



# KENTUCKY STATE UNIVERSITY POLICIES AND PROCEDURES

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**POLICY TITLE:**

Privacy Policy

**VOLUME, SECTION & NUMBER:****ENTITIES AFFECTED:**

Faculty

Staff

**ADMINISTRATIVE AUTHORITY:**

Office of Human Resources

**APPROVED BY:**

Kentucky State University Board of Regents

**EFFECTIVE DATE:**

August 9, 2024

**REVISED FROM:**

2013 Human Resources Policy Manual

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**POLICY STATEMENT:**

Kentucky State University (KSU) strives to protect faculty, staff, and students against breaches of confidentiality. This policy emphasizes the importance of confidentiality regarding all employee information and establishes the procedures for the handling of such information.

In collecting, maintaining, and disclosing employee information, KSU makes every effort to protect employees' privacy rights and interests and to prevent inappropriate or unnecessary disclosures of information from any employee's record or files.

**PROCESS:****Treatment of Confidential information**

All administrative employees whose job duties involve gathering, retaining, using, or releasing personal information regarding KSU employees are expected to treat employees' personal information as confidential,

and to respect the need for protecting each employee's privacy by enforcing secure information-handling procedures.

The Office of Human Resources (HR) collects and retains only such personal information as is needed to conduct business and administer its employment and benefit programs. Further, HR takes all possible steps to ensure that an employee's personal and job-related information is accurate, complete, and relevant for its intended purpose. Wherever possible, HR notifies specific employees if additional personal information is needed and gives the employees the opportunity to supply the requested data.

### **Security and Storage of Employee Records and Medical Information**

All paper-based documents relating to KSU's employee record system are maintained in secure, locked files by HR. These files are accessible only to authorized HR staff, as well as executives, managers, and supervisors who have a valid, demonstrable need to obtain specific information from an employee's personnel file. Employees also are granted access to their own personnel files and records in accordance with the access procedures outlined below. All employee files and records must remain with HR or the Office of General Counsel at all times.

If an individual with an authorized need to know requires copies of any information contained in a personnel file, HR will make these copies available upon written request. All medical information relating to an employee is kept in the separate medical records system files. Access to these medical files is tightly controlled. Ordinarily, an employee's medical information is supplied only to the employee's designated physician in accordance with the employee's written specific request.

Questions or issues regarding the application or enforcement of these security measures should be addressed to the HR Director.

### **Internal Disclosures and Uses of Employee File Information**

All managers, supervisors, and other authorized KSU employees must sign the official employee file log maintained by HR, which records access to, and receipt of, employee file information. When a request for information from an employee's personnel file is received by HR, and HR staff members determine that the disclosure might violate the employee's privacy, the employee will be notified of the request. However, routine or ordinary employment procedures, including, but not limited to, performance evaluations, merit increase reviews, promotion and transfer consideration, and disciplinary investigations are normally not subject to the notification procedure.

### **Disclosure or Release of Employee Information to Government Agencies**

Occasionally, KSU must provide information and data from its employee records and files to state and federal agencies in accordance with applicable laws and the recordkeeping and reporting requirements imposed by such agencies.

In instances in which a government agency requests information beyond that which it normally requires, KSU ordinarily advises the affected employee of the agency's information request. If, however, an agency's information request occurs in the course of an agency investigation, or an agency asks KSU to keep the request confidential, KSU may, at its discretion, comply with the agency's request. KSU complies with subpoenas demanding production of information with respect to any employee, but usually advises the employee of the subpoena and nature of the information requested, unless otherwise prohibited by law.

### **Disclosure or Release of Employee Information to Non-Governmental Entities**

In response to an information request from an outside organization, individual, or other non-governmental entity, KSU normally verifies only the employment status and dates of employment for current or former employees. An employee's salary may additionally be provided on letters to financial institutions. KSU does not provide any other information unless and until it has received from the current or former employee a written request that it disclose or confirm additional specific information.

Certain employment information, such as position title and salary, may be made available pursuant to an Open Records Request. All Open Records Requests must be processed through the Office of General Counsel and in accordance with the Open Records Policy.

### **Employees' Access Rights to Employee File Information**

Pursuant to KRS 61.878 and 61.884, employees may review the information contained in their own employee files.

### **Accuracy of Basic Employee Information**

To ensure that KSU's employee files are accurate and current, employees must notify their supervisors or HR if any of the following changes occur:

- Name
- Telephone Number
- Home Address
- Marital Status
- Number of Dependents
- Beneficiary Designations
- Scholastic Achievements
- Individual to Notify in Case of Emergency

### **Correction or Deletion of File Information**

Employees may request the correction or deletion of information in their employee records by submitting a written request to the HR Director. The HR Director will consult with the Head of the Department in which the record originated, and then notify the employee whether the requested amendment is granted or denied. If the request is denied, the HR Director must explain the reasons for refusing to make the change and place a copy of the response in the employee's file. If the HR Director refuses to amend or delete a record, and the employee disagrees with the decision, the employee has the right to enter into the record a statement explaining why he or she disagrees.

## **RELATED POLICIES:**

Open Records Policy

Performance Evaluation Policy

## **STATUTORY AND REGULATORY REFERENCES:**

KRS 61.878

KRS 61.884

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