

Personnel Records

The Bigfork School District 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:

- (a) Article II, Section 9, Constitution of the State of Montana, titled "Right to Know;"
- (b) Article II, Section 10, Constitution of the State of Montana, titled "Right to Privacy;"
- (c) Title 2, Chapter 6, Montana Code Annotated, regarding public records and their management;
- (d) Office of Public Instruction Accreditation Standards and Administrative Regulations;
- (e) Chapter -1300, Montana Operations Manual, Volume I, regarding records management;
- (f) 1974 Federal Privacy Protection Study Commission.

Payroll and Employee Benefit Records

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

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

Employee Job Applications, Qualifications and Status Information

The names of applicants for advertised vacancies may be released to the public upon request unless an applicant requests otherwise at the time of submitting an application. Statistical information that would normally be released to governmental agencies monitoring compliance will be made available upon request.

Regarding employee records or specific job applications, qualifications and status, the following information shall be privileged (not made public):

- 1. Past and present performance evaluations, employer criticism and observations
- 2. Military record
- 3. Health and medical status
- 4. I.Q. scores and performance tests
- 5. Convictions and/or prison records

6. Disabilities (including chemical dependency problems)
7. Family status or problems
8. Discussion of other employees which occur during a performance evaluation
9. Information compiled to explain absence from work or poor work performance
10. Other information most individuals would not willingly disclose publicly

Personnel Files

Cumulative personnel files (employee records) shall be maintained by the personnel office. Access to personnel files shall be limited to the superintendent, those administrators authorized by the superintendent, to Personnel Office staff members, to the Board's legal counsel, and to the employee, the employee's signed designee, or the employee's legal counsel. A record by name and date of any party reviewing a file shall be maintained in that file, and 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 Personnel Director or other authorized staff member.

Processed grievance 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.

Legal Reference: 10.55.202(8), ARM Board of Trustees

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