

**Newburyport Public Schools
School Committee Retreat**

Tuesday, February 1, 2022

6:00PM – 9:00PM

**Senior/Community Center
331 High Street
Newburyport, MA**

AGENDA

- I. Welcome / Opening Comments / Introductions
Mayor Sean Reardon / Sarah Hall
- II. *Consent Agenda – (warrant) – *possible Vote*
- III. Overview of School Committee Roles & Open Meeting Law
 - Presentation by Michelle McNulty, Esq., of Murphy, Lamere & Murphy
 - Q & A with Michelle
 - Discuss use of Facebook and email (see attachments)

**** 10 minute break ****
- IV. Overview of Subcommittees
 - Finance – budget process (*Brian*)
 - Policy – procedure for weeding out and/or amending outdated policies (*Sheila*)
 - Joint Education (*Bruce*)
 - CISL Adhoc vrs. potential Curriculum Subcommittee (*Sean & LisaMarie*)
- V. Other items
 - Communications / website upgrades (*Sean & Lisa Furlong*)
 - Student Rep involvement (*Sean*)
 - Storage & organization of files (*Brian & Sheila*)
 - Use of Zoom in meetings (*Sarah*)

Attachments: KAA – Communications Policy
Social Media for School Committee Members (MASC – 2020)

Communications

The School Committee affirms that it has an obligation to receive and review communications from district staff and the greater community, via email, hard copy, phone, text and social media posts. The purpose of this policy is to create a set of consistent practices to respond to communications from the community. These policies also address public records concerns; and are consistent with our obligations under the open meeting laws.

1. *Massachusetts' Public Records Law* covers "all documentary materials or data created or received by any officer or employee of any governmental unit, regardless of physical form or characteristics." To that end, text, SMS and other forms of electronic messages constitute a public record.
2. The School Committee recognizes that any communications received via their district email address are public documents. Communications pertaining to school committee business received on private email, via Facebook, or any other electronic means are also considered a public record and should be handled as such. Communications related to the school experience of School Committee members' children are not considered a public record.
3. Communications can become part of public comment if the sender labels it as such. These communications will be added to the meeting packet once it is posted to the district website.
4. The format for a School Committee member response to a constituent should contain the following elements - an acknowledgement of receipt, a recommendation to the communicant to follow the district chain of command practice, and a disclaimer as described below. It is not the School Committee member's responsibility to solve all constituent problems, but it is important that we help all voices be heard and acknowledged.
5. All School Committee members should have a disclaimer in their electronics signature, stating "The opinions expressed within this email are my own and do not reflect those of the School Committee as a whole. The School Committee has no involvement in matters of personnel. Complaints of this nature should be directed through the district chain of command (teacher, principal then Superintendent)."
6. Emails, texts, or any other communication by committee members about school committee business should be conducted via members' district email accounts or forwarded to those accounts for public records' sake. Constituents should keep in mind that all emails sent to School Committee members about School Committee business

are public records regardless of which email address they are sent (School Committee member private account versus official account).

7. It is the expectation that the chair or vice chair is acknowledging communications sent to the entire school committee. Communications that are focused on school operations and / or personnel will be exclusively handled by the Superintendent and/or their designee.
8. Any information or allegation regarding the behavior of a district staff person will be forwarded to the Superintendent and the principal of the school for appropriate action. No School Committee member will respond directly to that email, beyond sending a pro forma email that thanks the sender, and indicates that they have referred their concerns to the Principal and the Superintendent.

Social Media

When engaging in social media use, School Committee members should always preface comments about school committee business with a disclaimer that they speak for themselves and not for the whole school committee.

School committee members should be aware that “liking” a post of or with another school committee member or commenting on posts with other members of the committee is considered a legal quorum if four members are involved. Every effort should be made to avoid this situation.

Version Control

Action	Date
First Reading	6/7/2021
Second Reading	6/21/2021
Adopted	6/21/2021

Social Media for School Committee Members

The MASC Code of Ethics states that a member stays “well informed concerning the duties of a Committee member on both a local and state level.” Social media can be another tool for carrying out this part of your position.

The following guidelines are suggested to inform your use of social media:

Use social media as a communication tool.

As a well-informed school committee member, you are constantly in communication about your district: gathering information to inform decisions, delivering information to inform constituents. Much of that communication now takes place online. You certainly may use social media as a means of communication as a member of a school committee.

Be clear that you communicate only as an individual.

In Massachusetts, school committee members individually have no authority to speak on behalf of the district or of the committee unless specifically designated to do so. Be sure that it is clear in statements online and elsewhere that you speak only as an individual.

Avoid violating the Open Meeting Law.

Recall that the Open Meeting Law (M.G.L Ch. 30A §§18-25) applies to any quorum of a body deliberating about any matter under their jurisdiction.

Online, this can be as innocuous as a post from a single committee member expressing a view regarding an upcoming decision which is then “liked” by a majority of other members of the committee. While you may well be connected through social media to other members of our committee, be very cautious in your interactions with other members of your committee.

Keep your deliberations within the meeting.

Remember that the MASC Code of Ethics for members states “a member should not make statements or promises of how they will vote on matters that will come before the Committee.” Your decision should be made as a result of meeting deliberation. Avoid posting content that indicates that you have already formed an opinion ahead of a deliberation at a meeting.

Make your decisions within the meeting.

While you may use social media as one way of gathering input from upcoming decisions, you have a responsibility as a committee member to make your decisions based on information

given to you for your deliberation. A committee member should not make decisions based on social media popularity.

Direct complaints or concerns to the appropriate channels.

Just as you would with a phone call or a conversation in person, ensure that complaints and concerns are directed through the chain of command to the appropriate person in the administration.

Share public information through social media.

Sharing information about your district is a valuable function of social media. Invite the public to upcoming district events; share information about public hearings; link to the district budget. Let the community know about decisions the committee has made. Use visuals – photos, charts, graphs – to make your new go viral. Be clear in your sharing of information that you do so as a single committee member; you are not the official keeper of records.

Keep privileged information private.

Information shared within executive session needs to be kept private unless and until it is reviewed and released as part of the minutes of the session per M.G.L. Ch. 30A, §22f.

Observe other applicable laws and regulations around the sharing of information.

Be certain to observe all other applicable laws, such as those surrounding student privacy. This applies not only to information about students, but also to their images. Be sure that public sharing of photos of students are covered by district release.

Consider the permanence of posting.

Remember that nothing ever disappears online; postings can be cached or captured by screenshot. Likewise, whatever privacy setting you've chosen, a screenshot can take anything public. Do not post anything on social media that is not appropriate to have publicly shared.

Stay with the facts.

Should you see incorrect information in a post and have public district information that is correct, link to it in the comments. Do not, however, get into an extended back-and-forth, as those rarely lead to any place productive. The “turn off notifications” setting can be very useful here.

Stay professional.

Never, never post in anger. Ever.

Don't get personal in your remarks, whatever the provocation.

Be aware of recent federal court rulings regarding social media as a “designated public forum.”

There have been several recent rulings in federal court that elected officials may not within a public forum block those with whom they disagree politically. This is still a developing area legally. Every member must balance this with the respect for the administration, the community, and other members which are the MASCC Code of Ethics; abuse of others within your own posts should not be allowed.

Ensure you abide by your district's technology use policy if using district equipment.

If you have been issued a district phone, laptop, or tablet, be certain you adhere to use as directed by policy.

Be timely and truthful.

Both make you an excellent and trusted resources online, extending your service as member of the school committee online.