

Refer to Section {B}  
{Personnel}Unit  
**Procedure for {B 20 – Privacy Act}**

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1. Personnel records are to contain information which is needed by the college to conduct its business or which is required by federal, state, or local law. This information will include, but will not be limited to:
  - a. Application materials
  - b. Payroll information
  - c. Performance appraisals
  - d. Medical information
  - e. Disciplinary records
  - e. Attendance and tardiness records
2. Employees have the responsibility to keep their personnel records up to date and are to notify the director of administrative services in writing of any changes in the following:
  - a. Name
  - b. Address
  - c. Telephone number
  - d. Marital status (for benefits and tax withholding purposes only)
  - e. Number of dependents
    - i. Addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only)
    - ii. Beneficiary designations for any of the college's insurance, disability, and retirement plans
    - iii. Persons to be notified in case of emergency
3. Employees are allowed to inspect their own personnel records. A written request to do so should be directed to the director of administrative services, who will schedule a time for inspection and be present during the inspection. The request should specify the purpose for which the review is requested and the particular parts the individual wishes to review.
4. Employees who, after inspecting their personnel files, feel that any material is inaccurate or irrelevant may submit a written request to the director of administrative services to have the material revised or removed from the file. If such a request is not granted, the employee will be permitted to place a written statement or disagreement in the file.
5. Employees are prohibited from inspecting any personnel files except their own, unless they have a legitimate managerial need to know the information in the other files. Examples of individuals who may have a legitimate need to inspect personnel records include the president, the director of administrative services, the vice president for business affairs, the comptroller, the payroll clerk, and any department head who is considering an employee for promotion, transfer, or other personnel action.

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6. Employees are to refer all requests from outside the college for personnel information concerning applicants, employees, and past employees to the director of administrative services. The director of administrative services, the vice president for business affairs, the comptroller, or the payroll clerk may verify only the following information:
    - a. Employment dates
    - b. Position held
    - c. Location of job site.
  7. Additional information, such as salary information, current or former employers, addresses, phone numbers, work quality, or reason for separation, is not released unless the employee has given written permission for its release.
  8. Personnel files may be reviewed by persons outside the college with the written consent of the employee or a legal order.
  9. Personnel files are retained for a minimum of five years following separation from the college. Records of employees who have been discharged or who resign in lieu of discharge shall be retained indefinitely.

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**MIDWAY COLLEGE  
Confidentiality Agreement**

I, \_\_\_\_\_, hereby agree to preserve the confidentiality of any and all records that I view or have access to during the course of my employment with Midway College. I understand that records may be confidential by virtue of the Family Educational Rights and Privacy Act (20 U.S.C. §1232g), the Health Insurance Portability and Accountability Act (42 U.S.C. §§1320d-1329d-8), and other laws. Under these privacy laws, I may not use or disclose information about College employees, College students, or patients, unless I am certain that a provision of the law allows disclosure in particular circumstances.

If in doubt about the confidentiality of any record or my ability to legally use or disclose information, I agree to consult with my supervisor (who in turn may consult with an attorney) before using or disclosing any information. In addition, I understand personal health information regarding students, faculty, or staff, may not be disclosed to others in any form, written, verbal, e-mail or otherwise. I also understand that no college-related confidential information may be disclosed to any person or entity in any form, written, verbal, e-mail or otherwise.

This agreement is given in consideration for my continued employment at Midway College. The terms of this agreement remain in effect during and after my employment with Midway College.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_