

1 **Charlo Public School District**

2
3 **PERSONNEL**

5231

4
5 Personnel Records

6
7 The District maintains a complete personnel record for every current and former employee. The
8 employees' personnel records will be maintained in the District's administrative office, under the
9 Superintendent's direct supervision. Employees will be given access to their personnel records,
10 in accordance with guidelines developed by the Superintendent.

11
12 In addition to the Superintendent or other designees, the Board may grant a committee or a
13 member of the Board access to cumulative personnel files. When specifically authorized by the
14 Board, counsel retained by the Board or by the employee will also have access to a cumulative
15 personnel file.

16
17 In accordance with federal law, the District shall release information regarding the professional
18 qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon
19 request, for any teacher or paraprofessional who is employed by a school receiving Title I funds,
20 and who provides instruction to their child at that school. Access to other information contained
21 in the personnel records of District employees is governed by Policy 4340.

22
23 Personnel records must be kept for 10 years after termination.

24
25 Cross Reference: 4340 Public Access to District Records

26
27 Legal Reference: Admin. R. Mont. 10.55.701(5) Board of Trustees
28 No Child Left Behind Act of 2001, (Public Law 107-334)
29 § 20-1-212(2), MCA Destruction of records by school officer.

30
31 Policy History:

32 Adopted on:

33 Reviewed on:

34 Revised on: 10/15/13, 10/01/15

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7 The District shall maintain a cumulative personnel file in the administrative office for each of its
8 employees, as required by the Office of Public Instruction and current personnel policies. These
9 records are not to leave the administrative office except as specifically authorized by the
10 Superintendent, and then only by signed receipt. Payroll records are maintained separately.

11
12 Contents of Personnel Files

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14 A personnel file may contain, but is not limited to, transcripts from colleges or universities,
15 information allowed by statute, a record of previous employment (other than college placement
16 papers for periods beyond active candidacy for a position), evaluations, copies of contracts, and
17 copies of letters of recommendation requested by an employee. All material in the personnel file
18 must be related to the employee's work, position, salary, or employment status in the District.
19 All documents, communications, and records dealing with the processing of a grievance shall be
20 filed separately from the personnel files of the participants.

21
22 No material derogatory to an employee's conduct, service, character, or personality shall be
23 placed in the file, unless such placement is authorized by the Superintendent, as indicated by his
24 initials, and unless the employee has had adequate opportunity to read the material. For the latter
25 purpose, the Superintendent shall take reasonable steps to obtain the employee's initials or
26 signature verifying the employee has received a copy of the material. If the employee refuses to
27 sign the document indicating they have had an opportunity to read it, the Superintendent will
28 place an addendum to the document, noting that the employee was given a copy but refused to
29 sign. The Superintendent will date and sign the addendum.

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31 Disposition of Personnel Files

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33 An employee, upon termination, may request transcripts of college and university work. Any
34 confidential college or university placement papers shall be returned to the sender or destroyed at
35 the time of employment. All other documents shall be retained and safeguarded by the District
36 for such periods as prescribed by law.

37
38 Record-Keeping Requirements Under the Fair Labor Standards Act

39
40 1. Records required for ALL employees:

- 41
42 A. Name in full (same name as used for Social Security);
43 B. Employee's home address, including zip code;
44 C. Date of birth if under the age of nineteen (19);
45 D. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss/Ms.);
46

- E. Time of day and day of week on which the employee's workweek begins;
- F. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the "regular rate";
- H. Total wages paid each pay period.

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any workday (consecutive twenty-four (24) hour period);
- C. Hours worked in any workweek (or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week, but excluding premium pay for overtime);
- E. Total overtime premium pay for a workweek;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;
- L. The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

All records obtained in the application and hiring process shall be maintained for at least two (2) years.

Legal Reference:	29 USC 201, et seq.	Fair Labor Standards Act
	§§ 2-6-101, et seq., MCA	Public Records
	24.9.805, ARM	Employment Records

Procedure History:

Promulgated on:

Revised on: