

1 HOUSE BILL NO. 40

2 INTRODUCED BY K. DUDIK

3 BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE RETENTION PERIOD FOR STUDENT RECORDS
6 AND SCHOOL DISTRICT PERSONNEL FILES; AMENDING SECTION 20-1-212, MCA; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 20-1-212, MCA, is amended to read:

12 **"20-1-212. Destruction of records by school officer.** (1) Upon the order of the board of trustees, a
13 school officer may destroy records that have met the retention period, as contained in the local government
14 records retention and disposition schedules, and, with written approval of the local government records
15 destruction subcommittee provided for in 2-6-403, any records not referenced in the retention and disposition
16 schedule that are no longer needed by the office.

17 (2) ~~Student records~~ Each student's permanent file, as defined by the board of public education, must be
18 permanently kept, ~~and employment records~~ in a secure location. Other student records must be maintained and
19 destroyed as provided in subsection (1). Personnel files must be kept for 10 years after termination."

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21 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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