



TOWN OF LEDYARD CONNECTICUT TOWN COUNCIL

741 Colonel Ledyard Highway
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(860) 464-3203
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Chairman Linda C. Davis

MEMORANDUM

TO: All Town Committees/Commissions/Boards
FROM: Linda C. Davis, Chairman *Linda C Davis*
DATE: July 28, 2014
Subject: Town of Ledyard Policy Guidelines Electronic Communication for
Volunteers/Elected Officials

As appointed volunteers and elected officials, it is important that we periodically review our responsibilities and disclosure requirements of the Freedom of Information Act as they pertain to the management and retention requirements of correspondence, in accordance with CGS 11-8; 11-8a and 7-109; as well as CGS 1-200-1-241.

As you are aware the Town Council has taken great strides in recent years to invest in the purchase of software solutions to transition our systems to electronic media in an effort to provide open government, efficiencies, transparency and public access regarding the important issues affecting our community. This investment included the purchase and implementation of the IQM2 solution.

The IQM2 solution provides a comprehensive program and the tools to support paperless meetings through their Legislative File and Workflow process; Agenda Wizard; Minute Maker and Document Import features.

We are redistributing the attached *'Town of Ledyard Policy Guidelines Electronic Communication for Volunteers/Elected Officials'* to aid in understanding and complying with the important requirements that govern the management and retention of various types of correspondence as defined in the policy.

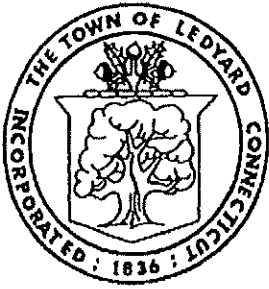
Administrative staff is encouraged to utilize the IQM2 Document Import feature to electronically post and store all correspondence in the IQM2 cloud based server. These measures will provide public access to correspondence as well as provide easy access in the future.

Your cooperation regarding this request to comply with these comprehensive and important guidelines is appreciated.

Should you have any questions or require assistance with the IQM2 Document Import feature please contact the Town Council Office at 464-3203.

Thank you.

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| cc: | Economic Development Commission | Nursing Board | WPCA |
| Mayor Rodolico | Historic District Commission | Parks & Rec Commission | ZBA |
| Superintendent Patterson | IWWC | Pension Board | |
| Ad Hoc Cmt/Zoning Reg's | Ledyard Town Center Committee | Planning & Zoning Commission | |
| Conservation Commission | Library Commission | Social Services Board | |
| Commission for Senior Citizens | | | |



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council@town.ledyard.ct.us

MEMORANDUM

TO: All Town Committees/Commissions/Boards
FROM: Linda C. Davis, Chairman LVD
DATE: September 13, 2012

Subject: Town of Ledyard Policy Guidelines Electronic Communication for
Volunteers/Elected Officials

As electronic communication has become an integral part of our day to day activities, both socially and in performing business, it is important that we are cognizant of our responsibilities and disclosure requirements of the Freedom of Information Act, as appointed volunteers and elected officials of the town.

Embracing technology has enabled the dissemination of timely information to our town's volunteer committees/commissions/boards, as well as streamline operations by reducing paper, printing, postage and related office supplies through the use of electronic communications.

While today's electronic communication and messaging has become a valuable tool, caution must be exercised in conducting the town's business as these methods of communication are considered to be public records and we all must comply with management and retention requirements of CGS 11-8; 11-8a and 7-109; as well as CGS 1-200-1-241.

To aid in understanding and complying with these important requirements the Town Council adopted the attached "*Town of Ledyard Policy Guidelines, Electronic Communication for Volunteers/Elected Officials*" at our September 12, 2012 meeting; and ask that you share this policy with the members of your Committee/Commission/Board.

Your cooperation regarding this request and in complying with these comprehensive and important guidelines is appreciated.

Should you have any questions, please contact the Town Council Office at 464-3203.

Thank you.

CC:

Mayor Rodolico
Superintendent Dr. Graner
Conservation Commission
Commission for Senior Citizens
Economic Development Commission
Historic District Commission

IWWC
Ledyard Town Center Committee
Library Commission
Nursing Board
Parks & Recreation Commission
Pension Board

Permanent Municipal Building Committee
Planning Commission
Social Services Board
WPCA
ZBA
Zoning Commission

LD/rm

TOWN OF LEDYARD
POLICY GUIDELINES
ELECTRONIC COMMUNICATION
FOR VOLUNTEER TOWN OFFICIALS

RECEIVED FOR RECORD
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2012 SEP 17 PM 12:52

This Policy provides guidance to elected officials and volunteer members of the Town of Ledyard's Committees, Commissions and Board concerning electronic communication and for managing and retaining electronic messages, including e-mail, fax, instant messaging and text messaging under CGS 11-8; 11-8a and 7-109 related to town business and meetings.

I. DEFINITIONS

For the purposes of this Policy, the following shall mean:

Meetings

In accordance with CGS Chapter 14, Section 1-200 "Meeting" means any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.

A conference call or other communication by means of electronic equipment may constitute a meeting.

Electronic Communication/Messages

Electronic messages include e-mail, fax, instant messaging (IM), text messaging (SMS) and web-based messaging services.

Electronic communication/messages may be transmitted by a variety of mediums, including but not limited to computers and mobile computing devices (e.g. laptops, netbooks, notebooks, tablets and cellular phones).

Electronic messages are public records and under the Connecticut Uniform Electronic Transactions Act (CUETA) an electronic record is "a record created, generated, sent, communicated, received or stored by electronic means, including, but not limited to facsimiles, electronic mail, telex and interne messaging"(CGS 1-267).

Electronic Thread

"Electronic Thread" is any string of electronic messages.

Public Record

Pursuant to CGS 1-200 "*public records or files*" means any recorded data or information relating to the conduct of the public business prepared, owned, used, received or retained by a public agency, whether such data or information may be handwritten, typed, tape-recorded, printed, Photostatted, photographed or recorded by any other method".

Record Custodian

The "Record Custodian" shall be the Support Staff for the Town Council and its Sub Committees; and the support staff for the Committees/Commissions/Boards of the Town of Ledyard.

2. USE OF ELECTRONIC MESSAGES/COMMUNICATION TOOL

The following guidelines are provided for Elected Officials and Volunteer Members of Town Committees/Commissions/Board in using electronic means of communication:

- a) Use e-mail to disseminate information in an effective and timely manner. .
- b) Do not engage or deliberate on content contained in electronic communications.
- c) Use of IM; Text messaging and other forms of Direct Messaging for public agency business is prohibited.

3. RETENTION OF ELECTRONIC MESSAGES

Retention of electronic messages is based on the content of the message. Generally, most electronic messages have limited value and can be deleted immediately upon receipt.

However, electronic messages that document agency function and provide evidence of agency business must be retained according to the records retention schedules issued by State of Connecticut Office of Public Records Administrator under CGS 7-109 and CGS 11-8.

Electronic messages are similar to traditional postal mail. The message must be evaluated for action and subsequent retention. Maintain electronic messages for the required retention period under the equivalent records series.

Steps to determine the retention period of electronic messages:

- a. Determine whether the electronic message is a public record or non-record
- b. If the message is a non-record, destroy at will (e.g. spam, and unsolicited advertisements)

- c. If message is a record, determine which records series the message belongs to; for example:
- Transitory Correspondence, delete at will
 - Routine Correspondence, retain for two (2) years
 - All Other Correspondence, retain for the equivalent records series issued by State of Connecticut Office of Public Records Administrator.

4. MANAGEMENT OF ELECTRONIC MESSAGES

For consistency in the management of electronic messages/records the "Record Custodian" must be included in all public record electronic communications.

The Record Custodian shall be responsible for retaining the record copy in accordance with the records retention scheduled issued by the Office of Public Records Administrator under CGS 7-109 and CGS11-8.

After an electronic thread is completed, the record custodian may retain only the last message (as long as it includes the prior messages) as the official record copy.

Based on the above mentioned statutes, electronic messages sent or received in the conduct of public business are public records. All electronic accounts including public accounts used to conduct public business are subject to disclosure under FOIA, a court action, or an audit and should be treated in the same manner as any other recorded information. Public officials are encouraged not to use private e-mail accounts and to obtain public accounts when possible.

5. EFFECTIVE DATE OF POLICY

The "*Policy Guidelines for Electronic Communication for Volunteer Town Officials*" shall become effective upon adoption and is hereby incorporated in the "*Rules of Procedure for the Twenty-First Town Council*".

Adopted by the Ledyard Town Council on: September 12, 2012

Linda C Davis
Linda C. Davis, Chairman