

## Personnel Files

There are three official personnel files maintained by the university for each faculty member. In addition, records of professional leave applications, tenure and promotion letters, and peer reviews in probationary, tenure and promotion, and post tenure review are kept separately. This document:

- Clarifies the contents of each file or record.
- Describes who has access to each file and the process for obtaining access.
- Describes the retention schedule for each file. NOTE: retention schedules change; for current official retention schedules please see <http://library.wwu.edu/archives>

Section 24.1 of the Collective Bargaining Agreement (CBA) states that the university maintains three official files for each faculty member:

- **A professional record file in the Provost's Office:** provost office personnel have access to this file and the faculty member has access by filling out the attached form. The retention schedule is 60 years as of the date of this document. This file contains the following:
  - Original letter of offer and contract for tenure-track faculty
  - Non tenure-track faculty contract letter, either E-sign form or hardcopy
  - Curriculum Vitae, original is kept; as updates come in, the "old update" is removed and replaced with new update, still keeping the original CV
  - Copies of personnel action forms
  - Final tenure and promotion letters from provost/president
  - Copies of the professional leave award letter and repayment form signed by faculty member
  - Post tenure review letters
  - E-sign overload approval form/contract
  - Any type of leave, for example, professional, educational, medical (not medical documentation – that is kept in HR)
  - E-sign leave request form
  - Past step, merit, retention increases
  - Appointment changes: reduced appointments, appointment to department chair, etc.
  - Temporary assignments
  - Nominated/elected to serve on external professional committees/boards
  - Grievances or complaints
  - Legal and disciplinary actions
  - Spousal accommodation
  - Retirement and emeritus status
  - Termination (voluntary or involuntary)
- **A personnel file in the dean's office of the appropriate college:** dean's office personnel have access to this file and the faculty member has access by filling out a form similar to the one used in the

provost's office. Although the retention schedule is presently 3 years after separation, it will soon become 10 years. (Please refer to the <http://library.wvu.edu/archives> for the official schedule.) The dean's office file contains the following:

- For convenience, all documents listed above are often kept also in the dean's office file
  - In addition is any correspondence with faculty members such as disciplinary letters, thank you letters, serving on college committees, etc. Human Resources refers to this file as the "supervisor's file". So accordingly, it would be communications between the dean's office and the faculty member surrounding any aspect of the faculty member's job duties.
- **Human Resources file:** human resources personnel have access to this file and the faculty member has access by filling out a form similar to the one used in the provost's office. The retention schedule (at the time of this document) is presently 60 years after separation. The human resources file contains the following:
    - Payroll and benefits information
    - Confidential medical files maintained in accordance with state and federal law, including compliance with HIPAA (Health Insurance Portability and Accountability Act). This law governs access and maintenance of protected health information (PHI). Dr. Emily Gibson, Director of the Student Health Center, is the HIPAA compliance officer for WWU. HIPAA-covered PHI is managed in files separate from the personnel file.

Two other files or faculty records also exist, one consists of faculty applications for professional leave and T&P, and the other arose from the Confidentiality Task Force, winter 2012.

In winter and spring quarters, 2012, a confidentiality task force was convened to:

1. Recommend common phrasing in the solicitation of peer review letters that will inform faculty that candidates under review may request to see the letters being provided. The purpose of this statement is to make clear a common practice, across all colleges that will be adopted with respect to these letters. The phrasing would be used by each of the colleges and library.
2. Recommend a common set of practices for making these letters available to candidates, following the decision.
3. Propose a timeline for retention of these records that protects the privacy of the candidate and relevant laws after which they are destroyed.
4. Propose standardization as to where and how the documents supporting the T&P and PTR records are kept.

So, in addition to the three official files (see above), two other files or records are maintained:

- **Provost's Office professional leave applications and tenure and promotion letters:** faculty applications for professional leave are kept separately in the provost's office. A copy of the letter to the faculty member awarding the leave and the repayment form signed by the faculty member are kept in the professional leave file in the provost's office, as well as a copy of the report required by the CBA at the conclusion of the leave. The retention schedule is presently 6 years.

Tenure and promotion materials that include the action record, CV, teaching, scholarship, and service summaries, all review letters from chair, T&P committee, and dean, as well as a copy of letter from provost to faculty member are kept in the provost's office. The retention schedule is presently 6 years. Again, please refer to <http://library.wvu.edu/archives> for the official schedule.

- **Peer evaluations collected in the Probationary Review, Tenure and Promotion, and Post Tenure Review Processes:** the following outlines the practices and retention surrounding these evaluations. The wording is taken from the *Confidentiality Task Force Final Recommendations Report of May, 22, 2012*.

- Internal peer evaluations are not subject to disclosure to the public. They remain available only to the chair, review committees, and others making the evaluation. After the review procedure is complete, the candidate may obtain access by submitting a written request to the dean of the college or library.
- A faculty member wishing to examine his/her own internal peer evaluations may make this request to the dean of the college or library. The dean or dean's designee will coordinate with the faculty member to find a mutually convenient time to examine the records in a secure and private setting. The faculty member may choose to bring another person with them to assist in the records examination. Although making photocopies of file documents is not allowed, the faculty member may make notes during the review.  
A Union representative, with written authorization from the faculty member concerned, and subject to the University's duty to provide for security of the records, may examine and receive a copy of all or part of the official files of that faculty member. This does not include copies of the Internal Peer Evaluations as they are not part of the official file.
- Records Retention Schedule for Documents Supporting Probationary Review, Tenure and Promotion, and Post-Tenure Review.  
Once a final decision regarding Probationary Review, Tenure, Promotion or Post-Tenure Review is completed, all internal peer evaluations shall be:
  - i. Retained in a restricted, secure envelope in the Dean's Office.
  - ii. The dean's office will take every precaution to maintain the secure envelope in accordance with these rules.
  - iii. Any copies residing outside this envelope shall be destroyed.
  - iv. The Dean shall retain this envelope in his/her office until the end of the next academic year following the personnel action, after which
  - v. The Dean shall transfer the envelope to the University Archives and Record Center with a closing date reflecting the time of transfer (not decision rendered).
  - vi. The University Archives and Record Center shall retain this envelope for six years.
  - vii. After six years, the University Archives and Record Center shall destroy the envelope and its contents.
  - viii. Exceptions: all legal holds, public records requests, audits, or other formal procedures mandate a suspension of the retention schedule. Once a final decision regarding the formal procedure that has interrupted the schedule has been rendered, the Retention Schedule outlined above shall be restarted.
- The task force makes the following recommendations concerning external evaluations. Our CBA allows departments to seek external evaluations. If departments choose to use external evaluations as part of the tenure and/or promotion process, then
  - External evaluations will be treated as confidential in order to align with current professional norms and practices. They are made available to faculty evaluating the candidate, the college or library tenure and promotion committee and dean and become part of the materials forwarded to the next levels for review. The external evaluations are removed by the dean before returning the dossier to the candidate. After a final decision has been rendered, the external evaluations are destroyed.
- A question has been raised about informal exchanges taking place between a faculty member being evaluated and the chair after the faculty member receives the official letter. The question posed is, "Do these informal (email) exchanges become part of the materials put in the faculty

member's file to be made available to review committees in the future?" The committee recommends the following:

- There is no place in the probationary review, tenure and promotion process, or post tenure review for unofficial communication about the letter and/or the process. If there are concerns or questions needing to be addressed, the process outlined in our CBA should be followed. These formal communications about the process are then part of the official record of the review.

The complete *Confidentiality Task Force Final Recommendations Report of May, 22, 2012* is attached.