

§700 UNIFIED PRIEST PERSONNEL RECORD KEEPING POLICIES

Introduction

The purposes of the Unified Priest Personnel Record Keeping Policies and the Diocesan Priest Personnel File Access Procedures are two fold: 1) to insure that the Archbishop of Chicago and his designates are able to consider the complete record of a priest in making ministerial assignments; and 2) to safeguard the privacy rights of individuals.

The Unified Priest Personnel Record Keeping Policies take into account the administrative need of various Archdiocesan Agencies (e.g. Seminaries, Vicar for Priests, Chancellor's Office, Diocesan Priest's Placement Board, Archives) to compile and/or maintain records at their respective locus of operation, rather than at a central location. The Unified Priest Personnel Record Keeping Policies endeavor to standardize the retention of records, to provide access to those records, and to insure the systematic transfer of appropriate information to those Archdiocesan Officials who must make well-informed ministerial decisions within the framework of existing Archdiocesan Record Keeping Policies and Procedures.

All Agencies and Offices in the Archdiocese of Chicago that maintain personnel files on diocesan priests must have their files surveyed by the Vice Chancellor for Archives and Records. File groupings known as Record Series will be identified and titled; and the contents of those files described. Retention Periods for those Record Series will be established, taking into account federal, state, and/or canonical statutes or citations which may be applicable. Administrative use will also be considered when determining the appropriate retention period. A Retention Schedule will be created for each entity listing the Record Series, the content of each series, and the minimum time period it must be maintained. All Retention Schedules are submitted for approval to the Records Conservation Board (RCB). The Records Conservation Board consists of the Archdiocesan Director of Legal Services, the Chief Finance Officer or his designate, and the Vice Chancellor for Archives and Records. The RCB reviews all Retention Schedules for Legal and Fiscal considerations and takes into account the potential historical research value of the record.

The routing of information and the transfer of files will be documented by Transfer Forms and Request for Information Forms. Copies of those forms will be placed in the client's personnel files documenting the request. In order to insure consistency and forms control, all forms will be created by the Archives and Records Center.

The following policies and procedures are intended to safeguard the privacy rights of individuals and insure that the Archbishop of Chicago and his designates are able to consider the full record of a priest in making ministerial assignments.

§701 FILE MAINTENANCE

701.1. Policy All records related to the formation, placement and treatment of Archdiocesan Priests shall be maintained according to existing Archdiocesan Record Policies.¹

701.2. Policy All records containing personal identifying information shall be kept in a secure location.

701.3. Policy All recorded information gathered in the process of evaluating a candidate's fitness for ministry or placement within ministry shall be maintained for the duration of that candidate's ministry training and priestly ministry.

701.4. Policy Upon completion of ministry training, a summary of material information from the Rector's File and Formation File from Mundelein Seminary shall be sent to the Archbishop for review with the Chancellor, Vicar General and Vicar for Priests, along with a Certification Certificate signed by the Rector. The entire file shall be given to the Vicar for Priest and/or the Chancellor upon request.

701.5. Policy From the date the Unified Priest Personnel Record Keeping Policy is promulgated no record shall be permanently placed in a Diocesan Priests' Personnel File under the promise of confidentiality.

On December 17, 1987 the Cardinal's Cabinet approved the Archdiocesan Records Policy:

1. All records created by persons employed by the Archdiocese of Chicago during the course of their work are property of the Archdiocese of Chicago.

2. Records are defined as: All recorded information, regardless of media or characteristics, made or received and maintained in pursuance of its legal obligations or in the transaction of its business

3. The disposition (i.e. the transfer, destruction, filming or off site storage) of all records must be scheduled by the Records Center Department. Schedules must be approved by the Record Conservation Board.

**§702 ACCESS TO FILES OF CANDIDATES FOR MINISTRY TRAINING AND
ARCHDIOCESAN PRIESTS**

702.1. Policy Access to personnel files of candidates for ministry training and Archdiocesan priests shall be governed by the following conditions:

- (1) In order to protect the confidentiality of those individuals named in the file, all personnel files shall be restricted from unwarranted access by individuals other than the Agency Director, those he/she designates necessary to maintain the records, the Archbishop, the Chancellor, the Vicar for Priests, and when the situation warrants, other persons as designated by the Archbishop (e.g. Archdiocesan Director of Legal Services, Fitness Review Administrator, Vice Chancellor for Archives and Records, etc.)
- (2) Archdiocesan priests and those in ministry training have a right to periodically review their files consistent with Archdiocesan Priest Personnel File Access Procedures.
- (3) Full and complete access to all Archdiocesan priests and candidates for ministry training personnel files, excluding those exempted by all legal privileges, shall be granted to appropriate civil authorities only when a court order, subpoena, or summons properly served through the Archdiocesan Director of Legal Services warrants such action.
- (4) The Archbishop may designate other Archdiocesan officials to receive priest personnel files, as needed on a case by case basis. These requests (from Archdiocesan officials) shall be accompanied by a letter from the Archbishop.

§703 FILES OF DECEASED PRIESTS

703.1. Policy All files of deceased priests shall be stored in the Archdiocese of Chicago's Archives and Records Center. All information related to discipline cases and matters of conscience shall be sealed within the files.

DIOCESAN PRIEST PERSONNEL FILE ACCESS PROCEDURES

The following procedures are designed to protect the privacy of the individual and the confidentiality of the record, while providing access to information to properly designated persons.

PROCEDURES FOR ACCESS

- a) The care and maintenance of diocesan priest personnel files are the sole responsibility of the Agency Head whose charge it is to maintain such records. He/she shall maintain those records consistent with the Archdiocese of Chicago's *Unified Priest Personnel Record Keeping Policies*. He/she must identify in writing those individuals charged with the daily care and maintenance of those records, and those individuals must be trained in all policies and procedures related to those records prior to granting access.
- b) Requests for personnel files by those appropriate Archdiocesan officials shall be in writing and a copy of the request shall be placed in the file.
- c) Request for review of an individual's own personnel file should be in writing and that request should be placed in the appropriate file. Access should then be given consistent with the following conditions:
 - 1) The individual should then be given access to the file without unnecessary delay, at a time mutually convenient to the individual and the person responsible for the records.
 - 2) The person responsible for the records should review the file prior to granting access. Access to material deemed "confidential" shall be governed depending on their date of creation:
 - A) Any material placed in the file prior to the effective date of these policies and procedures, with a promise or expectation of confidentiality must have the permission of the author before it can be disclosed. If the author of such confidential information does not grant permission for access or is not available to grant such permission, the document must be purged of all identifying information prior to disclosure in order to protect the promised or expected confidentiality.
 - B) After the effective date of these policies and procedures, no material shall be placed in any priest's file with a promise or expectation that the contents will not be shared with the subject of the material. Authors of written material who request such confidentiality shall be informed that the subject of the written material will be given access to the documents(s). If the author of the written material is not agreeable to granting such access, the document(s) shall be returned to the author. Exception: The Archbishop shall retain the right, however, to request confidential information or place confidential information in a priest's

file (sealed only for his authorized review) if such information pertains to a priest's suitability for an ecclesiastical office or ministerial position.

- 3) The individual cannot remove or alter any information in the file.
- 4) The individual cannot photocopy any portion of the record without permission of the person responsible for the records.

THOSE AUTHORIZED TO ACCESS PRIEST PERSONNEL RECORDS:

- a) The Archbishop, the Chancellor, the Vicar for Priests, and when the situation warrants, other persons as designated by the Archbishop (e.g. Archdiocesan Director of Legal Services, Professional Fitness Review Administrator, Legal Counsel, Vice Chancellor for Archives and Records, etc.)
- b) The Agency Head and those he/she designates to maintain the records.
- c) The individual whose name appears on the personnel file.
- d) Appropriate civil authorities only when a court order, subpoena, or summons properly served through the Archdiocesan Director of Legal Services warrant such action.

RIGHTS OF THE INDIVIDUAL

- a) The individual may submit a written comment or rebuttal to be included in the file. This comment or rebuttal may be written by the individual or someone at his request; it may serve to refute or give testimony that something exists in the file which the individual believes to be factually incorrect or subject to a different interpretation.
- b) The individual may take appropriate Canonical or Civil Legal action to remove any factually incorrect information in the file.