

## POLICY ON FACULTY PERSONNEL FILES

This policy outlines the various files maintained by the University on individual faculty members, their purpose, and their use.

### **A OPEN PERSONNEL FILE**

1. The Open Personnel File (OPF) is the local equivalent of the Personnel Action File as defined in Article 11 of the Collective Bargaining Agreement. An OPF is maintained for every faculty employee, full-time or part-time.
2. The OPF is the one (1) official personnel file for employment information that may be relevant to personnel recommendations or actions regarding a faculty member. Personnel recommendations relating to retention, tenure, promotion, or termination based upon work performance, or any other personnel action, shall be based on the OPF.<sup>1 2</sup> Should the President make a personnel decision on any basis not directly related to the professional qualifications, or on work performance of the individual faculty member in question, those reasons shall be reduced to writing and entered into the OPF.
3. The Provost and Vice President for Academic Affairs (Provost) is the custodian of all OPFs. However, the OPF for the individual faculty members is maintained in the office of the appropriate dean who is responsible for the security of the file and its contents
4. It is the policy of the California State University to maintain accurate and relevant personnel files.
5. The OPF is held in confidence and is accessible only to the affected faculty member and persons authorized in the conduct of official University business.
6. With the exception of secretaries performing clerical tasks, all instances of access to the OPF shall be logged and the log record shall be a permanent part of the file.
7. A faculty member may place any information in her/his own file which s/he feels is relevant to her/his employment status. A faculty member has the right to respond to or rebut any information which has been placed by another individual in her/his file.

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<sup>1</sup> Course assignments are not considered personnel actions.

<sup>2</sup> The OPF may also be used in hiring recommendations, merit pay reviews, five year reviews, and for other purposes consistent with university policies.

8. The Provost (or designee <sup>3</sup>) is the only university official who is authorized to place material in the OPF. Such placement shall only occur after the affected faculty member has been given a copy, without charge, of the material to be placed in the file five (5) days prior to the placement of the material in the file. A copy of the notice shall be attached to the document being placed in the file. This provision does not apply to material referenced in the Temporary Suspension or Disciplinary Action Procedure of the Collective Bargaining Agreement.
9. Upon request a faculty member shall be provided the opportunity to meet with the appropriate administrator regarding material to be placed in the file to which the faculty member objects. The request to meet shall be made within five (5) days of the receipt of the notification and shall be addressed to the appropriate administrator with a copy to the Provost. The meeting shall take place within ten (10) days of the request made by the faculty member. This provision shall not apply to material created for the periodic evaluation or performance reviews pursuant to Article 15 Evaluation nor to material referenced in Article 17 Temporary Suspension or Article 19 Disciplinary Action of the Collective Bargaining Agreement.
10. The appropriate administrator shall consider all information provided by the faculty member concerning the relevancy and accuracy of any material to be placed in the file prior to making a final decision to place material in the file. This provision shall not apply to material created for periodic evaluation or material referenced in Article 17 Temporary Suspension or Article 19 Disciplinary Action of the Collective Bargaining Agreement.
11. Only material identified by source may be placed in the *OPF*. Identification shall indicate the author, the committee, the campus office, or the name of the officially authorized body generating the material. References to unnamed sources or complainants are prohibited. Anonymous letters should be given to the individual faculty member concerned.
12. During the retention, tenure or promotion review of a faculty member, the contents of the Retention, Tenure and Promotion (RTP) *File* is incorporated by reference into the *OPF*.
13. Materials may be included in the *OPF* by reference as long as the faculty member receives the required five (5) day notice, receives copies of the referenced material, and is informed about the location of the material. The notice shall be placed in the *OPF*.
14. A faculty member has the right to review all materials in her/his own *OPF*. A faculty member may request an appointment(s) with the Office of the Dean for the purpose of inspecting her/his own file. Such appointment(s) will be scheduled promptly during normal office hours. The manner of inspection shall be subject to reasonable conditions. The faculty member has the right to have another individual of her/his own choosing accompany her/him to inspect the *OPF*.

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<sup>3</sup> The deans (and when the dean is absent, the associate deans) are so designated.

15. Following receipt of a faculty member's written request, the dean shall, within fourteen (14) days, provide a copy of all requested materials. Depending upon the amount of material copied, the faculty member may be required to bear the cost of duplicating such materials.
16. If, after examination of the OPF a faculty member believes that any portion of her/his own file is inaccurate or irrelevant, s/he may submit a written request that the material be corrected or deleted from the file. Such requests should be directed to the Provost with a copy to the dean. The request should describe corrections and/or deletions that should be made, and the facts and reasons supporting such a request. In the event the request is denied, the request shall be attached to the disputed material and shall accompany the disputed material when used in a personnel recommendation or action.
17. If the request for correction or deletion is denied by the Provost, the faculty member has the right to submit a request to the President no later than seven (7) days after the date of such a denial. Within twenty-one (21) days of receipt of such request, the President shall provide a written response to the faculty member. If the President grants the request, the record shall be corrected or deleted and the faculty member shall be sent a written notice to that effect. If the President denies the request, the response shall include reason(s) for the denial.
18. The OPF shall indicate the location of other records regarding a faculty member kept on campus to which the faculty member has access in accordance with statute.
19. The OPF is maintained for each faculty member during the entire period of employment.
20. Files for individuals who have been separated from university employment <sup>4</sup> are maintained in the colleges/schools for five (5) years.
21. Files of employees separated by reasons of (a) dismissal for cause, or (b) disability retirement or (c) as the result of a written agreement between the university and the employee are maintained indefinitely. In these instances, the files are maintained by Academic Personnel Services or the Office of the Chancellor as appropriate.

**B. RETENTION, TENURE AND PROMOTION FILE**

1. The Retention, Tenure and Promotion File (RTP File) is the local equivalent of the Working Personnel Action File as defined in the Collective Bargaining Agreement.
2. The RTP File is used during performance evaluations for retention, tenure and/or promotion and is considered a part of the OPF.

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<sup>4</sup> This provision refers to persons who have separated from the university through routine resignation or retirement; or, as in the case of temporary faculty, the completion of a fixed period of employment.

3. The RTP File is held in confidence and is accessible only to the affected faculty member and persons authorized access in the conduct of official University business.
4. With the exception of secretaries performing clerical tasks, all instances of access to the RTP File shall be logged and the log record shall be a permanent part of the RTP File.
5. Only material identified by source may be placed in the RTP File. This includes statements made by peer review committees as part of the review process. Identification shall indicate the author, the committee, the campus office, or the name of the officially authorized body generating the material. References to unnamed sources of complainants are prohibited.
6. Materials for evaluation submitted by a faculty member for use in the campus Retention, Tenure or Promotion (RTP) process shall be deemed incorporated by reference into the OPF, but need not be physically placed in the OPF. The inventory of items submitted by the faculty member for review during the RTP process shall be permanently placed in the OPF at the conclusion of the RTP process each year.
7. RTP Files are disassembled at the conclusion of each annual review process. Material listed on the inventory provided by the faculty member at the beginning of the process is returned to the faculty member. All other material including recommendations generated as part of the review are returned to the OPF.
8. Additional detailed information regarding the handling and contents of the RTP File may be found in the Current Instructions, the Policy on Retention and Tenure, and the Policy on Promotion.

**C. HANDLING OF FILES FOR PART-TIME LECTURERS**

1. Departments maintain two (2) distinct files on part-time lecturers: 1) the part-time application pool and 2) a working personnel file on all active part-time lecturers.
2. The part-time application pool contains the position application for all candidates for part-time positions. The application of each candidate for a part-time position is maintained in the file for five (5) years from the date of submission.
3. Access to the part-time application pool is limited to persons authorized access in the conduct of university business. Individual applicants shall not have access to the part-time pool application files.
4. Departments shall consult the part-time application pool prior to making nominations for part-time positions. Additionally, if an individual who has been previously employed by the University applies for a temporary position, whether full-time or part-time, the contents of the candidate's OPF shall also be considered.

5. Departments may maintain a working personnel file on part-time lecturers. This file shall only contain information which has been formally placed by reference into the part-time faculty member's OPF. Appropriate notice shall be given the faculty member regarding placement of material into this file. S/he shall be given a copy of the material to be placed in this file as well as in the OPF.
6. With the exception of secretaries performing clerical tasks, all instances of access to this working personnel file shall be logged and the log record shall be a permanent part of the file.
7. This working personnel file is to be held in confidence and is accessible only to the affected faculty member and persons authorized in the conduct of official university business.
8. In all aspects, this working personnel file is to be considered a part of the OPF especially with regard to the right of the part-time faculty member to rebut or respond to information placed in the file, or the right of part-time faculty member to seek the correction or deletion of material from the file.

**D. CORRESPONDENCE/WORKING FILES**

1. Department chairs, school deans and other academic administrators may maintain correspondence and/or working files. In addition to correspondence, these files may contain notes of meetings or conversations, and other data. These working files may also contain copies of material contained in the OPF.
2. The contents of these private correspondence and/or working files may not be used as the basis of a personnel recommendation or action.
3. Access may be granted to the affected faculty member upon request to the individual responsible for the file. If the request for access or request of removal of material is denied, a written appeal, stating the reasons for the request, may be submitted to the Provost. In such cases, the Provost's decision is final.
4. These private files are maintained at the discretion of the individual responsible for the file.

**E. MEDICAL AND POLICE RECORDS**

Campus medical records and campus police records are not subject to the provisions for the OPF. Content and access to these files is controlled by statutory regulation. However, any campus medical record or campus police record used as the basis for a personnel recommendation or action must be placed in the OPF.

**F. PRE-EMPLOYMENT FILE**

1. The Pre-Employment File consists of the records involved in the hiring of the affected faculty member. The records include confidential papers received from placement bureaus, letters of recommendation, summaries of reference checks and other pre-employment information.
2. These files on full-time faculty members are maintained in the Office of Academic Personnel Services until the faculty member receives tenure or until five (5) years after separation from university employment, whichever comes first.
3. The affected faculty member shall not have access to this material.

**G. SEARCH RECORDS**

Records developed during a search process for faculty employees are maintained in the Office of the School Dean for five (5) years after the close of the search. These records are not available to faculty members after the close of the search.

**H. ACADEMIC PERSONNEL SERVICES --- OFFICE RECORDS**

1. Academic Personnel Services maintains status records on each faculty member. These records include information on academic rank and salary, employment status, leaves, and other relevant information essential to personnel/payroll operations.
2. The information in these files is accessible only to the affected faculty member and persons authorized access in the conduct of official University business.
3. Requests to add or delete information from this file must be made, in writing, to the Provost with a copy to the Academic Personnel Officer. The request shall include reasons for the requested addition/deletion to the file.

**I. PAYROLL FILES**

The Payroll Office maintains files on each University employee which includes general payroll information and records such as tabulation of sick leave, vacation, leaves of absences, changes of personnel/pay status and similar items. A faculty member may request to see her/his own Payroll Transaction Roster Card which contains information relevant to her/his own employment history.

**REFERENCES:** CBA Articles 11, 15, 17, 19

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