

BOARD MEMBER USE OF SOCIAL MEDIA

The M.S.A.D. No. 75 Board of Directors recognizes that many, if not most, of its members are active users of social media, including but not limited to, online platforms, forums, and other digital media such as blogs and personal websites. The Board understands that while social media can be a positive tool for supporting schools and encouraging community engagement, Board members need to be aware of the legal and ethical considerations that arise when they post, “message,” or otherwise interact with others on social media platforms.

It is not the intent of this policy to interfere with or restrict a Board members’ freedom of speech, but to set expectations for social media conduct that are consistent with law and Board policy, including the Board’s Code of Ethics.

Board members shall comply with the following provisions:

- Board members shall not post on social media or engage in online discussions as a substitute for deliberations at Board meetings. Board members should be aware that social media activity could be perceived as a public meeting if a sufficient number of Board members are involved in discussions on the site to deliberate, influence or determine the course of action that will be taken by the Board, even if non-Board members are posting to the site as well.
- Board members should be aware that any posting by them that pertains to school district matters may create a “record” that is subject to laws and regulations pertaining to the retention and disposition of local government records, and to discovery in legal proceedings involving the Board or the school district.
- Board members shall avoid disclosing confidential or personally identifiable information about students (including images), school district employees, or Board matters or discussions that have taken place in executive sessions. Board members shall comply with the same standards as school employees with regard to confidential information.

Board members shall have no authority to speak on behalf of the Board unless specifically designated by the Board to do so, and must make it clear that they are speaking in their individual capacity when posting or engaging in other activity on social media by doing the following:

- Posting in a clear and conspicuous place on their own social media profiles or pages the following language:
 - *The views expressed on this page and all posts and other activity (including, but not limited to, responding to posts and comments, blocking users, and liking posts*

and/or comments), including those related to school business, are my own and are not being undertaken on behalf of, and do not necessarily represent the views of, MSAD #75 or its Board. MSAD #75 and its Board have not endorsed or approved this page or its content or other activity.

- Posting the following language with any social media post **related to school business**:
 - *The views are my own and do not represent the views of MSAD #75 or its Board, nor have they endorsed or approved this post or its content.*

Board members should follow these ethical guidelines when using social media in their role as public officials:

- Members may use social media to invite the public to upcoming school district events, share information about public hearings on bills that affect the schools, and share links to public information about the district (e.g. the proposed budget), and the like, but be clear that they are doing so as an individual and not in any official capacity;
- Keep deliberations within meetings of the Board;
- Refrain from harassing, defaming, or disparaging fellow Board members;
- Refrain from harassing or discriminatory postings based on any person's personal characteristics protected by law;
- Avoid posting information that is misleading or inaccurate or which is has not been released to the public;
- Appropriately direct persons presenting concerns or complaints through social media to follow the Board's policy pertaining to public concerns and complaints;
- When summarizing discussion or action that took place at Board meetings, share only information from open meetings and make it clear that the posting is not an official record of the meeting. A Board member should never disclose discussions that have occurred in executive session.
- Retain electronic records, including the Board member's own posts and content others post to the Board member's account when required to do so by law, regulations, or legal process.
- Comply with the school district's acceptable use rules, as applicable to school district employees, when using school-unit owned devices or technology resources, or when accessing the Internet through the school district's network using a personal device.

LEGAL REFERENCE: 1 MRSA § 401 et seq.
 20-A MRSA § 6001-6002
 20 USC § 1232g

CROSS REFERENCE: BBAA – Board Member Authority and Responsibilities
 BCA – Board Member Code of Ethics
 BEC – Executive Sessions
 JRA – Student Education Records and Information
 KL – Complaints

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