

MANUAL OF PROCEDURE

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PROCEDURE TITLE: Personnel Records/Limited Access

STATUTORY REFERENCE: FLORIDA STATUTES 110.201, 119.07, 501.171, 741.4651, 1001.64, 1012.81

BASED ON POLICY: I-25 Retention and Destruction of Records

EFFECTIVE DATE: March 2, 1979

LAST REVISION DATE: November 7, 2018; August 6, 2024

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I. PURPOSE

To inform the public and College employees of the procedures to be followed in gaining access to personnel records subject to Public Records Act, Section 119.07, Florida Statutes and to inform the public and College employees of those employee records defined as limited access records confidential and exempt from the Public Records Act.

II. PROCEDURE

- A. Records Custodian: The Records Custodian of the College Human Resource personnel records is the Vice Provost of Human Resources, or designee.
- B. Public Records: An employee's personnel records are considered public records and may be inspected and examined in the Division of Human Resources Office located at 11011 SW 104 Street, Room 1107, Miami, FL 33176 by any person desiring to do so. Records may be inspected during normal business hours, under the conditions listed below. Copies of employee records shall be furnished upon payment of the fees prescribed by Section 119.07, Florida Statutes (currently \$.15 per single sided copy) Records may be provided in an electronic format, if possible. In extenuating circumstances, the selection of an alternate inspection location, convenient to the parties, may be approved by the Records Custodian.
 1. Public record requests may be made to any College employee by any method authorized by law. Although not required, it is suggested that public record requests for personnel files be directed to the Records Custodian noted herein or the Office of Legal Affairs. [Public Records Request Form](#) may be obtained on the Human Resources web site.

2. Requestors are not required to identify themselves or the reason for the request. However, it is recommended that requestors include contact information to ensure the College can contact them when a response is available.
3. All records will be reviewed for information that is confidential and/or exempt under Florida or Federal laws (“Confidential Information”). Any Confidential Information shall be redacted from the records before the records are provided to the public.
4. The College may require a reasonable deposit or advance payment as it deems prudent and in compliance with the law for extensive requests.

III. MISCELLANEOUS

A. Limited Access Employee Records: The following records are deemed Limited Access Employee records and are confidential and exempt from the Public Records Act.

1. Records containing information reflecting (a) evaluations of employee performance completed prior to July 1, 2012, and (b) academic evaluations of employee performance completed on or after July 1, 2012;
2. Records maintained for the purposes of any investigation of employee misconduct, including but not limited to, a complaint against an employee and all information obtained pursuant to the investigation of such complaint;
3. Records maintained for the purpose of any disciplinary proceeding brought against an employee; and
4. Records maintained for the purposes of any grievance proceeding brought by an employee for enforcement of a collective bargaining agreement.

Limited Access Employee Records defined in Section A.1. may be accessed by the employee and the officials responsible for the supervision of the employee.

Limited Access Employee Records defined in Section A.2. become public after the investigation ceases to be active or when the College provides the employee who is the subject of the investigation written notification that it has concluded the investigation with or without a finding to proceed with disciplinary action, or it issues a letter of discipline. An investigation is deemed to be inactive for these purposes if no finding is made within 90-days of the filing of the complaint.


Limited Access Employee Records defined in Section A.3. become public after a final decision is made in the proceeding.

Limited Access Employee Records defined in Section A.4. may be accessed by the employee and the College officials conducting the grievance proceeding and become public after a final decision is made in the proceeding.

Except as otherwise required by the College or Campus President in carrying out their official responsibilities, information from Limited Access Employee Records may be released upon written authorization from the employee, the College/Campus President, or upon order of a court of competent jurisdiction.

- B. An eligible employee may request for maintenance of an exemption of personal information from public disclosure. In order to determine eligibility for nondisclosure of certain personal information, the [Request for Exemption of Personal Information Form](#) must be completed, signed and forward to the Division of Human Resources.

- C. Personnel Documents Stored at the Campus: The only employee documents which may be securely stored (locked in cabinet and stored in an office under key) and maintained by college-wide departments as part of their respective operations are the following: professional development plans; licenses; performance documentation and copies of disciplinary action documents.

	08/06/2024
PRESIDENT	DATE