



► [The Oregon Administrative Rules contain OARs filed through June 15, 2014](#) ◄

QUESTIONS ABOUT THE CONTENT OR MEANING OF THIS AGENCY'S RULES?
[CLICK HERE TO ACCESS RULES COORDINATOR CONTACT INFORMATION](#)

OREGON UNIVERSITY SYSTEM, UNIVERSITY OF OREGON

DIVISION 30

FACULTY RECORDS POLICY

571-030-0005

Authority

These rules concerning faculty records conform to and are governed by ORS 351.065 and the Administrative Rules of the State Board of Higher Education.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 thru 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0010

Definitions

(1) "Directory Information" is that information generally needed in locating a particular academic staff member, including information found in the **University Catalog, Time Schedule of Classes, and Telephone Directory**.

(2) "Records of Academic Achievement" are limited to the information as to the number of credits earned toward a degree or in post-doctoral work, and certificate(s), diploma(s), license(s), and degree(s) received.

(3) "Salary Information" shall include the rate of pay and terms and conditions of employment.

(4) "Personal Records" are all other records containing information concerning an academic staff member, apart from those identified above.

Personal records include but are not limited to: Information kept by the University, college, or school, department or division concerning a specifically identifiable faculty member and furnished by the staff member or by others at the University's, college's or school's, department's or division's, or at the staff member's request. Personal records include but are not limited to: information as to discipline, counseling, membership activity, other behavioral records, professional preparation and experience, professional performance (e.g., assignment and work-load, quality of teaching -- including records tabulated from students' classroom survey evaluations -- research, and service to the institution), personnel data relating to such matters as promotions, tenure, leaves, retirement credits and the like, and professional activities external to the institution, including but not limited to, awards, recognition, research activity, or travel.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0015**Faculty Records -- Restrictions on Use**

(1) Directory Information, Records of Academic Achievement, and Salary Information, as defined in OAR 571-030-0010, may be released upon request and without the faculty member's consent.

(2) Personal records, as defined in OAR 571-030-0010, are hereby designated as confidential in order to protect privacy rights in an adequate educational environment. Access to personal records shall be restricted as hereinafter set forth in OAR 571-030-0025, 571-030-0030, 571-030-0035, and 571-030-0040.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0020**Faculty Records -- Restrictions on Contents**

(1) Only such records as are demonstrably and substantially relevant to the educational and related purposes of the University, college or school, division or department, shall be generated and maintained.

(2) No faculty member shall be required to give -- although the staff member may voluntarily provide -- information as to race, religion, sex, political affiliation or preferences, except as required by valid state or federal laws, rules, regulations, or orders. In those instances in which the faculty member is asked for such self-designation for any purpose (including federal requests for information), the request shall state the purpose of the inquiry and shall inform the individual of the right to decline to respond. Except as the faculty member makes the foregoing information available, there shall be no designation in faculty personal records as to the faculty member's race, religion, sex, or political affiliation.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0025**Personal Records -- Restrictions on Access**

(1) Personal records (except privileged psychological and medical records which are subject also to additional restrictions on access) shall be available only to University personnel such as faculty administrators, students and others serving on official institutional committees or in other official institutional capacities who have a demonstrably legitimate need for particular information in order to fulfill their official, professional responsibilities.

(2) Contents of personal records shall also be available to the faculty member who is the subject of the records as herein provided, in OAR 571-030-0030 and for research purposes as provided in OAR 571-030-0035.

(3) Personal records may not be released to any other person or agency without the faculty member's written consent, unless upon receipt of a valid subpoena or other court order or process or as required by valid state or federal laws, rules, regulations, or orders.

(4) Upon receipt of a subpoena or other court order or process seeking access to faculty personal records, the recipient, if legally permissible, must take reasonable efforts to notify the subject faculty member and must notify the President or his designated representative prior to any institutional responses. The latter will determine whether or not appropriate University or State Board of Higher Education personnel should appear in court to test the validity of the subpoena or court order or process.

(5) The appropriate Vice President shall have the authority to determine the legitimacy of any disputed request for access to the personal records of a faculty member.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0030

Personal Records -- Access by Subject Faculty Member

(1) Each faculty member shall be provided full access to his or her personal records, as defined in OAR 571-030-0010 as designated confidential in OAR 571-030-0015 and maintained according to the provisions of OAR 571-030-0040 and 571-030-0045, except as limited below in this rule. Such records shall be made available for inspection or copying at a reasonable time and place upon request to the custodian of said records.

(2) Evaluative statements submitted in confidence by individuals prior to July 1, 1975, or prior to employment of the faculty member if after July 1, 1975, to the University, college or school, division or department, either at the request of the faculty member or at the request of the President or a Vice President, Dean, Division or Department Head, concerning the subject faculty member's teaching or other professional performance, scholarship, or service, and supplied with the understanding that the substance of the evaluative statement will be available to the subject faculty member upon request, shall be maintained as part of the faculty member's personal records, but the identity of the evaluator shall not be revealed to the subject faculty member.

(3) Upon the request of the subject faculty member, if employed prior to July 1, 1975, the full text of evaluative statements supplied prior to July 1, 1975, shall be made available to him or her by the appropriate Vice President, Dean or Department Head except that portions of the text which would serve to identify the contributor shall first be excised by a three- person subcommittee of the Faculty Personnel Committee (or three faculty members acting as its designees) and placed in the confidential file permitted by OAR Chapter 580, State Board of Higher Education. Also upon request of the faculty member, the same subcommittee shall examine the contents of the faculty member's confidential file to verify that it contains only those excised portions defined in this section. The committee shall have the authority to require that any other material be removed from the confidential file. Upon request of the faculty member, the same subcommittee shall examine the contents of the faculty member's closed personal records to verify that the staff member has been given the text of all statements therein, and if not, they shall provide the faculty member with a statement of the substance thereof.

(4) Confidential letters or other information received by the institution, school, department, or division after July 1, 1975, prior to the employment of a faculty member, shall be placed in the evaluation files relating to the faculty member. If the applicant is not employed, the confidential information submitted concerning the applicant shall remain confidential. If an applicant who is employed requests access to his or her files, the anonymity of the contributors of confidential preemployment letters and other preemployment information shall be protected. The full text shall be made available by the appropriate Vice President, Dean, or Department Head, except that portions of the text which would serve to identify the contributor shall be excised and retained in the confidential file permitted by OAR Chapter 580, State Board of Higher Education.

(5) A faculty member shall be entitled to submit, for placement in his or her files, evidence rebutting, correcting, amplifying or explaining any document contained therein and other material which the member believes might be of assistance in the evaluation process.

(6) A copy of the regular written evaluation of the faculty member made by the supervising administrative officer, shall be given to the faculty member, and a copy of the evaluative statement, duly signed by the faculty member signifying that the staff member has been given a copy thereof shall be placed in the faculty member's personal records. Each such regular written evaluation shall contain or have attached to it a statement to the effect that:

(a) At the faculty member's option the evaluative statement may be discussed with the evaluating administrator and that;

(b) The substance of any confidential evaluative statements in the closed portion of personal records shall be made available to the faculty member upon request and that;

(c) The faculty member may have entered into the staff member's personal records a rebuttal, refutation, or explanation of any regular written evaluation or any confidential evaluative statement therein.

(7) Any evaluation received by telephone shall be documented in each of the faculty member's files by means of a written summary of the conversation with the names of the conversants identified.

(8) Except as provided in ORS 351.065, the University and its subdivisions when evaluating its employed faculty members shall not solicit or accept letters, documents, or other materials, given orally or in written form, from individuals or groups who wish their identity kept anonymous or the information they provide kept confidential.

(9) If the institution, school, department, or division solicits or accepts student evaluations of the classroom or laboratory performance of a faculty member, such evaluations or surveys shall be

conducted anonymously. The record of reports tabulated from student evaluations shall be placed in at least one of the evaluation files defined in OAR Chapter 580, State Board of Higher Education. All survey instruments from which evaluation data are obtained shall be delivered to the faculty member. No other evaluative material shall be accepted from students unless the students are first clearly informed that the faculty member will have access to such material and that the anonymity of the student cannot be preserved.

(10) The appropriate Vice President shall be the person to whom requests for information shall be addressed under Board rule concerning personnel actions affecting categories of faculty members where such actions appear to have relevance to the case of the faculty member making the request for information. The supplying of such information may be limited where the burden of complying with such requests would unreasonably impede the normal functioning of University business.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0035

Personal Records -- Access for Research Purposes

Information about faculty members for research purposes may be provided, contingent upon the existence of adequate provisions to conceal from the person(s) doing the research, the identity of the individual faculty members whose personal data or information are being included in the research. Research requests may also be limited where the burden of complying with such requests would unreasonably impede the normal functioning of University business. If the confidentiality of faculty personal records would be jeopardized in any way by the release of the information for research purposes, the written consent of the faculty member must be obtained prior to the release of information. All such requests for information must be submitted to the Vice President for Academic Affairs and Provost, who will obtain the approval of the appropriate faculty committee on human research before releasing any information from personal records for research purposes.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14,(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0040

Personal Records -- Location and Custody

(1) All faculty personal records shall be kept within the Vice Presidential, College or School division, or department offices in which they are utilized.

(2) Each Vice President, Dean, Director, or Department Head shall be the official custodian of the personal records contained within the operating unit, unless another person is specifically designated, in writing, by such Vice President, Dean, Director, or Department Head, to assume his responsibility.

(3) The custodian of personal records shall maintain them in a manner which shall insure their confidentiality and security.

(4) Any person, including administrative and clerical personnel, seeking access to personal records for authorized purposes, shall first secure the consent of the custodian.

(5) The term "file" as used in this section is understood to mean a physical repository containing comprehensive personal records relating to a faculty member's qualifications, competence, and performance in his or her professional capacity. The number of files relating to the evaluation of a faculty member, or to each component of the separate assignments of faculty members with split or joint appointments, shall be limited to a total of three, except for a file designated pursuant to rules of the Oregon State Board of Higher Education for the maintenance of material properly held confidential or excised from other records. All files shall be kept in designated and accessible places.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0045**Personal Records -- Permanence, Duplication, and Disposal**

(1) The individual faculty member's personal record shall be maintained only for the minimum period of time required to serve the basic official functions for which the records were generated.

(2) The permanent retention of faculty personal records shall be limited to those which the President, the University Archivist, or the State Archivist shall determine to be of long-range value to the individual faculty member, to the University, or to the public.

(3) Duplication of permanent faculty personal records shall be permitted only when such records are required to serve the official functions of the office which maintains them and when the custodian has given his consent.

(4) Duplicate permanent records, evaluative statements and other similar personal records not designated for permanent retention shall not be maintained for a period longer than ten years without the approval of the President or the President's designee. All such records which have been maintained for a period of twenty years shall be disposed of in such a manner as to protect their confidentiality.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

571-030-0050**Fee for Copies**

Where a faculty member requests copies of materials under OAR 571-030-0030 or 571-030-0035, the University may charge a reasonable fee, not to exceed the actual cost of providing the material.

Stat. Auth.: ORS 351 & ORS 352

Stats. Implemented: ORS 351.065 & ORS 352.010

Hist.: UOO 4, f. 8-13-73, ef. 9-1-73; UOO 5, f. 10-22-73, ef. 11-11-73; UOO 14(Temp), f. 8-11-75, ef. 8-7-75 - 12-4-75; UOO 25, f. & ef. 8-17-76

The official copy of an Oregon Administrative Rule is contained in the Administrative Order filed at the Archives Division, 800 Summer St. NE, Salem, Oregon 97310. Any discrepancies with the published version are satisfied in favor of the Administrative Order. The Oregon Administrative Rules and the Oregon Bulletin are copyrighted by the Oregon Secretary of State. [Terms and Conditions of Use](#)

[Privacy Policy](#) [Accessibility Policy](#) [Oregon Veterans](#) [Oregon.gov](#) [Contact Us](#)

Select Language ▼

Oregon Secretary of State • 136 State Capitol • Salem, OR 97310-0722
Phone: (503) 986-1523 • Fax: (503) 986-1616 • oregon.sos@state.or.us

© 2013 State of Oregon All Rights Reserved