

09:04:01:00 Public Records

Purpose:

The purpose of this policy is to identify the records maintained by Dyersburg State Community College that may be viewed by the public.

Scope:

This policy applies to all faculty and staff members at Dyersburg State Community College.

Policy:

In accordance with Tennessee Code Annotated Section 10-7-503, Records Open to Public Inspection, all records made or received in connection with the transaction of official Dyersburg State Community College business shall at all times, during business hours, be open for personal inspection by any citizen of Tennessee unless otherwise provided by law or regulations made pursuant thereto; and the citizen shall have the right to make copies in accordance with Tennessee Code Annotated Section 10-7-506. any questions concerning public records should be addressed to the Director of Human Resources.

Inspection of Public Records

Except for confidential public records, public records will be open for inspection by citizens of Tennessee in the office of record during business hours. Questions regarding records should be directed to the Director of Human Resources. Persons requesting to inspect records must show identification of Tennessee citizenship (i.e. driver's license, voter's registration, etc.).

Any request to inspect records must be for a specific record. A Request Form to Inspect/Copy Public Records must be completed before the record can be inspected. Dyersburg State Community College is not required to create records or compile information. If the record is unavailable for some reason (i.e., filed in the basement, being used for official business, etc.), the person requesting the record shall be advised when to return to inspect the record. All efforts will be made to provide the record(s) within a reasonable period of time.

Custody of the record will not be relinquished. The person requesting to inspect the record must do so in the presence of the Director of Human Resources, the custodian of the record, or an appropriate designee and must complete a Request Form to Inspect/Copy Public Records. If it is not convenient for the record to be shown to the person because of present work requirements, then the person requesting to inspect the record shall be advised

when to return to inspect the record. All efforts will be made to make available the record(s) within a reasonable period of time.

The President's Office and Director of Public Information, as well as the appropriate Vice President's or Dean's office, should always be advised before the inspection when records are requested to be inspected in order that those offices may assist in answering any questions and coordinate release of any additional information to ensure understanding of the record.

Inspection of Personnel Records

Permanent personnel records of all employees, including former employees (faculty and staff), are subject to inspection under Tennessee's Open Records Law. Persons requesting to inspect personnel records must complete a Request Form to Inspect/Copy Public Records (copy attached) and show identification of Tennessee citizenship (i.e. driver's license, voter's registration, etc.). When a request is made to inspect a personnel record, the concerned employee will be notified in writing that such request was made and by whom the request was made.

Permanent personnel files may contain the following scanned items:

- (1) employee application, if completed (at times, an application has not been required.);
- (2) transcripts;
- (3) contracts;
- (4) salary letters;
- (5) job description;
- (6) performance evaluations (in separate folder);
- (7) letters of recommendation (where appropriate);
- (8) promotion and tenure actions (where appropriate);
- (9) leave records (beginning with the 1986-87 year);
- (10) other information deemed pertinent and a part of the employee's employment history;
- (11) employment requisition;
- (12) personnel recommendation; and
- (13) orientation checklist

Copying of Public Records

Upon request, Dyersburg State Community College will provide, at the requestor's expense, copies of public records. When a request for copies is received, the custodian should not relinquish the records. The custodian should:

- (1) Have the requesting party complete the Request Form to Inspect/Copy Public Records.
- (2) Determine the number of copies to be made, and enter the description and number of copies to be made on the form. The price per copy is \$1.00.
- (3) Advise the requesting party that payment for copies will be made at the Business Office when the copies are made and/or are available for pick up.
- (4) If convenient, the custodian or a staff member should take the records and make the copies for the requesting party, whereupon the requester will pay for the copies.
- (5) If it is not immediately convenient for the custodian or a staff member to make the copies, the person requesting the copies shall be advised that they will be notified when the copies are available for pick up and where payment for the copies may be made. All efforts will be made to make the copies within a reasonable period

of time.

(6) After the copies are made, picked up, and paid for, the Form should be forwarded to the Director of Human Resources by the department of record.

(7) When the record requested is a personnel record, the concerned employee will be notified in writing that such request was made and by whom it was made.

If it cannot be readily determined whether or not a requested document is covered by the Tennessee Open Records Law, the custodian shall refer the matter to the Director of Human Resources.

Compliance:

All faculty and staff members at Dyersburg State Community College will comply with this policy.

Definitions:

Public records are all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material regardless of physical form or characteristics made or received in connection with the transaction of official Dyersburg State Community College business. Confidential public records as defined by TCA Section 15-304-15-307 are medical claims filed by the employee and related medical reports.

Revision History:

Policy written June 1987; revised March 2017; approved by Administrative Council on March 30, 2017.