

School Board Use of Electronic Mail

The Ashland School Board shall conduct all Board and related committee work in compliance with New Hampshire Law, RSA 91-A:2 which requires that all meetings which a quorum of the Board or related committee is convened to conduct its business in a manner that provides for open access by the public.

The Board will not communicate to each other via electronic communication (e-mail) regarding official school district business. The Board will not use e-mail as a substitute for deliberations at Board meetings, for other communications, or for business properly confined to Board meetings. Communications via e-mail of private or confidential school district matters is strictly prohibited.

A meeting is defined as the convening of a quorum of the membership of the public body as defined in RSA 91-A:1-a, whether in person, by means of telephone or electronic equipment, or in any other manner, such that all participating members are able to communicate with each other contemporaneously, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power. E-mail communications among a quorum of the membership shall be subject to public disclosure upon presentation of a right-to-know request pursuant to RSA 91-A:4.

If a Board member initiates an e-mail, communicates to a quorum of the Board, and discusses official school district business, the e-mail will be considered a public document for purposes of the Right to Know Law, RSA 91-A. As such, the contents of the e-mail communication will be publicly disclosed and included in the minutes of the next regularly scheduled Board meeting.

Non-contemporaneous communications among a quorum of the members of a public body would not constitute a meeting but would be subject to established rules of disclosure. Communications among less than a quorum need not be disclosed. Sequential communications on the same matter shall be disclosed if the total number of members participating would constitute a quorum if meeting contemporaneously.

It is the intent of this policy to limit the use of electronic communications to the following issues:

- Notification of times, dates and places of regular or special Board or committee meetings;
- Identification of possible agenda items;
- Display of meeting agendas;
- Publication of meeting minutes or other public record information;
- Communications between individual Board members and Central Office administrators or other District employees that do not necessitate Board deliberation or action.

Legal References:

RSA 91-A:1-a, Definitions

RSA 91-A:2, Meetings Open to Public

RSA 91-A:2-a, Communications Outside Meetings

RSA 91-A:4, Minutes and Records Available for Public Inspection

RSA 189:29-a, Records Retention and Disposition

Miller v. Fremont School Board, Rockingham County Superior Court, No. 03-E-152 (2003)

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