

Browning Public Schools

Policy # 8430

Policy Name: *Records Management*

Regulation -----

Records Management

The District will retain, in a manner consistent with applicable law and the state's *Rules for Disposition of Local Government Records*, such records as are required by law or regulations to be created and/or maintained, and such other records as are related to students, school personnel, and the operations of the schools.

For the purpose of this policy, "records" are all documentary materials, regardless of media or characteristics, made or received and maintained by the school unit in transaction of its business. Records include email and other digital communications sent and received.

Records may be created, received, and stored in multiple formats, including but not limited to print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer disks and CDs, servers, flash drives, etc.).

The Superintendent will be responsible for developing and implementing a records management program for the cataloging, maintenance, storage, retrieval, and disposition of school records. The Superintendent will also be responsible for developing guidelines to assist school employees in understanding the kinds of information that must be saved and those which can be disposed of or deleted. The Superintendent may delegate records-management responsibilities to other school personnel at his/her discretion to facilitate implementation of this policy.

All personnel records made or kept by an employer, including, but not necessarily limited to, application forms and other records related to hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation and selection for training or apprenticeship, shall be preserved for 2 years from the date the record is made or from the date of the personnel action involved, whichever occurs later.

Student records must be permanently kept, and employment records must be kept for 10 years after termination.

Litigation Holds for Electronic Stored Information (ESI)

The School District will have an ESI Team. The ESI Team is a designated group of individuals who implement and monitor litigation holds, a directive not to destroy ESI that might be relevant to a pending or imminent legal proceeding. The ESI Team will include a designated school administrator, an attorney, and a member from the Technology Department. In the case of a litigation hold, the ESI Team shall direct employees and the Technology Department, as necessary, to suspend the normal retention procedure for all related records.

Inspections of ESI

Any requests for ESI records should be made in writing and will be reviewed by the Superintendent or designee, in consultation with an attorney if needed, and released in accordance with Montana public records law.

1 **Delegated Authority**

2 The Board delegates to the Superintendent or designees the right to implement and enforce additional
3 procedures or directives relating to ESI retention consistent with this policy, as needed.
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5 **Information Security Breach**

6 Information security breaches shall be handled in accordance with 30-14-1704, MCA, Computer Security
7 Breach, including, but not limited to, investigations and notifications.
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11 **Cross Reference:** 1402 School Board Use of Electronic Mail
12 3600, 3600P Student Records
13 5231, 5231P Personnel Records
14 5450 Employee Electronic Mail and On-Line Services Usage
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16 **Legal Reference:** Montana Secretary of State (Rules for Disposition of Local Government Records)
17 Federal Rules of Civil Procedure (FRCP)
18 § 20-1-212, MCA Destruction of records by school officer
19 § 20-9-215, MCA Destruction of certain financial records
20 24.9.805 (4), ARM Employment Records
21 § 30-14-1704, MCA Computer Breach Security
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23 **Policy History:**

24 Adopted on:

25 Revised on:

26 Reviewed on: 5/26/21, 6/8/21
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