

OREGON INSTITUTE OF TECHNOLOGY

Faculty Records
OIT-22-010

Definitions

1. Faculty records are limited to those records that are directly related to the individual's conditions of employment, or his or her periodic evaluation. They include:

“...records containing information kept by the institution, school, division, or department concerning a faculty member and furnished by the faculty member or by others, including, but not limited to, information as to discipline, counseling, membership activity, other behavioral records, professional preparation and experience, professional performance {e.g., assignment and workload, quality of teaching, research, and service to the institution}, personnel data relating to such matters as promotions, tenure, leaves, retirement credits and the like and professional activities external to the institution, including, but not limited to, awards, recognition, research activities, and travel.”
{OAR 580-022-0065}.

2. For purposes of compliance with ORS 351.065, “records of academic achievement” shall mean the record of credits earned toward a degree or in post-doctoral work and/or certificate(s), diploma(s), license(s), and degree(s) received.

Limitation on Records

1. Only such records that are demonstrably and substantially related to the educational and related purposes of the institution, school division, or department will be generated and maintained.
2. No faculty member will be required to give—although he or she may voluntarily provide—information as to race, religion, sex, political affiliation or preferences, except as required by state statute, federal laws, statutes, rules, regulations or orders. In those instances in which the faculty member is asked for such self-designation for any purpose (including federal requests for information), the request will state the purpose of the inquiry and will inform the individual of the right to decline to respond.

Location and Custody of Faculty Records

1. Oregon Revised Statutes limit evaluative files to three, but permits an institution to maintain one additional file that shall contain only material excised from other records as permitted by OAR 580-022-0100. At the Oregon Institute of Technology, a faculty member's evaluative file shall be kept only in the Provost's Office which will maintain the confidentiality and security of the file.

2. The Director of Human Resources may have a clerical file for each faculty member, consisting of non-evaluative material such as academic rank, years of service, salary, and other needed information. These files are also confidential.
3. In addition to the Provost file and Human Resources file, files for faculty or adjunct faculty working at sites other than the Klamath Falls campus, will be maintained in the office of the faculty member's immediate supervisor when he/she also works outside of Klamath Falls.
4. Department Chairs may have a supervisory file to be used during the academic year, but at the end of the year the documents are to be returned to the faculty member.

Open Faculty Records for Access and Additions

1. Each faculty member shall have full access to his/her own faculty records and all other evaluative material, written or oral, accepted by any administrator, personnel review committee, or person of this institution relating to a faculty member's conduct, renewal or appointment, promotion, tenure, or post-tenure review except as provided in paragraphs a and b below:
 - a. Letters and other information submitted in confidence to the institution, school, department, or division prior to July 1, 1975, shall be maintained in the designated files. However, if a faculty member requests access to such letters and other information, the anonymity of the contributor of letters and other information obtained prior to July 1, 1975, shall be protected. The full text shall be made available except for those portions that would serve to identify the contributor, which shall be excised by a faculty committee. The excised portions of the documents may be kept in a confidential file in the Provost's Office.
 - b. Confidential letters and other information received after July 1, 1975, by the institution, school, department or division prior to the employment of a faculty member shall not be made available to the prospective employee. However, if the prospective faculty member is employed by the board or its institutions, the confidential pre-employment materials will be placed in the confidential files. If a faculty member requests access to his/her file, the anonymity of the contributor of confidential pre-employment letters and other pre-employment information shall be protected. The full text shall be made available, except those portions of the text that would serve to identify the contributor. Those portions will be excised and retained in a confidential file.
2. Any oral or written input received by members of the institution, and intended to be used for faculty evaluation, will be documented to include a summary of the conversation and the names of the conversants. Such documentation will be placed in the faculty member's evaluative file. The institution is prohibited from accepting anonymous information that is intended for evaluative purposes with the exception of item 3 below.

3. Classroom survey evaluations by students of a faculty member's classroom or laboratory performance will be anonymous. The record of tabulated reports will be placed in the faculty member's evaluative file. All survey instruments used to obtain the evaluative data will be returned to the faculty member. No other evaluative material shall be accepted from students unless students are first informed that the faculty member will have access to such material and that the identity of the student cannot be preserved.
4. Each faculty member will review his/her periodic regular written evaluation with an immediate evaluating officer (Department Chair, Assistant Provost, Provost, or President). A copy of the evaluative statement, signed by the faculty member signifying that he or she has seen and discussed the evaluation, will be placed in the faculty member's evaluative file. Other evaluations given to the faculty member will contain, or have attached to them, a statement informing the faculty member that he/she may, at his/her option, discuss the evaluative statement with the evaluating administrator.
5. Each faculty member who believes that any evaluative statement, or document, is incorrect or incomplete may enter into his/her evaluative file such comments, explanation, or rebuttals as desired. These additions will be attached to each copy of the evaluative statement, or document, and retained by the institution.
6. Faculty records will be closed to all persons except the faculty member who is the subject of the records and to institutional personnel, such as faculty, administrators, students and others serving on official institutional committees or in other official institutional capacities. Such institutional personnel shall have a demonstrably legitimate need to review the records in order to fulfill their official, professional responsibilities as defined by institutional rules.

Release of Faculty Record Information

1. Certain information about the faculty member may be released upon request and without the faculty member's consent. Such information shall be limited to: directory information {information generally needed in identifying or locating a named faculty member such as the faculty member's full name, campus address and telephone number}; objective evidence of a faculty member's academic achievement, limited to information as to number of credits earned toward a degree or in postdoctoral work, and certificate{s}, diploma{s} and degree{s} received; and salary information and the record of terms or conditions of employment, records tabulated from students' classroom survey evaluations, on a finding by the president that privacy rights in an adequate educational environment would not suffer by disclosure.
2. All other information shall be considered personal and subject to restricted access as set forth in OAR 580-022-0095 through 580-022-0125 and can be made available only upon written consent, directing the custodian to furnish specific information to the named individual or individuals.

3. The President, or his/her designated representative, may release personal information in faculty records in compliance with state or federal law.

Permanence, Duplication and Disposal of Faculty Records

1. All faculty records will be destroyed consistent with the state record retention schedule. Records will be disposed of in a manner such as to protect its confidentiality.
2. Duplication of evaluative faculty records shall be minimized.
3. All noncompliant faculty records are to be immediately destroyed in a manner to protect the confidentiality of the faculty member.

Availability to Faculty Members of Objective Information Concerning Categories of Staff

For purposes of compliance with OAR 580-022-0115, institutional rules shall establish procedures through which the faculty member who feels adversely affected by institutional, school, divisional or departmental personnel action or lack thereof may request from designated institutional officials objective or quantitative information contained in limited access files, concerning personnel actions affecting categories of faculty members, where such actions appear to have relevance to the case of the faculty member requesting the information. Such information will be provided to the faculty member. It may include but need not be limited to: assignment, load, list of publications. It shall not include any evaluative statements concerning faculty members.

Recommended by:

Faculty Senate – April 8, 2004

President's Council – June 30, 2004 (via e-mail vote)

Approved: *Martha Anne Dow*

Date: *6/30/04*