

## **Billings School District 2**

### **Human Resource Services**

#### Personnel Records

Billings Public Schools conforms to law, judicial rulings, and federal and state regulations which safeguard both the public's right to know and certain privacy rights.

Specifically, it is the objective of this policy to establish record keeping practices in accordance with applicable sections of:

1. Article II, Section 9, Constitution of the State of Montana, titled "Right to Know";
2. Article II, Section 10, Constitution of the State of Montana, titled "Right to Privacy";
3. Title 2, Chapter 6, Montana Code Annotated, regarding public records and their management;
4. Office of Public Instruction Accreditation Standards and Administrative Regulations;
5. Chapter 1300, Montana Operations Manual, Volume I, regarding records management;
6. Fair Labor Standards Act, 29 USCA 201 et. seq. and 24.9.895, ARM Employment Records;
7. Title 20, Chapter 1, Part 2, Provision 212, Montana Code Annotated, regarding destruction of records by a school officer.

#### Distribution of Staff Information

Distribution of staff information shall be limited to: name, job title, length of service, job location, and wages.

#### Payroll and Employee Benefit Records

The public shall, upon request and with approval of the Superintendent, have access to payroll and employee benefit plans for any or all employees of the District. This shall include all compensation and participation in District benefit plans.

How an individual chooses to allocate compensation shall be a private concern.

#### Employee Job Applications, Qualifications and Status Information

It is the policy of the Board that information about candidates for positions in the District shall not be released to the public until finalists have been named. In no instance shall information

regarding a candidate's past job performance be released without the candidate's permission.

Personnel Files

Cumulative personnel files (employee records) shall be maintained by the Human Resource Services Department. Access to personnel files shall be limited to the Superintendent, those administrators authorized by the Superintendent, to Human Resource Services' staff members, to the Board's legal counsel, and to the employee, the employee's signed designee, or the employee's legal counsel. Those who have access to the files shall be required to maintain the confidentiality of the files and their contents.

An employee shall have the right, upon request, and during normal business hours, to review the contents of his/her personnel file in the presence of the Executive Director of Human Resource Services or other authorized staff member.

Processed grievances shall not be a part of an employee's personnel file, but shall be kept apart from the personnel file.

Labor-management agreements may result in additional stipulations. The policies set forth here shall not supersede or negate stipulations of contract.

Cross References: 7510 Capitalization Policy for Fixed Assets

Legal References: 29 USCA 201 et. seq., Fair Labor Standards Act  
24.9.895, ARM Employment Records  
10.55.202(8) , ARM Board of Trustees Article II  
Section 9, Constitution of the State of Montana  
Article II, Section 10, Constitution of the State of Montana  
Office of Public Instruction Accreditation Standards  
Volume I, Chapter 1300, Montana Operations Manual  
Title II, Chapter 6, MCA Public Records  
§ 20-1-212, MCA Destruction of Records by a School Officer

Policy History:

Adopted on: March 18, 1996

Revised on: December 16, 2013