



RESOLUTION 2012/13-21

USING OFFICIAL DISTRICT EMAIL

Board of Education
Frank Montaño, President
Linda M. Trujillo, Vice President
Barbara Gudwin, Secretary
Glenn Wikle, Member
Steven J. Carrillo, Member

1 Whereas the Santa Fe Public Schools Board of Education believes that an open and transparent government
2 promotes accountability, helps build public trust, encourages public participation and strengthens our democracy,
3 and
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5 Whereas the Inspection of Public Records Act codifies that "every person has the right to inspect public records
6 of this state," with the exception of certain confidential information, and recognizes that a representative
7 government is dependent upon an informed electorate, and
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9 Whereas "public records" includes all documents, papers, letters, books, maps, tapes, photographs, recordings
10 and other materials, regardless of physical form or characteristics, that are used, created, received, maintained or
11 held by or on behalf of any public body and relate to public business, whether or not the records are required by
12 law to be created or maintained, and
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14 Whereas the legislature further declared that it is an integral part of the routine duties of all public officers and
15 employees to provide persons with such information when properly requested, and
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17 Whereas emails addressing public business, whether using school district email accounts or private email
18 accounts, are public records under the Inspection of Public Records Act and are required to be available for public
19 inspection, and
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21 Whereas pursuant to 30-26-1 NMSA 1978, Whoever commits tampering with public records, which includes
22 knowingly destroying, concealing, mutilating or removing without lawful authority any public record or public
23 document belonging to or received or kept by any public authority for information, record or pursuant to law, is
24 guilty of a fourth degree felony, and
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26 Whereas there is no state law that requires public officers and employees to use public email accounts to conduct
27 public business, and
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29 Whereas the practice of using private email accounts does not build public confidence or trust in the Santa Fe
30 Public Schools Board of Education or employees.
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32 Therefore, be it resolved that the Santa Fe Public Schools Board of Education, the Superintendent and all
33 employees under the superintendent's authority shall utilize official district email when conducting business via
34 email. This includes discussions preliminary in nature to final decisions or actions, regardless of whether or not
35 the emails are required by state law to be maintained.

ADOPTED this 19th day of February, 2013

40
41 [Signature of Frank Montaño]
42 Frank Montaño
43 Board of Education President
44 Santa Fe Public Schools

Attested by:
[Signature of Barbara Gudwin]
Barbara Gudwin
Board of Education Secretary
Santa Fe Public Schools