

# Draft Norms of the Chelsea Board of Education

Proposed Adoption 2021

## Board Discussion

- Wait to speak until recognized by the Board President or meeting Chair.
- Keep comments concise.
- Stay on topic.
- Ask questions to seek understanding, rather than to challenge.
- Once a trustee has spoken, other trustees ought to have an opportunity to speak before the trustee speaks again.
- Avoid side-bar conversations that are distracting to those at the table and in the room.
- Treat fellow trustees, staff, and community members with respect.

## Board Agenda

- The Board Agenda shall be prepared by the Superintendent and Board President
- As a general rule, agenda items, except for routine matters, should first appear as discussion items before coming to the Board for Action.
- Any trustee who would like to see an item placed on the agenda should contact the Board President or Superintendent. PO 0166
- If a trustee would like a Consent or Action item moved to Discussion, the item will be moved by motion except in extenuating circumstances. PO0166.1
- Committee chair should provide committee updates to the full Board.
- Could define consent agenda like items

## Public Comment PO 0167.3

- The Board President should appropriately acknowledge commenters, but will not engage in discussion.
- Trustees should refrain from speaking during public comment.
- At the conclusion of public comment, the Board President may provide clarification on topics--or ask the Superintendent to set the record straight--if misinformation has been shared during the public comment section of the meeting.
- Meeting Minutes will include the commenter's name and topic, but not a summary of thoughts expressed.

## School and Community Group Presentations

- Those presenting to the Board should be provided with time parameters, preferably keeping presentations to ten minutes or less.
- Presenters should direct their presentation to the Board.
- There should be no more than two presentations per meeting.

- Trustees should be sensitive when asking questions of presenters.
- Everyone who presents before the Board should leave the meeting feeling valued.

**E-mail Communication PO 0143.1, 0167.5**

- Trustees should make sure that they are able to receive community e-mail messages sent through the district email account.
- Refrain from sending intra-Board e-mail messages to avoid deliberating outside of public meetings.
- The Board President or Acting President will respond to e-mail and correspondence sent to the Board as a whole and will bcc Board Members to ensure compliance with OMA.
- Trustees who choose to respond to e-mail or correspondence must make it clear that they are not speaking for the Board. Only the President or Acting President may speak for the Board.

**Board Decisions**

- Board deliberation and decisions should take place in an open, transparent fashion at a posted public meeting, with an opportunity for all trustees to have input during deliberation.
- Once a vote has been taken, all trustees should support the decision.

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Date

## **Draft Electronic Communications Guidelines for CSD School Board Members**

2021

Many School Board members are active users of social and electronic media, including online platforms like Facebook and Twitter, blogs, personal websites, email, and text capabilities. When communicating online about school district business, Board members should follow best practices. Consider the following guidelines when using social media as public officials.

### **Board members should clarify that you are communicating about school district business as an individual member of the Board, not as an official district spokesperson**

- When community members hear from Board members they often assume that these trustees are speaking for the Board and the district. They do not distinguish between a single Board member's opinion, and Board policy and district direction. It must be clear that the official spokesperson for the Board is the President, and the official spokesperson for the district is the Superintendent.

If you are going to respond: these requirements

This is NOT currently being followed ie if a board member posts “we want” for instance on a post it is speaking on behalf of the board not the individual regardless of what the heading of the page states as an announcement

### **When a Board member uses the 1<sup>st</sup> Amendment**

- If a Board member chooses to use social media in their official capacity, make sure commenting is turned on so 1<sup>st</sup> Amendment rights are not violated.

### **Deliberating with a quorum of the Board about school district business violates the OMA**

- A message sent to an internet-based group whose membership is unknown could constitute a deliberation and a meeting under OMA. Board members should not use online communications as a vehicle for communicating with each other outside of meetings. In addition to the risk of an OMA violation, such communication undermines good working relationships and the purpose of open meetings.

**Direct complaints or concerns presented online should be forwarded to the appropriate administrator**

- When a community member approaches a Board member with a concern, in person or online, the Board member should direct the person to an appropriate administrator. This maintains chain-of- command and separates "management" which is the work of administration, from "governance" which is the work of the Board.

**If a Board member posts content that indicates an opinion has been made on pending matters, the Board member must reinforce that this is the opinion of an individual Board member and not the collective Board**

- When an issue is presented to the Board of Education it is with the understanding that the Board will sit as a deliberative body and operate with due process. Social media posts by a Board member expressing an opinion on a pending matter may be considered evidence of bias or prejudgment and call into question the validity of Board action.

**If a Board member is asking for community input to be provided through social media channels, they should not allow social network to direct decisions as a trustee**

- Soliciting input from the community is part of the district's communication strategy. Yielding governance decisions to social network influences violates local policy, Board norms, ethics, and, in some instances, the law.

**Only post content that the district has already released to the public**

- In light of the sensitivity of many school district matters and the risk of inadvertent disclosure of confidential material, a trustee should limit the use of social media and other electronic communication to sharing content already released to the public by the district.

**Email and Two-Way Communications PO 0167.5**

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**Social Networking Websites PO 0167.7 and 0100.0**

- Board members should be careful about discussing school-related business on their Facebook, LinkedIn In, Twitter, or other social networking webpages. If posted comments about school issues prompt responses from other board members, the back-and-forth dialogue on a social networking page could amount to a quorum of the board deliberating outside of an open meeting in violation of OMA. And, *even using* the "like" button on a board member's Facebook page may result in deliberating toward a decision on a school district issue. Therefore, school board members should refrain from using their social networking webpages to communicate to the public or other board members about matters *involving* the school district.

**Emailing and Text Messaging at Meetings PO 0167.5**

- It is not uncommon to see board members using electronic mobile devices and computer tablets during meetings. In most cases, the board members are likely taking notes or multitasking. However, if a quorum of school board members is emailing or text messaging back-and-forth during a board meeting about an agenda item, the communications would still likely result in an illegal meeting under OMA *even* though the board members are sending the messages during an open meeting, the electronic communications are still private. Under such a scenario, you would have a "meeting within a meeting" - one public and one private-and likely illegal.
- The issue of less than a quorum of board members emailing or text messaging each other during an open meeting is a bit more unclear. The electronic communications alone don't create a "meeting," but if they relate to matters being discussed at the meeting, the messages are arguably part of the board's deliberations, which must take place "at a meeting open to the public," unless a closed meeting exception applies. While it's debatable as to whether or not the electronic messages/deliberations are actually taking place at the meeting, they would appear, nevertheless, to defeat the purpose of OMA, which is to facilitate public access to official decision-making.

### **Distributing Information Electronically**

- Open meeting requirements do not prohibit school board members, superintendents, or board secretaries from using email or websites to distribute information. A superintendent or the board secretary may use a password-protected website as a means of sending information to all members of the board because solitary review of information does not constitute a meeting. Using technology in such a way could be an effective mechanism for delivering agendas and meeting materials in order to have paperless meetings.

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### **Policy Guidance**

- As with most board practices, it is wise to adopt a bylaw or operating procedure that reminds everyone of the parameters of that practice. A bylaw or operating procedure that addresses the use of electronic communications should include the following key elements:
  - A statement that emphasizes that electronic communications shall not be used to circumvent the requirements of OMA.
  - Determine who will have access to the emails if the school district's email system is being used. How much privacy will board members' emails be given?
  - A statement regarding the Freedom of Information Act. Generally, board members should treat all electronic communications as being potentially subject to FOIA.
  - A provision that urges compliance with federal copyright laws.

- A provision prohibiting messages that are obscene, profane, discriminatory, threatening, or pro-mote illegal or unethical activity.
- A prohibition against sharing personal and private information about students and employees.
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