and other changes in a faculty member's institutional position and relations or conditions of employment. Confidential materials which were assembled in connection with the faculty member's initial employment by the college, including confidential letters of recommendation written on the faculty member's behalf, are excluded from personnel files and placed in a pre-employment file in order that the conditions of confidentiality in which such materials were solicited and assembled will not be violated by access to the faculty member's own personnel files. The personnel files are kept free of all other materials which have no relevance to the professional reviews and considerations mentioned above. Care is

exercised to ensure that prejudicial, false, misleading, and inaccurate information is excluded from personnel files and to ensure that each file reflects, with a reasonable degree of accuracy and completeness, activities which are relevant to the review and considerations for which it is maintained.

Policy Option 5: The following are basic documents to be found in each faculty member's file in the academic dean's office:

1. letters of application (originals);
2. appointment and acceptance letters (originals);
3. personal data information (date of birth, marital status, etc);
4. performance reviews, evaluations, and other appropriate documents relating to employee performance;
5. current official transcripts with an updated resume;
6. documented information the faculty member or academic dean wishes to place in this file on professional background or accomplishments.

Policy Option 6: Each faculty member has a personnel file, which is a depository of correspondence and general information, and an evaluation file, used in making such personnel decisions as reappointment, tenure, promotion, and granting of sabbatical leaves. The personnel file is not used for such decisions.

Where Maintained

Establish where the file is located. In most institutions, it will be housed with the chief academic officer or with the human services office.

Policy Option 1: A permanent and confidential personnel file is maintained for each faculty member in the office of the vice president for academic affairs.

Policy Option 2: An official university personnel file will be maintained in the department of human resources on all employees except undergraduate student employees.

Who Has Access

It is important to decide as a matter of policy whether the faculty member will have access and whether that access is limited or complete. Some colleges also define those persons who have a need to know and therefore have access to the files.

Policy Option 1: Generally, only those officials in the faculty member's direct line of supervision are permitted to review this file; however, the file may be disclosed under the circumstances described in the board of regents' policy on personnel records. Upon request, faculty members or their authorized representatives will be permitted to review their files.

Policy Option 2: This file is available on a need-to-know basis only to the board of trustees, legal counsel, the academic dean, division head, grievance review committee, the individual faculty member, or others specifically designated by the signature of the president.

Policy Option 3: The official personnel file/evaluation file will be kept in strictest confidence and will be available for confidential use only to the individuals directly involved in personnel decision making. However, for a valid reason, the faculty member may authorize, in writing, access to their file by any other appropriate persons.

Policy Option 4: The evaluation file is open for inspection by the faculty member. Faculty are advised to read their files regularly, and candidates for promotion or tenure are required to do so in order to assume responsibility for its organization and presentation.

Policy Option 5: Consistent with "need to know" in the decision processes, evaluation files are open to the following:

1. The individual faculty member
2. The individual's department chairperson
3. The president and the vice president for academic affairs/
dean of faculty
4. The rank, tenure, and sabbaticals committee for faculty members under consideration for tenure, promotion, sabbatical leave, or denial of salary increment

5. The academic affairs committee of the board of trustees
6. Others as may be approved in writing by the individual.

Policy Option 6: Information which is not exempt from disclosure is available to faculty members, who may request the opportunity to review their personnel files from the department chair or dean or from the supervisor of faculty records. By law and university policy, confidential letters and statements of recommendation and evaluations of qualifications for employment, retention, or promotion are not available for access to faculty members.

Policy Option 7: Faculty members have full access to all of their own personnel files in order to share in the responsibility for their adequate maintenance. This access includes but is not limited to the following rights:

1. The right to direct physical handling of the files; that is, the right to examine, at their own convenience, the total contents of all of their personnel files.
2. The right to have a copy of anything which has been included in any of their personnel files.
3. The right to initial or sign each item in all of their personnel files.
4. The right to attach replies or comments to particular items in any of their personnel files.
5. The right to include in any of their personnel files written commentary on the general adequacy of the contents.
6. The right to supplement the materials in the personnel files with additional information.
7. The right to petition the vice president for academic affairs for removal from any of their personnel files of materials which they think are irrelevant, prejudicial, false, misleading, inaccurate, or which they think are unjust in some other way.
8. The right to immediate notification by the responsible offices when new materials are placed in any of their personnel files.
9. The right to obtain official inventories of any of their personnel files from the offices in which they are maintained.

Policy Option 8: The access of persons other than the subject of faculty personnel files is restricted to those holding administrative and/or faculty positions which have direct and official responsibilities in the professional reviews of faculty members for prospective changes in their relationships with the college, and to the professional clerical staff (excluding student employees) necessary to the adequate maintenance and appropriate use of such files. Each person whose office maintains faculty personnel files is responsible for informing the subject faculty members in writing of the names of all persons who have access to such files, either for purposes of official review or in a clerical capacity.

Policy Option 9: Each person whose office maintains faculty personnel files is responsible for a continuous program of instruction designed to insure that those persons who are privileged as a result of their positions to have access to faculty personnel files in that office understand the impairment of a faculty member's privacy which can result from their indiscretions and insensitivities.

Right to Add Material

Some colleges provide faculty the right to add relevant material to the file. Others also provide the right to comment on material in the file.

Policy Option 1: The faculty member may review their file by arrangement in the academic dean's office and may add material to the file in response to any item in the file upon notice of such additions to the academic dean.

Policy Option 2: It is the responsibility of each faculty member to provide complete personal data, including biographical information, official graduate and undergraduate transcripts, letters of evaluation and recommendation from professional colleagues, documentation of professional growth, student evaluations and copies of publications, as well as any other data which the faculty member may wish to have included in the file.

SELECTED BIBLIOGRAPHY

Weeks, K., "Confidential Materials," in *Faculty Decision Making and the Law*, College Legal Information, Inc. (2002).