
Note: For employee and student use of ESC technology resources, see EC.

**Public Information
on Private Device**

A current or former board member or employee of an ESC who maintains public information on a privately owned device shall:

1. Forward or transfer the public information to the ESC or an ESC server to be preserved as provided by Government Code 552.004(a); or
2. Preserve the public information in its original form in a backup or archive and on the privately owned device for the time described under Government Code 552.004(a).

Gov't Code 522.004(b) [See EA]

**Online Message
Board**

A communication or exchange of information between board members about public business or public policy over which the board has supervision or control does not constitute a meeting or deliberation for purposes of the Texas Open Meetings Act if:

1. The communication is in writing;
2. The writing is posted to an online message board or similar internet application that is viewable and searchable by the public; and
3. The communication is displayed in real time and displayed on the online message board or similar internet application for no less than 30 days after the communication is first posted.

A board may have no more than one online message board or similar internet application to be used for the purposes described above. The online message board or similar internet application must be owned or controlled by the board, prominently displayed on the ESC's primary internet web page, and no more than one click away from the ESC's primary internet web page.

The online message board or similar internet application may only be used by members of the board or staff members who have received specific authorization from a member of the board. If a staff member posts a communication to the online message board or similar internet application, the name and title of the staff member must be posted along with the communication.

If the ESC removes from the online message board or similar internet application a communication that has been posted for at least 30 days, the ESC shall maintain the posting for a period of six

years. This communication is public information and must be disclosed in accordance with Government Code Chapter 552 (Public Information Act).

The board may not vote or take any action that is required to be taken at a meeting under the Texas Open Meetings Act by posting a communication to the online message board or similar internet application. In no event shall a communication or posting to the online message board or similar internet application be construed to be an action of the board.

Gov't Code 551.006