



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

April 28, 2024

Electronic Communications Exceptions

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Electronic Communications Exceptions

Reference Number: CTAS-2426

Members of county commissions and school boards may communicate with each other electronically on a forum over the internet without violating the sunshine law if the commission or board—

1. Ensures that the forum is open to the public at all times;
2. Provides public notice of its intended use of such forum;
3. Controls who may communicate on the forum;
4. Archives all communications and makes such publically available for at least a year; and
5. Provides reasonable access to members of the public to view such forum at the library, courthouse or other public building.

Prior to utilizing a forum for electronic communications by its members, the county commission or school board must file a plan with the office of open records counsel regarding how they plan to ensure compliance with all of the acts conditions and must receive notice from the office of open records counsel that such plan is sufficient. The forum cannot substitute for a meeting of the county commission or school board and no member shall receive a per diem for communicating on the forum. T.C.A. § 8-44-109.

County boards of education may allow a member to attend a scheduled board meeting by by electronic means if the member is absent due to work, family emergency, or military service, as long as the statutory requirements are met. T.C.A. § 49-2-203.

Source URL: <https://www.ctas.tennessee.edu/eli/electronic-communications-exceptions>