

ARTICLE XVI - ACCESS TO OFFICIAL PERSONNEL FILES

The administration of each College shall maintain an Official Personnel File for each member of the bargaining unit, which shall be kept in a secure place in the custody of the President. Such file shall contain a continuous record of the member of the bargaining unit's status as an employee of the College. The Official Personnel File shall contain the following:

1. copies of Official Personnel Correspondence and personnel actions concerning the member of the bargaining unit;
2. except as is hereinafter provided, all evaluations of the performance of members of the bargaining unit made prior to the effective date of this Agreement and made thereafter pursuant to the provisions of Articles VIII, VIII-A or VIII-C hereof; provided only that the record of any student evaluations may be kept in the form of summaries thereof;
3. all recommendations of retention, merit, promotion and tenure made prior to the effective date of this Agreement and all such recommendations made thereafter pursuant to the provisions of Article VIII, VIII-A or VIII-C hereof;
4. an updated official transcript submitted pursuant to the provisions of Article VIII, VIII-A or VIII-C hereof;
5. a copy of the Salary Data Form (Appendix O-1 or O-2); and
6. an updated comprehensive resume.

Except as is hereinafter provided, no other materials shall be included therein.

1. All such materials placed in the Official Personnel File of a member of the bargaining unit shall be dated when received, numbered sequentially, and, with effect from and after September 1, 1981, all materials contained in each Official Personnel File shall be logged sequentially.
2. The member of the bargaining unit shall have the right without undue delay to examine his/her Official Personnel File. Under no circumstances shall the Official Personnel File be removed from its place of safekeeping by the member of the bargaining unit, and access to the Official Personnel File shall, where feasible, be only in the presence of someone in authority.
3. The member of the bargaining unit shall have the right to place in his/her Official Personnel File a written statement made in response to materials contained in his/her Official Personnel File or which he or she believes may affect his/her employment status.

4. Upon written request of the individual member of the bargaining unit the College administration shall reproduce without undue delay one (1) copy of such materials.
5. Copies of Official Personnel Correspondence shall be filed at the time they are sent to the member of the bargaining unit.
6. Within sixty (60) days of the commencement of the first day of the seventh (7th) year of employment at the College of each member of the bargaining unit, there shall be removed from the Official Personnel File of each such member of the bargaining unit all evaluations which have been filed therein for a period greater than six (6) years. Thereafter, no evaluations of the member of the bargaining unit which do not cover the prior six (6)-year period shall remain in the Official Personnel File.

The evaluations to be removed from the Official Personnel File shall be placed in a sealed envelope and stored by the administration at the College. Each year thereafter, those evaluations which have been in an Official Personnel File for more than six (6) years shall be similarly removed and placed in the stored envelope.

All evaluations placed in such envelopes in accordance with the provisions of this Article and its predecessors may be examined only in compliance with either of the following conditions:

- a. upon written notice by the President to the member of the bargaining unit, which notice shall contain a statement of the reasons for such examination; or
 - b. upon written notice by the member of the bargaining unit to the President, which notice shall contain a statement of the reasons for such examination.
7. The Official Personnel File shall be available for inspection by the Department Chair, the Director, Library, or Library Program Area Chair, as may be appropriate, the Committee on Tenure, the Vice President, the President, the Board of Trustees and the Board of Higher Education acting through the Council of Presidents and, when so authorized in writing by the member of the bargaining unit, by a representative of the Association. An inspection sheet shall be maintained for each Official Personnel File. Whenever any of the foregoing individuals, committees or boards inspects the Official Personnel File of a member of the bargaining unit, the name of the individual or individuals conducting such inspection and the date and time thereof shall be noted on the inspection sheet.
 8. Unless required by law or this Agreement, no person or agency other than those described in the preceding paragraph 7 shall be given access to an Official Personnel File without the express written permission of the member

of the bargaining unit concerned. Whenever, as required by law or this Agreement, any person or agency (other than the persons and bodies described in the preceding paragraph 7) is given access to an Official Personnel File without the express written permission of the member of the bargaining unit concerned, such member of the bargaining unit shall be given prompt notice thereof.

9. No documentary materials shall be used in connection with the evaluation of any member of the bargaining unit unless such materials are contained in the Official Personnel File of such member of the bargaining unit or have been made a part of his or her evaluation in accordance with the provisions of Article VIII, VIII-A or VIII-C.