FACULTY RECORDS

577-040-0005

General

(1) Personal records shall be maintained for each faculty member at the University. Faculty includes all unclassified personnel.

(2)(a) As a condition of employment or continued employment, a faculty member may be required to furnish certain information as stated in OAR 577-040-0010. All such information must be demonstrably and substantially relevant to the educational and related purposes of the University as required under 580-042-0720 and in accord with 580-042-0725;

(b) No faculty member shall be required to give any information as to race, religion, sex, marital status, age, number of children, political affiliation or preferences (though such information may be given voluntarily if the faculty member desires to do so) except as required by state statute, federal law, or valid federal rules, regulations, or orders. In the event such information is requested, the purpose of the inquiry shall be stated and the faculty member shall be informed of the right to decline response to such request.

(3) Certain administrative personnel such as deans and department heads may be furnished certain relevant information regarding faculty members as required by OAR 577-040-0010 and in accord with the procedures of 577-040-0015.

(4) Personal records of each faculty member will be kept in locations central to the University, school or college, or department by which they are maintained. Except as provided in OAR 577-040-0020(4), the number of files relating to the evaluation of a faculty member shall be limited to three, to be kept in designated, available locations; each file on an individual member shall refer to the existence and location of the other files. All records containing personal information about faculty members shall be kept in secured files. The head of each academic or administrative unit maintaining faculty records shall be responsible for maintaining the confidentiality and security of all faculty records within that unit in accordance with the provisions of these regulations.

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Hist.: PSU 5, f. & cert. ef. 4-6-76
577-040-0010

Information to Be Recorded

In accord with OAR 580-042-0715, 580-042-0720, and 580-042-0725, personal records of each faculty member at the University may include information regarding the following:

(1) Professional preparation and experience including record of credits earned toward a degree or in post-doctoral work and/or certificates, diplomas, licenses, and degrees received;

(2) Professional membership activity;

(3) Student advising and counseling;

(4) Professional activities external to the University including awards, recognition, research activities, travel;

(5) Teaching assignment, workload, publications, exhibitions, and other professional performance;

(6) Personnel data including promotions, tenure, leaves, retirement credits;

(7) Quality of teaching including departmental summaries of students' evaluations, research and service to the University;

(8) General performance including, but not limited to, discipline, counseling, and other behavioral records.

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Procedure for Recording Information for Faculty Personnel Records

(1) Once each year, the information specified under OAR 577-040-0010(1) through (8) shall be brought up to date.

(2) It shall be the responsibility of the President of the University or his delegate to gather the information in a timely and efficient manner.

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Use of Information Contained in Faculty Records

(1) In accord with OAR 580-042-0735, only the following four kinds of information may be released, upon request, without the faculty member's consent:

(a) Directory information (within the limitations of OAR 577-040-0005(2)), that is, information generally needed in identifying or locating a named faculty member including information as is readily to be found in published documents such as the University's catalogs and directories. A faculty member may stipulate that this information not include telephone number;

(b) Objective evidence of a faculty member's academic achievement, limited to information as to the number of credits earned toward a degree or in post-doctoral work, and certificates, diplomas, licenses, and degrees received;

(c) Salary information and the record of terms or conditions of employment;

(d) Records tabulated from students' classroom survey evaluations and used by students in selecting courses or instructors.

(2)(a) All other information contained in faculty records shall be considered personal and subject to restricted access, being available only to the faculty member and to the University's personnel who have a demonstrably legitimate need to review it in order to fulfill their official, professional responsibility and including those individuals and/or committees responsible for making recommendations or decisions regarding retention, tenure, promotion, and salary increases. These records may not be released to any other person or agency without the faculty member's written consent, except upon receipt of a valid subpoena or other court order or process or as required by state statute, federal law, or valid federal rules, regulations or orders, or upon a finding by the President of the University that the public interest in maintaining individual rights to privacy in an adequate educational environment would not suffer by disclosure of such personal records;

(b) In accordance with OAR 580-042-0740(2) requiring the designation of institutional officials to appear in court to test the validity of a subpoena or other court order or process relating to release of faculty records when validity is in question, the President of the University or his delegate is designated to so appear;

(c) Access cannot be limited for records of academic achievement or for records more than 25 years old.

(3)(a) The entire contents of a faculty member's personal records files shall always be available to the member. A faculty member may at any time enter into the member's personal records files such comments, explanations, or rebuttals as the member may wish;
(b) A copy of each written evaluation of the faculty member, containing or having attached to it a statement that the member may discuss the evaluation with the evaluating official, shall be given the member. A copy of the evaluation signed, by the member signifying receipt, shall be placed in the member's evaluation file. The faculty member may enter into the evaluation file such comments, explanations, or rebuttals as desired. There shall be attached to each copy of the evaluation retained by the University, school, college, or department a copy of such comments, explanations, or rebuttals;

(c) If and when statements, either oral or written, are solicited concerning the scholarship, teaching or general performance of a faculty member, it must be made clear to the person from whom the statements are solicited that the University maintains an open file and that such statements, including the identity of the authors, will be available to the faculty member;

(d) Any evaluation received by telephone shall be documented in each of the faculty member's files by written summary of the conversation with the names of the conversants. After July 1, 1975, the University or any of its subdivisions when evaluating its employed faculty members shall not solicit nor accept oral or written statements from individuals or groups who wish their identity kept anonymous or the information they provide kept confidential;

(e) If a department head or other administrative officer receives a written statement concerning a faculty member, and it is determined that the statement is significant, there must be an immediate notification to the faculty member that such statement has been received, and if it is decided that such material should be retained, it must be retained only in the faculty member's personal records files.

(4) Confidential letters and other information submitted to or solicited after July 1, 1975, by the University or any of its subdivisions prior to the employment of a faculty member are exempt from the provisions of this section. However, if the applicant is employed by the University, the confidential preemployment information shall be placed in the three authorized files. If a faculty member requests access to the member's files, the anonymity of the contributor of confidential preemployment letters and other preemployment information shall be protected. The full text shall be made available, except that portions of the text which would serve to identify the contributor shall be excised and retained in a file other than the three designated in OAR 577-040-0005(4).

(5) Faculty members at the University who feel adversely affected by the University, school, college, or departmental personnel action or lack thereof may request from the President of the University or his delegate objective or quantitative information contained in files, which are limited as to access, concerning the personnel actions affecting categories of faculty members, where such actions appear to have relevance to the case of the faculty member making the request for information. The President or his delegate will make such information available. Such information may include: assignment, load, list of publications, and such other information as determined by the President or his delegate to be relevant, but will, in no event, include any evaluative statements concerning faculty members. Such information shall also be available to any other faculty member at the University upon request.
(6) Information about the faculty member requested for research purposes may be made available but without identifying the faculty member whose personal data or information are being included in the research. If the confidentiality of faculty records would seem in any way jeopardized by the release of requested information, the University through the President or his delegate, shall obtain the written consent of the faculty member prior to releasing information about him for research purposes.

(7) Survey evaluations by students of a faculty member's classroom or laboratory performance shall be anonymous. The record of tabulated reports of evaluations shall be placed in at least one of the files designated in section 577-040-0005(4). All survey instruments used to obtain evaluation data shall be returned to the faculty member. No other evaluative material shall be accepted from students unless they are first clearly informed that the faculty member will have access to such material and that students' anonymity cannot be preserved.

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Permanence, Duplication, and Disposal of Faculty Records

(1) The individual faculty member's records shall be maintained only during the time that he is employed by the University and for one year after his employment is terminated. Thereafter, the faculty member's file shall be transferred to the office of the President or his delegate where it shall be determined whether any part of the file should be permanently retained. Only such records as are determined to be of long range value to the faculty member, to the University, or to the public shall be retained.

(2) Faculty records may be duplicated only when authorized by the President or his delegate or by the faculty member himself or his duly appointed representative.

(3) All records not retained permanently and all duplicate copies of any permanently retained records shall be destroyed as soon as their purpose is concluded as determined by the President of the University or his delegate, and said records or said duplicates shall be destroyed, in such manner as to protect their confidentiality, in accordance with the rules of the State Archivist.

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