

Billings School District 2

COMMUNITY RELATIONS

Public Access to District Records

Within limits of an individual's right of privacy, the Board will afford the public full access to information concerning District administration and operations. The Superintendent will develop appropriate administrative procedures for public access to District records.

The Board defines "District records" to include any writing, printing, photostating, photographing, electronic mail that has been made or received by the District in connection with the transaction of official business and has been presented for informative value or as evidence of a transaction and all other records required by law to be filed with the District. The Board does not include personal notes and memoranda of staff that remain in the sole possession of the maker and that are not generally accessible or revealed to other persons as being within the definition of "District records."

The Superintendent has responsibility and authority for ensuring compliance with the display, indexing, availability, inspection, and copying requirements of state law and this policy. The Superintendent will authorize the inspection and copying of District records but only in accordance with the criteria set forth in this policy.

In accordance with Title 2, Chapter 4, MCA, the District will make available for public inspection and copying all District records or portions of records except those that include the information set forth below.

Personal information in any file maintained for students. Information in student records will be disclosed only in accordance with requirements of the Family Educational Rights and Privacy Act of 1974 and adopted District policy.

Personal information in files maintained for staff to the extent that disclosure would violate their right to privacy.

Test questions, scoring keys, or other examination data used to administer academic tests.

The contents of real estate appraisals, made for or by the District relative to the acquisition of property, until a project is abandoned or until such time as all of a property has been acquired; but, in no event, will disclosure be denied for more than three (3) years after an appraisal.

Preliminary drafts, notes, recommendations, and intra-District memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record will not be exempt when publicly cited by the District in connection with any District action.

Records that are relevant to a controversy to which the District is a party and that would

not be available to another party under the rules of pretrial discovery for cases pending resolution.

Records or portions of records, the disclosure of which would violate personal rights of privacy.

In denying any request, in whole or in part, for inspection and copying of records, the Superintendent will provide a requesting party with reasons for the denial.

When a record requested for inspection or copying includes both information exempted from disclosure and non-exempt information, the Superintendent, to the extent practicable, will produce the record with the exempt portion deleted and will provide a written explanation for the deletion.

Legal References: Title 20, Ch. 6, MCA School districts
§ 2-6-109, MCA Prohibition on distribution or sale of mailing lists –
exceptions – penalty

Policy History:

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