

MANUAL OF PROCEDURE

PROCEDURE NUMBER: 2106

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PROCEDURE TITLE: Personnel Records/Limited Access

STATUTORY REFERENCE: FLORIDA STATUTE 1001.64, 1012.81 AND 119.07

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

EFFECTIVE DATE: March 2, 1979

LAST REVISION DATE: January 18, 2005

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I. PURPOSE

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


II. PROCEDURE

A. Records Custodian: The Records Custodian of 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 personnel records shall be furnished upon payment of the fees prescribed by Florida Status Section 119.07, (currently \$.15 per single sided copy; \$.20 per double sided copy.) In extenuating circumstances, the selection of an alternate inspection location, convenient to the parties, may be approved by the Records Custodian.

1. A request form, to examine an employee's or a former employee's personnel records may be initiated by the requestor or completed by a Human Resource staff member. The form contains basic information about College procedures to request information and/or copying of public/ records. While requestors are required to provide their name, the requestor may decline to provide their address and telephone number.

2. When a public records request concerning their personnel file has been received the employee shall be notified.
 3. A reasonable amount of advance notice may be necessary to provide time for the transfer to the office of the Records Custodian records stored at a remote location, which may include limited access records; permit time for the removal of limited access documents from the record; and to schedule an appointment time for the requestor to review the file with the Records Custodian or designee, which is not disruptive to the College business activities of the Records Custodian.
- C. Limited Access Records: Such records consist of all letters and documents and other material, which relate to employee performance, including but not limited to, all performance evaluations and records of conferences related to performance. Limited access records shall be open to inspection only by the employee, officials of the College who are responsible for supervision of the employee, and any individual designated by the College President or the Campus President requiring access to carry out his/her assigned responsibilities. Limited access records may also be released upon order of a court of competent jurisdiction.
1. An employee may authorize the requestor to inspect, examine and obtain copies of items designated limited access.
 2. Authorization shall be written, addressed and delivered to the Vice Provost of Human Resources or designee. Public Records Request forms may be obtained at <https://www.mdc.edu/hr/OnlineForms/P74PublicRecords.pdf>.

	
	1/18/05
PRESIDENT	DATE