

ARTICLE 24 PERSONNEL FILES

Section 1.

A. Each UNIVERSITY shall maintain one (1) confidential complete official personnel file for each COACH. No anonymous material shall be placed in the official personnel file. A COACH upon his/her request shall have the right to receive a copy of material placed in the personnel file by management personnel.

B. In addition, there may be one (1) official pre-employment file that shall be confidential and shall contain letters of reference and recommendations and/or material related thereto secured from sources outside the UNIVERSITY. At the time of the granting of the initial ROLL-OVER CONTRACT OF EMPLOYMENT that may be renewed annually one additional year, all letters of reference and recommendations shall be destroyed unless otherwise required by law or if there is a pending legal action and academic credentials shall be transferred to the official personnel file.

C. A COACH shall have the right to make such additions or responses to the material contained in his/her official personnel file as he/she shall deem necessary. Only material that is directly related to the COACH'S work performance shall be included in the confidential personnel file.

Section 2.

A. A COACH shall have access to his/her official personnel file during regular office hours, provided that there shall be no undue interference with the normal routine of the office. Under no circumstances shall the official personnel file be removed from the office by the COACH, and his/her access to the file shall be only in the presence of someone in authority in the office.

B. In addition to the COACH, only the Chancellor, President and his/her designees shall have access to the official personnel file without the express written approval of the COACH. The President and his/her designees shall be responsible for the placement of material in, and the removal of material from, the official personnel file.

C. The COACH shall have no right of access to the official confidential pre-employment file.

D. APSCUF shall have access to the official personnel file of a COACH at reasonable times during regular office hours, after having given reasonable notice, provided APSCUF first shall have obtained the express written approval of that COACH.

Section 3. If the official personnel file is duly subpoenaed in accordance with law, the COACH shall be notified at the earliest possible time.

Section 4. Other Rules for the Official Personnel File of Each COACH

A. No material derogatory to a COACH'S conduct, such as service, character, or personality, shall be placed in the COACH'S official personnel file unless the COACH has had an opportunity to read the material first. The COACH shall acknowledge that he/she has read the material by affixing his/her signature and the date signed on the material to be filed.

B. A statement indicating that the understanding is that such a signature merely signifies that the material has been read and does not necessarily indicate agreement with its content shall be included on all such material. If a COACH refuses to affix his/her signature on any such material, a statement to the effect that the COACH was shown the document and refused to sign it shall be entered on the document and signed and dated by the initiator. If the COACH refuses to sign, the material shall also be signed and dated by an appropriate witness. The custodian of the record shall be responsible for obtaining the COACH'S signature and for entering the appropriate statement on the copy of the document that is to be placed in the COACH'S official personnel file.

C. Any material in a COACH'S official personnel file, not acknowledged as described above, that the COACH deems derogatory, shall be removed from the file at the COACH'S request.

D. Derogatory material not brought to the COACH'S attention within ten (10) college calendar days after its receipt by the official custodian shall not be placed in the COACH'S official personnel file. The COACH has a right to answer any material that is derogatory to a COACH'S conduct, and the COACH'S response shall be placed in the file.

E. The performance evaluations shall be permanent documents included in the Official Personnel Folder, and these evaluations shall consist only of documents related to performance evaluations that were made in accordance with the required procedures of the collective bargaining agreement in effect at the time which the evaluation was made.

F. In the case of letters of caution, reprimand, admonishment, or warning that are temporary material to be retained in the Official Personnel File/Folder, the following policy shall apply. If a COACH has had no reprimand during any six (6) year period, all reprimands shall be removed from the file. If a COACH has had reprimand(s) within any six (6) year period, it (they) shall remain as well as all prior reprimands.

G. When a person is authorized to review an Official Personnel File, he/she will be required to enter the following information in a log: name of the COACH whose records are being reviewed; date and reason for the review; signature of the person reviewing the file. The custodian shall also initial the withdrawal and return of the Official Personnel

File/Folder. The custodian of the Official Personnel File shall be responsible for the maintenance of this log and for the maintenance and contents of the Official Personnel File in accordance with established procedure and policy.

The log indicating those who have reviewed the file with provision for both the reviewer and the custodian to acknowledge signing out and signing in shall be retained in the appropriate Official Personnel File on a permanent basis.