

MAINE COMMUNITY COLLEGE SYSTEM

PERSONNEL AND EMPLOYEE RELATIONS

Section 405

SUBJECT: PUBLIC DISCLOSURE OF EMPLOYMENT APPLICATIONS

PURPOSE: To distinguish between private and public requests for information and to govern the limited release of employment applications

A. Statement of Policy

The Maine Community College System provides for limited public disclosure of applications for employment submitted to administrative committees of the System. Although records of search committees of the colleges and MCCS are exempt from disclosure under 1 M.R.S.A. §402(3) (E) of Maine's Freedom of Access Act, the MCCS provides the following limited disclosure under the following circumstances.

B. Process for Responding to Requests

A request for public disclosure of employment applications must be submitted in writing to the chair of the search committee or the college or System president. The person requesting public disclosure must identify which organization, if any, he/she represents and provide a brief explanation of the potential use of the information. The person receiving the request for public disclosure shall acknowledge the request and immediately forward a copy of the request to the MCCS general counsel for review.

When the MCCS general counsel determines that a valid request for public disclosure is received, the chair of the search committee shall promptly notify the selected finalists that the Maine Community College System will release their names, present position and current employer, unless they withdraw their application within five (5) business days.

Public disclosure of information pursuant to this section shall be limited to general biographical information of those applicants who have been selected as finalists for a particular position. Such information to be disclosed shall be limited to names of finalists, their present position and current employer.

C. Providing Notice of this Policy

The following notice shall also be posted in a conspicuous place in each personnel office and on each college or MCCS website announcing position vacancies:

NOTICE OF PUBLIC DISCLOSURE

Applications for employment with a college or other unit of the Maine Community College System may be subject to public disclosure. Should your application be among those in a pool of finalists for which a request for public disclosure has been received, you will be notified and have five working days within which to withdraw from consideration. If you do not withdraw your candidacy within the time allotted, your name, present position and current employer will be released as a finalist for the position in question.

REFERENCES: 1 M.R.S.A. §402(3); 5 M.R.S.A. §7070 (1) and (2); 20-A M.R.S.A. §12706(11); *Guy Gannett Pub. Co. vs. University of Maine*, 555 A.2d 470 (Me. 1989)

DATE ADOPTED: June 24, 2009

DATE(S) AMENDED: