

250 / Board of Trustees

Electronic Communications Policy & Administrative Procedure

It is the goal of the Board of Library Trustees of the Villa Park Public Library to keep its members, as well as the Library Director informed about matters affecting the Board's work. However, the Board must all be mindful of the requirements imposed by the Illinois Open Meetings Act, Freedom of Information Act and the Local Records Act, particularly as they apply to communication among Board members outside scheduled Library Board meetings.

Generally, Board members shall not use electronic communications, including e-mail or text messages, or other electronic forms of communication, to conduct library business (see Article II, Paragraph 6). Under no circumstances shall Board members use electronic communications to discuss among themselves public business that is required to be discussed in an open meeting according to the Open Meetings Act. Electronic communication to, by and between Board members is permitted on a limited basis for non-substantive matters such as:

- Agenda item suggestions;
- Reminders regarding meeting times, dates and places;
- Board Meeting agenda or public record information concerning agenda items; or
- Responses to questions posed by the community, administration or staff, subject to this policy's first section.

Electronic communications sent between and among Board members regarding non-substantive matters shall be copied to the Library Director. There is no expectation of privacy for any messages sent or received by electronic communication.

Under the Freedom of Information Act and a currently binding Attorney General's Opinion, electronic communications that have been prepared, or have been or are being used, received, possessed or under the control of any public body or member of a public body and that pertain to the transaction of public business are public records even if sent or received on personal, non-library owned electronic communication devices. As such, the communications will be subject to disclosure in response to a FOIA request, unless an exemption applies. Communications may also be subject to disclosure in the context of litigation or in response to a court order.

Procedure

The Board of Library Trustees hereby adopts the following procedures with regard to the use of e-mail, text messaging and similar electronic forms of communication to assist in our efforts to comply with the Open Meetings Act, Freedom of Information Act and Local Records Act.

- The Board finds that electronic "chat rooms and blogs" are inherently detrimental to the open meetings process and will not utilize "chat rooms and

blogs" to conduct library business or deliberations.

- "Bulletin boards" or other similar formats, which permit the development of "discussion threads" among Board members, also will not be utilized to conduct library business or library deliberation; however, Board members may read the comments of others who are not Board members as they see fit.
- The Library Director may provide information relating to library business to Board members using electronic communications, attachments or other electronic methods. Any response from Board members regarding these communications must be sent only to the Library Director (i.e., no "reply to all" responses). An appropriate record of these communications will be maintained in the library files to assure compliance with state law.
- A Board member may send electronic communications to all other Board members with items of passing interest provided that no response is requested or required. Such electronic communications should clearly state that no response should be made. It is required that any such electronic communications be sent to the Library Director for storage.
- A Board member may send electronic communications to all other Board members regarding scheduling issues. Board members may reply to the sender provided only that their response is limited to the subject of the original message and does not cross over to items of substance.
- Board members may correspond between themselves if such correspondence would not constitute a violation of the Open Meetings Act.
 - Example 1: On a committee of three Board members, communications between two Board members on this committee about substantive committee business constitutes a violation of the Open Meetings Act.
 - Example 2: Any communication among three Board members about substantive library business constitutes a violation of the Open Meetings Act (three Board members constitute a majority of a quorum of a seven-member Board).
 - Example 3: Two Board members (not members of the same committee) may correspond between themselves on substantive library business without violating the Open Meetings Act.
- Electronic communications to the Board will be copied to all Board members and the Library Director. When electronic communications from the public require Board response, the President or his designee will respond, and will copy the other Board members and the Library Director.
- Any item of business for a Board agenda shall be directed to the President and the Library Director so that it may be included in the Board's agenda. Action items shall be prepared and distributed by the Library Director in

accordance with the Board's established procedures.

- The Library Director shall maintain a system to store official electronic communications as described herein. This record shall be maintained indefinitely. If software changes require this record to be transferred to paper, the records shall be maintained for ten years or such other time period as may be established by the State of Illinois.

Approved 08/27/2008

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