

### **Electronic Messaging**

As elected public officials, school board members shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to electronic mail (e-mail), Internet web forums or chat rooms, and cell phone text messaging.

Under the open meetings law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including but not limited to the sharing of an opinion regarding business over which the board has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

Electronic messaging should not be used to discuss board matters that require public discussion under the open meetings law.

Under the public records law, electronic messages between public officials may be considered public records. Therefore, to ensure compliance, the school board president, in consultation with the superintendent of schools, shall designate the board secretary who shall be copied on all electronic correspondence between and among members of the school board and/or superintendent. These copies shall be archived and retained in the central office in the same fashion as any other school board records.

The following are examples of appropriate use of electronic communications:

The dissemination of any information by a school board member to any number of school board members by one-way distribution (no discussion).

The dissemination of information by a school board member to any number of school board members and the return of information that is not a matter or matters over which the board has supervision, control, jurisdiction, or advisory power. An acceptable form of information to be returned would be availability of time for a meeting or the review of meeting minutes for omissions or corrections.

The following are examples of inappropriate use of electronic communications:

The discussion between two school board members of a matter or matters over which the board has supervision, control, jurisdiction, or advisory power.

The dissemination of any information by the administration to any number of board members for the purpose of collecting board members' opinions individually without sharing the opinions in the form of discussion with school board members.

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