
Note: For employee, student, and community use of college district technology resources, see CR.

Online Message Board

A communication or exchange of information between members of a governmental body, including a college district board of trustees, about public business or public policy over which the governmental body has supervision or control does not constitute a meeting or deliberation for purposes of Government Code Chapter 551 (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 governmental body 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 governmental body, prominently displayed on the governmental body's primary internet web page, and no more than one click away from the governmental body's primary internet web page.

Gov't Code 551.006(a)–(b)

Authorized Users

The online message board or similar internet application described above may only be used by members of the governmental body or staff members of the governmental body who have received specific authorization from a member of the governmental body. In the event that 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.
Gov't Code 551.006(c)

Retention of Communications

If a governmental body removes from the online message board or similar internet application a communication that has been posted for at least 30 days, the governmental body 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 (Texas Public Information Act). *Gov't Code 551.006(d)*

Restrictions on Use

The governmental body may not vote or take any action that is required to be taken at a meeting under Government Code Chapter

551 of the governmental body 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 governmental body. *Gov't Code 551.006(e)*

Electronic Records Retention

Electronic communications that are local governmental records must be preserved in accordance with the Texas Local Government Records Act, Local Government Code Title 6, Subtitle C, and the college district's records retention schedule. [See CIA]

"Local government record" means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information-recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business. The term does not include:

1. Extra identical copies of documents created only for convenience of reference or research by officers or employees of the local government.
2. Notes, journals, diaries, and similar documents created by an officer or employee of the local government for personal convenience.
3. Blank forms.
4. Stocks of publications.
5. Library and museum materials acquired solely for the purposes of reference or display.
6. Copies of documents in any media furnished to members of the public to which they are entitled under Government Code Chapter 552 (Public Information Act) or other state law.

Local Gov't Code 201.003(8)

Public Information on a Privately-Owned Device

A current or former officer or employee of a governmental body who maintains public information on a privately-owned device shall:

1. Forward or transfer the public information to the governmental body or a governmental body 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 552.004(b) [See CIA]