

166 BOARD USE OF ELECTRONIC MAIL

Use of electronic mail (email) by members of the Williams Bay School Board under some circumstances may be considered a meeting under the Wisconsin Open Meetings Law. Therefore, subject to applicable Board policies, email will be used by the Board for communicating the following matters:

1. Messages between Board members or between Board members and employees that do not involve interactive exchange of opinions constituting discussion, deliberation, or decision making on subjects within the realm of the Board's authority;
2. Possible meeting agenda items between the District Administrator and individual Board members;
3. Times, dates and places of regular or special Board meetings;
4. A Board agenda or public record information containing items on the agenda;
5. Requests for public information pertaining to District operations;
6. Responses to questions posed by members of the public, administrators, or school staff.

Electronic communications are generally an effective and efficient medium for activities such as addressing scheduling/availability for meetings, bringing potential agenda items to the attention of the District Administrator and Board President, and the one-way distribution of information (e.g., from the District Administrator to all Board members). Board members should not “reply all” to emails from the Board President or District Administrator. However, the Board strongly discourages (and, in some circumstances, applicable laws will directly prohibit) individual Board members from using email or other forms of electronic communication for any of the following:

1. Interactive discussion of substantive Board business among multiple Board members, due to Open Meetings Law concerns (e.g., potential walking quorums or illegal meetings) and due to the potential appearance of impropriety surrounding communications that are perceived to be inappropriately “secretive” even if not unlawful.
2. Communications regarding matters that involve individually identifiable students, due to potential violation of the laws surrounding student privacy and the confidentiality of student record information; or
3. Communications regarding District matters that are considered confidential or highly sensitive (e.g., closed session content, personnel matters, etc.), due to issues surrounding the security and possible improper disclosure of the information.

Board members shall be provided with an email account. Their school district accounts will be managed and archived by the District which will act as the legal custodian of such records on behalf of Board members as allowed by law. Official email communications to Board members will be sent to the member's District account. Replies to email messages by Board members are expected to be made via the District's email system, which allows the District to archive and return messages.

Board members are required to use their District email account for all school related business. Board members who receive school related email messages at a private email address related to official business will be required to immediately forward any such email to their District email account. Board members who choose not to forward and reply to messages via the District email, accept personal responsibility for compliance with the Wisconsin Public Records Law.

Furthermore, there should be no expectation of privacy for any messages sent or received via the District email system. Messages that have been deleted may still be accessible on the file server or other such device. Messages, deleted or otherwise, may be subject to disclosure under the Wisconsin Public Records Law unless an exemption would apply.

LEGAL REFERENCE: Wisconsin Statutes Section 19, Wisconsin Statutes Section 120

APPROVED: March 8, 2004

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