

BHE USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As appointed public officials, Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members with respect to any matter within the body's jurisdiction constitutes a meeting. Deliberation is defined as an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

Committee members should use electronic messaging between and among members for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the Committee Chair, in consultation with the Superintendent-Director, shall annually designate a member of the central office staff who shall be copied on all electronic correspondence among members of the Committee.

At this point your phone, and sometimes your watch, are connected devices. Even your washing machine can send you email. It seems unlikely that a member would not have a computer.

SOURCE: MASC

LEGAL REF: M.G.L. 4:7; 39.23A, 23B; 66:10

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