

APPENDIX A – SEBC POLICIES

SEBC-001

COMMUNICATION POLICY

Policy Number	SEBC-001
Approved By	State Employee Benefits Committee
Effective Date	Date of Adoption
Last Revised	—

I. The State Employee Benefits Committee

The State Employee Benefits Committee (the “Committee”) is established under the State Employee Benefits Consolidation Act at Title 29 Chapter 96 of the Delaware Code. The Committee has the authority to adopt rules and regulations for the general administration of the employee benefit coverages. See 29 *Del. C.* § 9602(b)(4).

II. Statement of Purpose and Scope

This policy is intended to ensure that communications by and among Committee members are handled appropriately and in compliance with Title 29 Chapter 100 of the Delaware Code. This policy governs any communications by or between any Committee members relating to Committee-related public business.

III. Use of State-Issued Email for Committee Business

Committee members shall use a State-issued email account assigned for their service on the Committee for all email communications relating to Committee business. Members shall not use personal, business, campaign, or other non-State email accounts to conduct Committee business.

Use of State-issued email accounts supports the appropriate management, retention, and accessibility of Committee records; facilitates compliance with applicable public records requirements; and maintains a clear separation between Committee business and members' personal, professional, political, or other activities.

Within 30 days of the effective date of a member's appointment to the Committee, the member shall work with the Department of Technology and Information (“DTI”) and other appropriate State personnel to complete any steps necessary to establish and activate the member's State-issued email account. Members are responsible for maintaining access to the account, regularly monitoring the account for Committee-related communications, and promptly addressing any access or technical issues through the appropriate State support channels.

If a member receives an email relating to Committee business through a personal or other non-State email account, the member should promptly forward the communication to the member's State-issued email account and conduct any subsequent Committee-related correspondence using the State-issued account.

Use of a State-issued email account does not alter or supersede the requirements applicable to communications among Committee members under Delaware's open meeting laws. Members must continue to comply with the requirements of this policy regarding communications outside of public meetings regardless of the email account used. Members will be required to do appropriate searches and

disclosure of emails required for a FOIA request if they have used their personal or other work-related email for Committee-related business.

IV. Communication at Public Meetings

Committee members are expected to conduct themselves in a professional and courteous manner in all settings, whether that be in open or closed session. Members should endeavor to communicate in an open and constructive manner.

V. Communication Between Members Outside of Public Meetings

Committee members are free to contact any other member about matters that do not constitute public business of the Committee. From time to time, a member may desire to discuss a Committee-related matter with another member outside of the context of a public meeting. Such communications may be problematic, as they are not transparent and can lead to “daisy-chain” emails or “serial” phone conversations, which, in turn, may constitute “constructive quorums” and violations of the open meeting provisions of the Delaware Freedom of Information Act, 29 *Del. C.* §§ 10001-10007 (“FOIA”). Should a member need to contact another member directly to engage in a substantive dialogue about a matter of Committee-related business, such member should initially contact the Chair or the SBO who may in turn consult with the Deputy Attorney General assigned to the Committee (the “DAG”) to assess any potential FOIA issues. Members are free to contact the appropriate Chair with procedural questions, or if they wish to have specific issues added to a public meeting agenda.

This policy does not prohibit informal gatherings of Committee members for social purposes, or for other functions, official or unofficial, wholly unrelated to the public business of the Committee. Such functions and gatherings are not considered public meetings under FOIA as long as (1) no quorum of the Committee or any other public body of the Committee (e.g., a subcommittee) is present at the function, and (b) there is no discussion of the public business of the Committee. If two or more Committee members find themselves at the same social gathering or function, they may freely talk about matters unrelated to the public business of the Committee but should avoid any discussion of Committee-related business.

VI. Communication Between a Member and DAG

Occasionally, Committee members may have a Committee-related legal question. Such members normally should first consult with the Chair or the SBO who may contact the DAG directly. Members are reminded that the DAG represents the Committee, not the individual members. Accordingly, member discussions with the DAG may not be privileged. Members with questions about the applicability or effect of the State’s Code of Conduct, 29 *Del. C.* Chapter 58, should address such issues with their individual attorneys or Counsel for the Public Integrity Commission.

VII. Communication Between a Member and the SBO

Occasionally, Committee members may have a committee-related benefits or policy question. Members may reach out to the SBO to ask questions related to meeting materials or basic follow-up questions from meetings and should copy the Chair. Members should not individually direct the SBO to conduct research projects or data analyses. Those requests should be directed by the full SEBC or the Chair. Members are reminded that the SBO provides administrative support to the SEBC, not the individual members.

VIII. Communication with a Current or Prospective Vendor

Committee members may be contacted by prospective vendors interested in doing business with the Committee. Members should not engage in the substance of such inquiries but rather should refer the matter to the Chair. Members who have questions or requests for a current vendor about Committee-related issues should submit a request to the SBO and copy the Chair. Members should not contact vendors directly with inquiries related to the Committee.

IX. Presentations to External Groups

If a Committee member desires or agrees to make a presentation to external groups concerning Committee-related matters, the member should notify the Chair at least 14 days prior to the event. Members should

provide the Chair with advance copies of any written materials they intend to submit in connection with the presentation. Any member making such a presentation must indicate that they are not speaking on behalf of the State or the Committee, unless the member has been specifically authorized to do so.

X. Communication Between Members and the Media

The Committee Chair is the only individual authorized to respond to media inquiries on behalf of the Committee. In the event the Chair position is vacant, then the Vice Chair will be authorized to respond to media inquiries on behalf of the Committee; if both the Chair and Vice Chair positions are vacant, then the Committee may, by majority vote, temporarily designate another member to respond to media inquiries on behalf of the Committee. Members who are contacted by the media should refer all such inquiries to the Chair. Normally, all Committee-related media contact will be coordinated by the Chair. The Chair will provide any necessary statements or responses to media inquiries.

XI. Miscellaneous Provisions

This policy shall be binding on Committee members and shall remain in effect until amended by the Committee. The Committee shall have full and complete discretion as to the interpretation of this document and its application to a specific situation. Nothing contained herein shall provide any other party with the right to enforce the terms of this policy.

ADOPTION AND ATTESTATION

Adopted by the State Employee Benefits Committee on the ____ day of _____, 2026.

Chair

State Employee Benefits Committee

SEBC Manager

Attest

REVISION HISTORY

Action	Date	Approved By	Description
Adopted	_____, 2026	State Employee Benefits Committee	Initial adoption