

Applies to: Faculty, staff, student employees

Responsible Office

Human Resources

POLICY STATEMENT

College personnel records should be accurate, relevant, and safe from improper disclosure. Federal and state laws require that certain information be gathered and maintained in **personnel files**. Sound personnel decisions require that the college collect and retain information concerning employment history and performance. Personnel records are public records subject to exemptions set forth in Ohio law.

Purpose of the Policy

To provide guidance on how to assemble and maintain personnel files and ensure that such files are preserved and consistent throughout the college.

Definitions

Term	Definition
Education records	Any records, other than directory information (e.g., name and address), directly related to a student, and maintained by the college, including employment records of an individual employed as a result of her or his status as a student.
Intellectual property records	Most research-related information, other than financial or administrative data, that has not previously been publicly released, published or patented.
Investigatory records	Applies primarily to the records of a police department, but also includes some records of administrative investigation.
Medical records	Any documents pertaining to the medical history, diagnosis, prognosis or medical condition of a patient that is generated and maintained in the process of medical treatment.
Personnel file	An employee's official file containing records that serve as a chronology of the employee's history with the college.

Policy Details

- I. Personnel Files
 - A. Creation and Contents
 1. Each employee has one personnel file, which is maintained primarily by the Office of Human Resources. Portions of said file that pertain to academic matters (e.g., faculty evaluations, terms of appointment memos, transcripts and other credential documentation, etcetera) are located in the Office of the Vice President for Academic Affairs.
 2. An employee's personnel file contains only necessary job-related information, e.g., hiring records, position description, performance records. Unsolicited and anonymous materials will not be included in the personnel file unless there has been a finding of fact through an existing college investigatory process.
 - a. Personnel records must be shared with the employee prior to being placed in the personnel file.
 - b. Records contained in the human resources and payroll systems are considered part of the personnel file. These records are neither a substitute nor a replacement, nor do they alone meet the requirements for each employee having a personnel file.
 3. The personnel file must be maintained consistent with the Responsible Use of COTC Computing and Network Resources Policy 1.1.3.
 - B. Records to be Maintained Separately from the Personnel File

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1. **Education records, medical records, confidential investigatory records, intellectual property records, promotion and tenure records, and attorney-client communications** are not part of the personnel record.
 2. The Office of Academic Affairs is responsible for maintaining the official promotion and tenure files for faculty members as the office of record.
- C. Records Retention
1. Each record within the file shall be maintained or destroyed in compliance with Records Management Policy 1.1.22.
- II. Supervisory Files
- A. If a supervisory file exists for the employee, it is not part of the personnel file and must be maintained in a secure location within the employing department.

PROCEDURE

- I. Access to Personnel Files
- A. In accordance with, and to the extent permitted by, the Ohio Public Records Act, current and former employees may request to inspect and obtain a copy of their personnel files. The college will respond to such requests within a reasonable period of time.
 - B. Internal access to another employee's personnel file is limited to supervisory personnel who are considering the employee for promotion, transfer, accommodations or other personnel action and to other officials who have a legitimate need to know.
 - C. All other internal requests will be treated as requests under the public records policy.
- II. Disputing Information
- A. Employees who question the accuracy or completeness of information in their files should discuss their concerns with the vice president for institutional planning and human resources or her designee.
 - B. The vice president will consider the objections and determine the appropriate resolution.
 1. Should the disputed information be retained in the file, the employee may submit a brief written statement identifying the alleged errors or inaccuracies. The statement will remain in the file as long as the disputed information is retained.
 2. Should the disputed information be removed from the file, its removal must be documented.
- III. Public Records Requests for Personnel Records
- A. Records maintained in a personnel file are generally considered public records under Ohio law. When a public records request is made, documents or data such as social security numbers, home addresses, personal telephone numbers, and employee ID numbers may require redaction or withholding pursuant to law.
 - B. Some records contained in personnel files or otherwise maintained by the college are not public records, including, but not limited to, medical or educational records, intellectual property records, investigatory files, and any other records made confidential by law.
 - C. For guidance concerning public records request for personnel records, including how to process and respond to such requests, contact the Office of Human Resources.
 - D. When a public records request is made to examine an employee's personnel file, excluding those described in procedures I.A-B, to the extent practical the human resources office will attempt to notify the employee of the request. Efforts to notify the employee may not delay timely process of, or responding to, the request.
 - E. The college may verify information (e.g., employment status, salary, job title) without notifying the employee involved.
 - F. The college will cooperate as appropriate with law enforcement investigators, public safety officers, or officials as necessary.

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Responsibilities

Position or Office	Responsibilities
Human Resources	<ol style="list-style-type: none"> 1. Consult with departments and appropriate college officials regarding this policy. 2. Assemble, maintain, and administer personnel records in accordance with controlling laws and this policy. 3. Respond to current and former employees that request to inspect or obtain a copy of their own personnel files. 4. Provide internal access to college personnel that have a legitimate job-related need to access. 5. Respond to public records requests per Ohio Public Records Act in consultation with the Office of the President and the Ohio Attorney General, as appropriate. 6. Notify the employee, when practical, when public records requests have been made for the employee's personnel file, including who requested the file if known.
Academic Affairs	<ol style="list-style-type: none"> 1. Assemble, maintain, and administer personnel records designated as the responsibility of the Office of the Vice President for Academic Affairs, such as performance evaluations, promotion & tenure records, and others, in accordance with this policy.
Employee	<ol style="list-style-type: none"> 2. Update the Office of Human Resources with changes to personal information such as address, emergency contact, phone number, et cetera.

Resources

- [COTC Public Records Policy, 1.1.20](#)
- [COTC Records Management Policy 1.1.22](#)
- [Responsible Use of COTC Computing and Network Resources Policy 1.1.3](#)
- [Ohio Public Records Act](#)
- [Federal Educational Rights and Privacy Act \(FERPA\)](#)

Contacts

Subject	Office	Telephone	E-mail/URL
Office of Human Resources	1014 Founders Hall	740-366-9367	https://go.cotc.edu/hr

History

Issued: Unknown
 Revised: 11/01/2004
 Reviewed: 03/01/2009
 Revised: 02/22/2013
 Edited: 09/03/2014
 Reviewed: 09/04/2015
 Edited: 09/01/2016
 Revised: 09/28/2017
 Edited: 09/12/2018 (formatting)
 Edited: 03/04/2021