

S73-19 FACULTY PERSONNEL RECORDS; CONFIDENTIALITY; ACCESS

Legislative History:

Document dated June 20, 1973.

At its meeting of April 30, 1973, the Academic Council passed the following policy as presented by Dr. John Galm, Chairman, Professional Standards Committee

Supersedes S68-20.

ACTION BY UNIVERSITY PRESIDENT:

"Approved." Signed: John H. Bunzel, June 20, 1973.

FACULTY PERSONNEL RECORDS.

S 73-19

43.

a. An official personnel file for each faculty member is maintained in the office of the Dean of the Faculty. The file is a permanent record of the faculty member's association with the University and serves as the basis of official reports and judgments. The file is not open to the public, but is open to qualified persons as provided herein or as authorized by the President. Neither the file nor any part thereof may be removed from the office of the Dean of the Faculty except with the express authorization of the President or upon lawful court order. Applications recommendations, transcripts, reports and correspondence relating to the faculty member's appointment, assignment retention, merit salary adjustment, promotion and leaves are kept in the personnel file.

b. The following provisions of this policy apply to personnel files maintained in any University office.

c. Except as provided in Section d below, each faculty member's personnel file shall be open to his

inspection or, if he so requests in writing, to the inspection of any other designated faculty member on his behalf. After inspection and upon written request, a faculty member shall be given one copy of any item in the file so requested, except for the items specified in Section d below. All persons permitted access to the file are obliged to respect the confidential character of personnel matters. It shall be deemed a serious breach of professional conduct for any person, including the faculty member himself to allow copies of personnel items to fall into the hands of any person not duly authorized to inspect a faculty member's file.

d. The following items in a faculty member's personnel file shall not be open to his inspection.

1. Official personnel folders and/or confidential letters of recommendation received from sources outside the University in connection with the initial appointment of a faculty member.

2. Officially solicited letters of recommendation or evaluation received from professional sources outside the University in connection with the review of a faculty member for retention, tenure, promotion or merit salary adjustment. Such recommendations or evaluations shall be "officially solicited" only if requested by the faculty member himself or, after consultation with the faculty member, by an administrator responsible for the review of his performance. A "professional source outside the University" means any professional person not a member of the University faculty or staff who is knowledgeable of and competent to judge the professional activities or scholarly contributions of the faculty member. The faculty member shall be informed of the name of persons from whom a recommendation or an evaluation is requested. Such recommendations or evaluations are closed to a faculty member's inspection except as they are subject to the rules of disclosure if introduced by the Administration in a University grievance or disciplinary action proceeding.

e. Anonymous letters, statements or reports shall not become part of a faculty member's record, and shall be destroyed upon receipt.

f. Should a faculty member wish to explain, reply to or rebut any report or document in his personnel file, he may prepare and submit a written statement for that purpose, and it shall be filed and retained with the report, document or other paper to which it is directed.

g. A faculty member may request the exclusion or removal from his files of any statement which he deems untrue or not relevant to his professional competence (or both). His request shall be made to the Academic Vice President, who shall direct that a faculty committee of three be selected as follows: one member shall be designated by the complaining faculty member, one by the Academic Vice President and the third chosen by the first two. All committee members shall be tenured faculty members, currently teaching full-time, from schools other than that (or those) to which the complaining faculty member is assigned and of rank equal to his or higher. If the Committee finds that the statement complained of is, in whole or in part, not true or not relevant to the complainant's professional competence, it (or the untrue or irrelevant portion of it) shall be excluded or removed from the files of the University (together with all correspondence relating to it) and shall not be used by the University or

any department or officer thereof for any purpose.

h. Except for the confidential items specified in Section d above, a faculty member shall have the right to inspect all materials and documents (including Department Chairman's letter of evaluation) prepared at the department or equivalent level for submission to the School or equivalent review committee in connection with his review for retention, tenure or promotion. The faculty member shall sign the official University form for reporting a department's evaluation and recommendation to indicate that he has read the completed form and inspected the accompanying documents and materials. (His signature shall not signify either his agreement or disagreement with the contents of the review materials and documents.) This signature shall be necessary for consideration of these materials by the school or equivalent review committees unless the faculty member refuses to sign or has failed to sign within a reasonable time after their preparation and completion by the department or equivalent unit. If additional materials are subsequently requested by the School or University committees or officials, the faculty member and his department chairman shall be informed of their addition and shall be permitted to examine them. The faculty member shall also be informed of the School Dean's recommendation and invited to examine his letter of evaluation regarding the faculty member's tenure, retention or promotion.

i. Once the department promotion, retention or tenure evaluation is completed, the materials comprising the review packet shall not be subject to the provisions of section g until those materials are added to the faculty member's personnel file upon completion of the personnel review in that particular academic year.