

2710 BOARD MEMBER COMMUNICATIONS

The Board of Education recognizes its responsibility to adhere to the Open Meetings Law and to protect the public's right to observe its meetings and deliberations. The Board must adhere to the spirit and intent of this law and agrees that private, informal communication will not be used to replace board meetings.

Voting, action, and/or deliberation by a board may only occur at a meeting during which a quorum of board members has physically convened or convened by means of video-conference.

While individual board members may communicate to share information or expertise, the Board does not condone any communication (i.e., telephone, conference call, mail, or e-mail), directly or serially, which has the intent or effect of circumventing the Open Meetings Law.

Freedom of Information Law

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In addition, the Board recognizes that communications maintained in either electronic or physical form, including e-mail or text messages, that are received or prepared for use in board business or containing information relating to board business may be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by state or federal law.

Board members must avoid reference to confidential information about employees, students or other matters in e-mail or text communications because of the risk of improper disclosure. Board members must comply with the same standards as school employees with regard to confidential information.

~~In accordance with law, the Board of Education shall conduct its deliberations and voting upon resolutions and policies only during a duly convened public meeting. Board members may, however, confer with one another regarding school district business by telephone, via mail or electronic mail as long as such communications do not consist of deliberation on school district business or result in a collective decision. The use of telephone conference calls, instant messaging or communications in a chat room among a quorum or more of the members of the Board of Education for deliberation or decision making regarding school district business is strictly prohibited.~~

~~Board members should assume that all e-mail communications may be subject to disclosure pursuant to the Freedom of Information Law, discovery in the event of litigation, and are subject to the records retention requirements of the School District pursuant to Schedule ED-1. Therefore, e-mail communications between and among Board members should be used for housekeeping purposes such as communicating~~

~~agenda items, meeting times or dates and requesting or communicating factual information. The Board strongly discourages the use of e-mail by Board members for communicating information or making inquiries regarding District personnel, contractors, or students.~~

~~Cross-ref: 1120, School District Records
2160, School District Officer and Employee Code of Ethics~~

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~~Ref: Public Officers Law §§ 102, 103, 108
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g~~

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Adoption date: ~~November 17, 2007~~

Rye Neck Union Free School District