

## **Bylaws of the Board**

### **Meetings**

#### **Board Member Use of Internet Social Networks**

The Board of Education (Board) recognizes that reliance on social media as a means of communication is rapidly becoming the norm for school districts. Many school board members are active users of social media, including, but not limited to, such online platforms as Facebook and Twitter, as well as other media such as blogs and personal websites. The Board understands that social media can be a positive tool for fostering community engagement with the school district. However, Board members need to operate with appropriate guidelines when they are communicating online about school district business.

While social networking sites can be an effective and efficient means of communication, Board members need to be aware of the obligations and requirements that arise when using this form of communication. Board members' personal use of social networking sites may be limited or prohibited because of the need to comply with Connecticut statutes pertaining to public records and open meetings as described in the Freedom of Information Act.

#### **Compliance with Public Records Law**

Any recorded data or information relating to the conduct of public's business prepared, owned, received, or retained by the Board or the school district, whether handwritten, typed, tape-recorded, printed, photo-stated, photographed or recorded by any other method is by definition a "public record" and access thereto during normal hours of business shall be granted to any citizen. This includes communication that school board members and district employees send or receive relating to the affairs of the school district and the official acts of school officials and employees. Electronically stored information generally constitutes a "record" within the meaning of the public records law provided such recorded information is created or kept in connection with school business. The substance of the information, not the format, controls whether it is a public record. As an elected official, a school board member's information contained on a social networking site or a blog, that is created or kept by the Board member regarding the affairs of the district is likely to be considered a public record.

#### **Compliance with the Freedom of Information Act**

Board members must be mindful of the Connecticut Freedom of Information Act (FOIA) when using social networking sites. The FOIA defines a "meeting" as any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction, or advisory power (C.G.S. [1-200\(2\)](#)).

Board member use of a social networking site may be susceptible to violations of the FOIA due to the ease with which Board members can discuss school business in a manner that may determine the Board's course of action. An online discussion by Board members can result in agreement, tacitly or explicitly to act in a certain manner in number sufficient to reach a quorum.

### **OR**

Board members using social networking sites may inadvertently violate the FOIA if they are not vigilant about the content and subject matter posted on the site and aware of the users of the site. Online posting by Board members can result in a meeting of the Board if the postings discuss school district business and a sufficient number of school board members are involved on the site to determine the course of action that will be taken by the Board.

Board members will not have online conversations that violate or to seek to circumvent the FOIA. Board members may not use online websites to communicate with one another about official Board business.

#### **Social Networking Websites**

Board members need to periodically review the importance of maintaining proper decorum in the online digital world as well as in person. This review is to give special emphasis to Board member use of Facebook, Twitter and

other social media.

## **Code of Ethics**

Use of social media sites by Board members shall be consistent with the Board's Code of Ethics (Bylaw #[9270](#)).

Board members will refrain from inappropriate conduct in making public statements on Facebook and other social networking sites, and will refrain from any disparagement of fellow Board members or others on a personal, social, racial, or religious basis. Board members shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity.

Board members will recognize that authority rests with the Board of Education and will make no personal promises on social media sites nor take any private action which may compromise the Board.

## **Maintaining Confidentiality**

Board members will exercise care not to divulge confidential information about students, school employees, or Board business on social media sites. Board members who have access to student information, like District employees, are prohibited from disclosing that information without the consent of the adult student or parent/guardian of a minor. In general, all records related to the individual student maintained by a school constitute confidential student records.

Board members are not to expect that their online conversations will remain private. Discussion of investigations into school issues will not be conducted online. Extreme care must be taken not to disclose confidential information related to students or employees while interacting online.

## **Social Media Guidelines for Board Members**

The following guidelines are for Board members to consider when using social media in their role as public officials. In using social media to communicate about school district activities, a Board member shall:

1. Clarify that the communication is as an individual member of the Board and not in the role of an official District spokesperson.
2. Avoid deliberating school district business with a quorum of the Board.
3. Direct complaints or concerns presented online from other individuals to the appropriate administrator.
4. Avoid posting content that indicated the reaching of an opinion on pending matters.
5. Ask for community input through appropriate channels, but will not allow the social network site to direct decisions as a Board member.
6. Post only content that the District has already released to the public.
7. Clarify, when attempting to restate what happened at a previous Board meeting, that the posting on the social media site is not an official record of such meeting. Share information only from the open portions of the meeting.
8. Conduct himself/herself online in a manner that reflects well on the District; avoid posting information that has not been verified and made public by the District; and never post anonymously about school business.
9. Report immediately harassing or defamatory communications to the Superintendent if they involve school officials, staff, students or District business.
10. Retain electronic records, including the Board member's own posts and content others post to the Board members account, when required to do so by the District's retention policy.
11. Report immediately to the District any potential security breaches if the Board member loses control or possession of a District-issued or personal electronic device on which confidential District records could be accessed.
12. Comply with the District's acceptable use policy when using District-issued devices or technology resources, including District Internet access on a personal device.

- (cf. 1100 - Communications with the Public)
- (cf. 1114 - District-Sponsored Social Media)
- (cf. [3543.31](#) - Electronic Communication Use and Retention)
- (cf. [4118.5/4218.5](#) - Staff Acceptable Computer Use)
- (cf. [4118.51/4218.51](#) - Social Networking)
- (cf. [5125](#) - Student Records)
- (cf. [6141.321](#) - Acceptable Computer Use)
- (cf. 6141.324 - Posting of Student Work/Photographs)
- (cf. [6141.326](#) - Online Social Networking)
- (cf. [9271](#) - Board Code of Ethics)
- (cf. [9327](#) - Electronic Mail Communications)
- (cf. [9330](#) - Board/School District Records)

Legal Reference: Connecticut General Statutes

The Freedom of Information Act.

[1](#)-200 Definitions.

[10](#)-209 Records not to be public.

[1](#)-210 Access to public records. Exempt records.

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. seq.

Federal Family Educational Rights and Privacy Act of 1974

Dept. of Education. 34 CFR. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/9

**Bylaw adopted by the Board:**