

BOARD OF REGENTS
BRIEFING PAPER

Agenda Item Title: Public Information Contained in Personnel Files

BACKGROUND & POLICY CONTEXT OF ISSUE:

In September 2005, the Board of Regents added Section 5.6.3 to the Code of the Nevada System of Higher Education providing that

Proposed Amendment: [Note: No changes are proposed in Sections 5.6.2 or 5.6.2(a). These sections are included for context only. Changes are proposed for Sections 5.6.2(b) and 5.6.3, as indicated.]

Section 5.6 Faculty Benefits

5.6.2 Personnel and payroll files of Nevada System of Higher Education professional staff are confidential. Personnel and payroll records may only be released pursuant to the written authorization of the professional staff member or pursuant to a court order directing the release of the records that has been signed by a judge with jurisdiction over the matter. The provisions of Title 2, Chapter 5, Sections 5.6.2 and 5.6.3 apply to letters of appointment. (B/R 12/05)

(a) The professional staff member shall have access to his or her official personnel and payroll files, and the professional staff member may grant access to such files to a representative with a written authorization from the staff member. The following additional personnel shall have access to a professional staff member's personnel and payroll files solely for reasons germane to the performance of their official duties: the staff member's supervisors, which may include a departmental chair, dean, director, vice-president, provost, president, and chancellor; institution payroll officers; institution Personnel officers, which may include appointed disciplinary officers; System legal counsel; internal auditors; members of the Board of Regents; faculty senate chair; and confidential institution committees including but not limited to tenure and grievance committees. (B/R 1/04)

(b) The following information in these personnel files is public information and must be disclosed to the public upon request: the employee's name, title, job description, compensation and perquisites, business address and business telephone numbers, beginning date of employment and ending date of employment, educational background and work history.

5.6.3 Any information contained in employment application materials (e.g. letters of interest, curriculum vitae, application, employment and educational records, publications or work samples) submitted for consideration of employment within NSHE are confidential, except the position of Chancellor, during search processes until such time as a candidate accepts employment within NSHE. During search processes, such ~~Such~~ documents can only be released pursuant to the written authorization of the prospective professional staff member or a court order directing the release of the records that has been signed by a judge with jurisdiction over the matter. Upon acceptance of an employment offer, information contained in the application materials as stated in 5.6.2 (b) shall become public records. (B/R 9/05)