

## **ELECTRONIC COMMUNICATIONS**

### **1. Purpose**

The Open Meetings Act ("OMA") requires that all decisions of a public body shall be made at a meeting open to the public. Further, all deliberations must be made at an open meeting unless otherwise permitted under the OMA. With advancements in technology and the availability of the Internet, Bad Axe Area District Library desires to ensure all electronic communications comply with existing law. Further, the Freedom of Information Act governs "public records," which may include e-mails. Therefore, the Library has a health, safety, and welfare interest in making sure public records are properly retained.

### **2. Procedure – Library Board Members or Members of other Public Body**

- A. Members of the Library Board or other "public body" as defined by the OMA shall not discuss, deliberate toward, or render a decision on a public policy with a quorum of the public body to which they are members by e-mail, text, skype, chat rooms or other electronic means.
- B. Only the Director or the Secretary of any other public body in the Library is authorized to contact a quorum of the public body by e-mail. Such e-mails shall only be for the purpose of distributing information to other members of the public body. The Library Director or Secretary shall designate such e-mails as "For Distribution Only."
- C. Upon receipt of information designated "For Distribution Only," the members of the public body shall not "reply to all" or reply to a quorum of other members of that public body. Any questions or comments shall be directed toward the Director or Secretary who sent the e-mail.

### **3. Regulations relating to all Library Officials and Employees**

- A. Officials or employees may be provided by the Library with a "Library" e-mail account. If so, then the official or employee shall use only that account for any library business. If the Library has provided a Library official or employee with a "library" e-mail account, the official or employee shall provide full access to that account upon leaving office or employment with the Library and shall no longer have access to the account after leaving office or employment with the Library.
- B. E-mails sent and received by public officials may be subject to the Freedom of Information Act ("FOIA"). Each member official or employee should provide a copy of the electronic communication to the Director that is a public record, as defined by the FOIA, and required to be retained by the Library pursuant to the Library's record retention policy, regardless of what e-mail account was used to send or receive the public record.
- C. Any employee or official should keep in mind that e-mails may be disclosed pursuant to the FOIA, and employees and officials should not place any information in an e-mail that he or she would not include in other forms of written correspondence.