

**North Country Schools/OENSU
Common Board Policy Manual**

ADMINISTRATIVE PROCEDURE

PROCEDURE B.1

BOARD MEMBER ELECTRONIC COMMUNICATIONS STANDARDS

Please consider the information below to be prudent recommendations, not a legal opinion.

School board members should follow the same standards when communicating electronically as is required under Vermont's Open Meeting Law for conducting regular school business. Just as a majority of the board members may not meet to deliberate on school issues in person, a quorum of the board may not make school district decisions using electronic systems.

What Board Members Can Do Electronically

- Send individual email to another board member or administrator to share information and seek support for specific positions or votes. The electronic dialogue may not involve the majority of board members in simultaneous communication and, thus, violate the open meeting law quorum standard.
- Receive board packet information in advance of each meeting.
- Solicit opinions and feedback from citizens on school related issues.
- Conduct a legal meeting via E-mail or Internet chat if the board follows the open meeting law requirements (e.g. legally warn that an electronic board meeting will be conducted using the school district web site (synchronous and/or asynchronous chat) and that community members may observe electronic deliberations on the school district web site and provide electronic feedback before the board makes decisions).

School Board Members Should Not:

- Share confidential information via email.
- Use electronic communications to make school district decisions, thus preventing community members and administrators from being able to observe board deliberations.
- Convene a quorum of board members simultaneously on-line to host discussions or vote on issues unless Open Meeting Law requirements have been followed.

In most cases email is considered a public record and is discoverable under the Vermont Access to Public Records Act (1 V.S.A. § 315-319). Email is also very traceable, given that it is stored on either the school network server or within the Internet service provider's system where, in either case, email archives can be requested by interested parties, members of the press or through a court subpoena.

Good advice to follow is never communicate anything using email that you would not want members of the public to learn about in person.