

Bylaws of the Board

Electronic Communications

The Board of Education believes when used properly, electronic communications (such as e-mail, text messaging, etc.) can be an effective communication tool for Board members. The main goal of such form of communication is to expedite the passage of information and give Board members quick access to one another. Communication among Board members about Board-related activities via electronic communications should be consistent with the Freedom of Information Act.

Guidelines for the Use of Electronic Communications

The Freedom of Information Act mandates that all meetings of public bodies such as the Board of Education be open to the public. It is the policy of the Board of Education that electronic communications shall not be used in such a manner as to deprive the public of the rights given to it under the Freedom of Information Act. For this purpose, this bylaw sets forth guidelines for the uses intended to be made of e-mail by Board members when communicating with other Board members.

1. E-mail, like other written forms of communication relating to the conduct of the public business is subject to the Freedom of Information Act and subject to disclosure.
2. Board members shall not use electronic communications as a substitute for deliberation at public meetings, and/or shall not vote informally on any issues.
3. Electronic communication should be used to pass along factual information.
4. Personnel issues and other sensitive subjects should never be discussed on-line. The confidentiality of employee data, student data, and other sensitive subjects must always be maintained.
5. E-mail messages should not be deleted or otherwise destroyed except in a manner consistent with law. In other words, Board members shall retain any e-mail messages that are: (1) the subject of a Freedom of Information Act request; (2) potentially relevant to litigation that the district is a party to or to anticipated litigation or to any subpoena; (3) required to be retained by the records retention schedule established by the State Library/Public Records Administrator (www.cslib.org/publicrecords/retschedules.htm).

Legal References: Connecticut General Statutes

- 1-18 Disposition of original documents
- 1-200 et seq, The Freedom of Information Act
- 7-109 Destruction of documents.
- 11-8 Records management program.
- 11-8a Retention, destruction and transfer of documents.

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Legal References (continued):

General Letter 2009-2, Advisory Opinion of Public Records Administrator on “Management and Retention of E-mail and other Electronic Messages.”

Rules 34 and 45, Federal Rules of Civil Procedure

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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut