

**NEW COLLEGE OF FLORIDA  
REGULATIONS MANUAL**

**CHAPTER 3 - Administrative Affairs**

**3-4015 Limited-Access Personnel Records**

Pursuant to Section 1012.91, Florida Statutes, and except as required for use by the President or his/her designee in the discharge of his/her official responsibilities, the following records are confidential and exempt from the provisions of Chapter 119.07(1), Florida Statutes, and will only be released upon the written authorization of the employee or upon order of a court of competent jurisdiction.

- (1) Evaluative information created prior to July 1, 1995. Any and all information, wherever maintained, which reflects an evaluation of an employee's performance and was created prior to July 1, 1995 shall be confidential and shall not be disclosed (except to the evaluated employee, or the College officials whose duties to supervise or evaluate the employee require access to the records).
- (2) Records containing information reflecting academic evaluations of employee performance.
- (3) Records maintained for the purposes of an investigation of employee misconduct, but only until:
  - (a) The investigation is no longer active;
  - (b) The College gives written notice to the employee that the investigation is concluded; or
  - (c) A letter of discipline issues. In addition, for sexual harassment investigations, portions of the records which identify the complainant, a witness, or information which could reasonably lead to the identification of either remain confidential after the completion of the investigation.
- (4) Records maintained for the purposes of any disciplinary proceeding brought against an employee, but only until a final decision is made in the proceeding.
- (5) Records maintained for the purposes of any grievance proceeding brought by an employee for enforcement of a collective bargaining agreement or contract, but only until a final decision is made in the proceeding.
- (6) Any records or portions thereof which are otherwise confidential by law.

*Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1012.91; Fla. Board of Governors Regulation 1.001*

*History: Adopted 01-28-04, as Rule 6C11 8.016; Revised 03-11-17 (technical amendment)*