

I. Board Governance Procedures

K. Board Members' Electronic Communication and Relationship to the Open Meeting Law (OML) (Modified April 2, 2014, October 2, 2019, and February 12, 2020)

This policy ensures compliance with the quorum and electronic communications Open Meeting Law (OML) requirements.

The Board communicates with the public through the public meeting format. However, the following policy outlines additional communication options.

Public communication with board members:

Any member of the public wishing to communicate with Board members may send an email directly to any board member at that board member's SFB email address. Individual board member SFB email addresses are listed at <https://sfb.az.gov/about/board-members> under the 'biography' for each board member. All emails sent to an individual board member SFB email address will be delivered directly to that board member.

Board member communication with public:

Board members who receive emails from members of the public may:

- 1) Respond directly and copy the School Facilities Board Public Information Officer (PIO) on the email response.
- 2) Delegate authority to the PIO to draft and send a response on the board member's behalf.

Communications with media:

All emails sent to any individual board member address from members of the media will be forwarded to the School Facilities Board PIO for review and response. Board members will not reply to media inquiries directly.

Board members may not:

Communicate by any means with other board members about any public email received (i.e. forwarding email or ccing/bccing another board member).

Per Attorney General Opinion No. I05-004: Board members must ensure that the board's business is conducted at public meetings and may not use email to circumvent the OML requirements. When members of the public body are parties to an exchange of email communications that involve discussions, deliberations or taking legal action by a quorum of the public body concerning a matter that may foreseeably come before the public body for action, the communications constitute a meeting through technological devices under the OML. While some one-way communications from one board member to enough members to constitute a quorum would not violate the OML, an email by a member of a public body to other members of the public body that proposes legal action would constitute a violation of the OML.