
05-01-04 Personnel Records

PURPOSE

The purpose of this policy is to establish the custodian of personnel records and the process for maintaining personnel records at Nashville State Community College.

DEFINITIONS

- **Public record(s) or state record(s).** 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 pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency (T.C.A. § 10-7-301(b)).

POLICY/GUIDELINE

- A. Under the provisions of T.C.A. § 10-7-503, personnel records are considered public records and may be inspected, extracted, or copied by any citizen of Tennessee during normal business hours, in accordance with reasonable rules of the office having custody of such records.
- B. However, T.C.A. § 10-7-504(f)(1) treats as confidential the following information:
 1. Home telephone and personal cell phone numbers;
 2. Bank account information;
 3. Social security number;
 4. Driver license information except where driving or operating a vehicle is part of the employee's job description or job duties or incidental to the performance of their job;
 5. Residential information, including the street address, city, state, and zip code for any state employee; and
 6. The same information of immediate family members or household members.
 - a. This information must be redacted wherever possible, but access to otherwise public information shall not be limited or denied because a record contains confidential information.
 - b. Further, this information is available to law enforcement agencies, courts, or other governmental agencies performing official functions.
- C. T.C.A. § 10-7-504(a)(26) treats as confidential the following information:
 1. Job performance evaluations, including but not limited to, job performance evaluations completed by supervisors, communications concerning job performance evaluations, self-evaluations of job performance prepared by employees, job performance evaluation scores, drafts, notes, memoranda, and all other records relating to job performance evaluations.
 2. This does not include evaluations completed by students or other such informal surveys.

- D. The Director of Human Resources is the designated custodian of permanent personnel records at Nashville State Community College and shall be responsible for maintaining all permanent personnel files in accordance with relevant policies.
1. Pursuant to T.C.A. § 8-50-108, a state employee may inspect his/her own personnel file at any reasonable time.
 2. The employee may request copies of any material contained in such file, which copies shall be furnished to the employee upon payment of the cost of such reproduction.
 3. The release of information contained in personnel files shall be released in a manner consistent with individual rights to privacy and institutional and external needs for information.
- E. Nothing in this policy shall require the maintenance of any record for any period of time in excess of any retention period established by the institution, the Board, or State or Federal law.

SOURCES

- [T.C.A. § 10-7-301 Part Definitions](#)
- [T.C.A. § 10-7-503 Records Open to Public Inspection](#)
- [T.C.A. § 10-7-504 Confidential Records - Exceptions](#)
- [T.C.A. § 8-50-108 Access to Personnel Files](#)
- [T.C.A. § 49-8-203 Powers and Duties](#)
- [TBR Policy 5.01.00.10 Personnel Records](#)

Approved by NSCC Cabinet 1/10/22