

# Policy

## Egg Harbor Township Board of Education

### 9322.1 Electronic Communications Between and Among Board Members

The Board of Education believes that electronic communications among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed in a lawfully convened open meeting or closed public meeting. Therefore, Board Members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, Internet Web Forums and Internet Chat Rooms, Email and Text Messages. Board Members should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethic as other forms of Board-related communication (committee meetings, telephone calls, etc.). Board Members shall adhere to the following guidelines when communicating electronically:

1. Board Members shall not use email or any other electronic messaging service as a substitute for deliberations at Board meetings. The Open Public Meetings Act defines a “meeting” as any gathering attended by, or open to the members of a public body, held with the intent to discuss or act as a unit or upon the specific public business of that body.
2. Board Members shall be aware that any attachments received or prepared for use in Board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board Members should avoid reference to confidential information about employees, students or others in communications because of the risk of improper disclosure.
4. Board Members shall adhere to the district "acceptable use" policy in all communications and shall refrain from sending inappropriate, profane, harassing or abusive Emails.

#### Email Accounts for Board Members

The district shall assign an Email account to each Board Member to be used for allowable communications and business. This Email account shall be used only by the assigned Board Member.

Board Members are urged to review all Email communications made to their respective Email accounts regularly, in order to be kept fully informed of Board business.

Under most instances, Board Members will be excluded from receiving Email messages directed to staff members or groups of staff members, unless particular Email communications are deemed to be appropriate to be distributed to Board Members by the Superintendent of Schools or his/her designee.

Board Members shall not use their assigned Email account to communicate with staff members directly to discuss District business. Conversely, staff members shall not use their assigned Email

account to communicate with Board Members directly to discuss district business. Board Members or staff members who receive such Email communications shall notify the Superintendent of Schools immediately. However, the Superintendent, the Board President or a Board Member directed by the Board President may electronically communicate with a staff member or a group of staff members so long as the communication does not violate the School Ethics Act, N.J.S.A. 18A:12-21, et seq., the Code of Board Member Ethics, 18A:12-24, et seq., or any other law, regulation, or Board Policy.

Email communications using such Email accounts are subject to the provisions of the Open Public Records Act NJSA 47:1A-1, et. seq.

Board Member Use of Phones or Devices During Board of Education Meetings

In order to preserve proper decorum during Board Meetings, and to ensure discussions, including those regarding confidential information, are in compliance with the Open Public Meetings Act, Board Bylaws, and other relevant laws, regulations and rules, Board Members shall not use district or personal phones or devices, to send, actively accept, respond to, or otherwise distribute communications, messages, or social media posts, while Board meetings are in session, except in emergency situations, or as allowed by the Chair of the meeting. Board Members shall keep district or personal phones or devices, not specifically and solely used to participate in a meeting as a Board Member, turned off or set on "Silent" while Board Meetings are in session. Additionally, the Board may require member(s) or the public in attendance to adhere to this requirement while Board meetings are in session to avoid disruption of the Board Meetings.

Legal References:

NJSA 10:4-6 et seq	Open Public Meetings
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers/ Duties
18A:12-21 et seq	School Ethics Act
19:44-1 et. seq	Fair & Open Procurement Process
47:1A-1 et seq	Public Records
NJAC 6A:28-1.1 et seq	School Ethics Commission
6A:32-3.2	Requirements for Code of Ethics for Board Members

Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

Adopted: 05/22/2018