

Use of Electronic Messaging by School Committee Members

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e•mail), Internet web forums, and Internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only 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 School Committee Chair, in consultation with the Superintendent of Schools, shall annually designate a member of the Central Office staff who shall be copied on all electronic correspondence between and among members of the School Committee. These copies shall be printed and retained in the Central Office in the same fashion as any other School Committee records. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

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LEGAL REFS.: M.G.L.4:7; 39:23A, 23B; 66:10