Board Member Use of Internet Social Networks

The Bethany Board of Education (Board) recognizes that reliance on social media as a means of communication is rapidly becoming the norm for the Bethany Public School District (District). Many Board members are active users of social media, including, but not limited to, such online platforms as Facebook and Twitter, as well as other media such as blogs and personal websites. The Board understands that social media can be a positive tool for fostering community engagement with the District. However, Board members need to operate with appropriate guidelines when they are communicating online about District business.

While social networking sites can be an effective and efficient means of communication, Board members need to be aware of the obligations and requirements that arise when using this form of communication. Board members' personal use of social networking sites may be limited or prohibited because of the need to comply with Connecticut General Statutes to conduct Board business pertaining to public records and open meetings, as described in the Freedom of Information Act (FOIA).

Compliance with Public Records Law

Any recorded data or information relating to the conduct of public's business prepared, owned, received, or retained by the Board or the District, whether handwritten, typed, tape-recorded, printed, photocopied, photographed, or recorded by any other method is by definition a "public record" and access thereto during normal hours of business shall be granted to any citizen. This includes communication that Board members and District employees send or receive relating to the affairs of the District and the official acts of school officials and employees. Electronically stored information generally constitutes a "record" within the meaning of the public records law provided such recorded information is created or kept in connection with District business. The substance of the information, not the format, controls whether it is a public record. As an elected official, a Board member's information contained on a social networking site or a blog, that is created or kept by the Board member regarding the affairs of the District is likely to be considered a public record.

Compliance with the Freedom of Information Act

Board members must be mindful of the FOIA when using social networking sites. The FOIA defines a "meeting" as any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum or a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advisory power (Connecticut General Statutes § 1-200(2)).

Board members using social networking sites may inadvertently violate the FOIA if they are not vigilant about the content and subject matter posted on the site and aware of the users of the site. Online posting by Board members can result in a meeting of the Board if the postings discuss District business and a sufficient number of Board members are involved on the site to determine the course of action that will be taken by the Board.

Board members will not have online conversations that violate or seek to circumvent the FOIA. Board members may not use online websites to communicate with one another about official Board business.

Social Networking Websites

Board members need to periodically review the importance of maintaining proper decorum in the online digital world as well as in person. This review is to give special emphasis to Board members' use of Facebook, Twitter, and other social media.

Code of Ethics

Use of social media sites by Board members shall be consistent with the Board's Code of Ethics (Bylaw #9271).

Board members will refrain from inappropriate conduct in making public statements on Facebook and other social networking sites and will refrain from any disparagement of fellow Board members on a personal, social, racial, or religious basis. Board members shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist, or promote illicit, illegal, or unethical activity.

Board members will recognize that authority rests with the Board and will make no personal promises on social media sites nor take any private action which may compromise the Board.

Maintaining Confidentiality

Board members will exercise care not to divulge confidential information about students, school employees, or Board business on social media sites. Board members who have access to student information, like District employees, are prohibited from disclosing that information without the consent of a parent/guardian. In general, all records related to the individual student maintained by a school constitute confidential student records.

Board members are not to expect that their online conversations will remain private. Discussion of investigations into school issues will not be conducted online. Extreme care must be taken not to disclose confidential information related to students or employees while interacting online.

Social Media Guidelines for Board Members

The following guidelines are for Board members when using social media in their role as public officials. In using social media to communicate about District activities, a Board member shall:

1. Clarify that the communication is as an individual member of the Board and not in the role of an official District spokesperson.
2. Avoid deliberating District business with a quorum of the Board.
3. Direct complaints or concerns presented online from other individuals to the appropriate administrator.
4. Avoid posting content that indicated the reaching of an opinion on pending matters.
5. Ask for community input through appropriate channels, but will not allow the social network site to direct decisions as a Board member.
6. Post only content that the District has already released to the public.

7. Clarify, when attempting to restate what happened at a previous Board meeting, that the posting on the social media site is not an official record of such meeting. Share information only from the open portions of the meeting.
8. Conduct themselves online in a manner that reflects well on the District; avoid posting information that has not been verified and made public by the District, and never post anonymously about District business.
9. Report immediately harassing or defamatory communications to the Superintendent if they involve school officials, staff, students, or District business.
10. Retain electronic records, including the Board member's own posts and content others post to the Board members, account when required to do so by the District's Retention Policy.
11. Report immediately to the District any potential security breaches if the Board member loses control of possession of a District-issued or personal electronic device on which confidential District records could be accessed.
12. Comply with the District's Acceptable Use Policy when using District-issues devices or technology resources, including District Internet access on a personal device.

Legal References: Connecticut General Statutes § 1-200

Connecticut General Statutes § 1-210

Connecticut General Statutes § 10-209

Freedom of Information Act

Public Law 94-553

The Copyright Act of 1976

17 U.S.C. § 101 et seq.

Federal Family Educational Rights and Privacy Act of 1974

Department of Education Regulation, 34 CFR Part 99 (May 9, 1980, 45 FR 30802)

Bylaw adopted: December 12, 2018
Bylaw revised: December 8, 2021

Source: CABE