

Village of Lake Park Policy for Elected Officials and Appointed Boards, Commissions and Committees Using Personal or Professional Social Media Platforms

Purpose

The Village of Lake Park recognizes that commonly used social media tools, such as Facebook, Twitter, YouTube, Instagram, and LinkedIn, have large loyal user bases and are, thus, becoming increasingly important outreach and communication tools for government entities from the federal to the local level. To use these popular communication tools effectively and in tandem with applicable Village government policies and procedures, designated and authorized use of social media on behalf of Village departments should be approved by the Council.

All of the communications tools utilized on behalf of the Village should be used in ways that are appropriately professional, provide helpful information to our audiences, and maintain the security of the network. Social media is no exception. Therefore, the application of social media within Village government must be done thoughtfully and in a manner that will minimize risk.

In addition, designated and authorized social media administrators/users should be aware that these types of communications are considered public records and, consequently, must be kept for a period of time in compliance with the public records law. These guidelines are intended to ensure that social networking sites are secure, used appropriately, and managed by best practices for the use of social media on behalf of Village government.

Summary

This policy establishes the Village's position on the use and management of social media and provides guidance on its management, administration, and oversight. It is applicable to all forms of social media. Also, the guidelines in this document do not apply to the innovative tools related to workflow efficiencies such as "wikis" or other intra-office tools used for document sharing.

The Village also recognizes the role that social media tools may play in employees' personal lives. Because the personal use of social media can impact employees in their official capacities, this policy also provides precautionary information as well as prohibitions and limitations on the use of social media by Village personnel.

For the purpose of this policy, Social Media shall include, but not be limited to: Blogs, Social Networking sites, photo or video sharing, dating platform, chat rooms, online message or comment boards, podcasts, web pages, programs, computer applications, cell phone apps or other computer programs intended for one person to communicate with another person or group. Also, the term "Official" includes elected and appointed officials as well as Village employees.

Personal and Professional Social Media Use

While officials may maintain and use personal and/or business web pages and websites, blogs, and social networking sites, their status as elected/appointed officials require that the content of any postings on those sites not be in violation of existing Village by-laws, policies, directives, rules or regulations.

The Village's image as a governmental organization acting in a professional manner is critical to maintaining the respect of its constituents. Although the Village recognizes that officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the Village. That is, although the Village acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official Village business, issues or concerns.

If an official conducts any Village business or communication as an official from a personal account, professional account, or an account created for a board/committee/commission, officials should assume that Village-related communications will be considered a public record subject to the North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.*, as well as applicable portions of the records retention schedule at <http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules>.

Professional and Personal Conduct Standards

1. All officials are expected and required to conduct themselves in a manner consistent with the Village's policies and standards of conduct.
2. It is anticipated that from time to time, officials will have access to information that is considered privileged or confidential under North Carolina General Statutes. Such information is typically considered an exception to the public records law and may have specific penalties for inappropriate disclosure. By way of example, such information may include but is not limited to certain personnel information, non-public information from criminal investigations and business trade secrets. Officials must not reveal any confidential or privileged information about the Village, its constituents, its employees, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential or privileged information.
3. Officials should be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery. Officials should not post or share information known to be false about the Village, its employees, constituents, other public officials, suppliers, vendors, or contractors.
4. Unless the official has been designated to serve as a spokesperson, officials should never represent themselves as a spokesperson for the Village Council, a Village board or committee, or from the Village Clerk's office.
5. Officials are expressly prohibited from using personal or Lake Park official social media to engage in any activity or conduct that violates federal, state, or local law. Officials are also prohibited from using professional social media accounts to circumvent election or campaign requirements, to campaign for re-election or endorse other candidates for public office.
6. Officials are prohibited from deleting posts and related comments regarding any Village-related matters to avoid violating North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.*
7. Officials should be mindful that posting content regarding Village-related matters could inadvertently result in the violation of the Open Meetings Law if enough other public officials engage on the post, resulting in a quorum. If this occurs, the online conversation should immediately cease with no further posts by the officials and the Village Administrator should be notified accordingly.
8. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.
9. Officials should expect that any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the Village at any time without prior

notice. The Village reserves the right to monitor social media activities by its officials, whether or not such activities are conducted with Village resources, to the extent permitted and in accordance with applicable law.

Best Practices and Guidelines for Elected & Appointed Officials and Village Employees

The following best practices and guidelines are strongly recommended to ensure that the personal and professional use of social media by elected officials is done so in a responsible manner.

1. Public officials are strongly encouraged to separate personal social media accounts from professional social media accounts so that Village-related matters and all public records generated from those posts are easily archived and not intermingled with personal posts not related to Village matters. If a professional social media account is created, then it becomes a Conduct Standard and the account must be archived.
2. Officials should exercise caution with respect to comments they post, particularly those concerning the Village and the business of the Village.
3. Officials are strongly encouraged to consider the potential impact of social media statements prior to posting. The Village strives to be professional in its operations and processes. Posts that express favoritism and/or bias for or against any individual or group of individuals (e.g., based upon race, gender, national origin, sexual orientation, political affiliation, etc.), reflect poorly on the public official, as well as the Village and its residents. Further, comments suggesting such treatment can expose the Village to liability and legal costs.
4. Officials should be mindful that members of the public who may appear before the Village Council as well as boards, commissions or committees come from all walks of life. Public comments, in any forum – including on personal and professional social media accounts – that contain racial slurs, profane language or acronyms for profane language, express bigotry toward a group based on race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification is prohibited.
5. Officials should consider whether liking, sharing, retweeting or commenting on any social media posts could be perceived as an endorsement of or about the Village, its employees, constituents, other public officials, suppliers, vendors, or contractors.
6. Officials should refrain from using social media accounts to communicate with Village employees about Village-related matters as this creates a public record on employees' personal accounts that must be retained per North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.* If elected officials want the Village's official pages to respond to a social media inquiry, the following responses are suggested:
 - a. Using the appropriate tagging feature, such as @lakeparknc.gov on Facebook.
 - b. Other platforms, such as Nextdoor: "Please contact the Village of Lake Park directly at 704.882.8657 to receive a response."
7. Public officials should be cautious in using official Village-provided photographs on personal social media sites. Elected and appointed officials choosing to use official City-provided photographs and identifying themselves as elected officials on personal social media sites should tailor communications on those sites accordingly.
8. Elected and appointed officials should be familiar with the North Carolina Department of Cultural Resources Division of Archives and Records Digital Records Policies and Guidelines (<http://archives.ncdcr.gov/For-Government/Digital-Records/Digital-Records-Policies-and->

Guidelines) and Local Government Retention Schedules (<http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules.>)

Procedure for Requesting and Maintaining Social Media Accounts for Boards, Committees and Commissions

Division of Archives and Records Digital Records Policies and Guidelines (<http://archives.ncdcr.gov/For-Government/Digital-Records/Digital-Records-Policies-and-Guidelines>) and Local Government Retention Schedules. Boards/Committees/Commissions that use social media are responsible for complying with applicable federal, state, and local laws, regulations and policies. This includes adherence to laws and policies regarding copyright, use of photographs, public records retention, personnel privacy, First Amendment, HIPAA privacy, the Americans with Disabilities Act, and information security policies established by the Village of Lake Park.

1. Guidelines to consider when creating social media accounts
 - a. Why is this social media platform the appropriate outreach tool for the target audience?
 - b. Which appointed officials on the board will be responsible for developing the content and design of creating a social media presence, the board/committee/commission should consider the following:
 - i. Platform?
 - ii. Which appointed officials will be granted administrator access to the site and be responsible for the content management strategy and ongoing updates?
 - c. What will be the account's official name?
 - d. What type of information and images will be included on the site?
 - e. What is an estimate of the number of hours per week time will be dedicated to the site?
 - f. How will time be scheduled to maintain the site?
 - g. How will the site be monitored after hours, during weekends, over holidays, and during crisis events?
 - h. How often posts are anticipated?
 - i. How will a link back to the board/committee/commission official website at lakeparknc.gov be provided when appropriate?
2. Once the site is developed, all usernames and passwords associated with the new site must be provided to the Village Administrator's Office as well as the Village-assigned staff liaison. If/when the username and password is changed, the new information must be provided to all parties listed above.
 - a. Facebook is the exception to this rule. Usernames and passwords will not be required for Facebook since administrators must use their personal accounts to manage pages. Rather than providing personal information, more than one official on the board/committee/commission must be an administrator on the page.
3. Appointed Administrators of social media will be provided training in accordance with Village procedure.
4. The sites must allow others, such as members of the public, to post comments or other visitor-generated content directly to the site. However, user guidelines should clearly be posted on the site. Posted guidelines must include:
 - a. No comments will be allowed that use inappropriate or offensive language.

- b. No comments will be allowed that discriminate or are derogatory based on race, color, national origin, religion, gender, age, disability, sexual orientation, or veteran's status.
 - c. Any user who harasses another user, or who is in violation of the comment guidelines will be removed from the site.
 - d. Any profile that appears to violate any terms of the hosting site will be reported to site administrators.
 - e. Any comments that appear to be spam or advertising solicitations not germane to the original post will be removed from the site.
 - f. Village of Lake Park social media sites are subject to applicable North Carolina Public Records Law and can be disclosed to third parties.
 - g. Other necessary and appropriate guidelines for proper and professional use of the site.
5. Boards/Committees/Commissions should have a process for removing and re-assigning social media management duties when an official ceases their service. Administrator privileges should be revoked on the official's last day of service and immediately re-assigned to a new administrator. A second social media administrator should immediately change all passwords and social media information to maintain village control.
6. Visitors to board/committee/commission sites cannot be permanently banned or blocked. If visitor-generated content is in violation of the posted guidelines, each comment or post should be reviewed and hidden. Inappropriate comments that are also in violation of the social media site's Terms of Service (TOS) should also be reported directly to the social media platform. Appointed officials administering social media platforms should be aware of the TOS of each social media site. Each has its own unique TOS that regulates how users interact using that particular form of media.
7. If a board/committee/commission social media account has unauthorized activity, i.e. is hacked, the authorized administrators should:
 - a. Immediately notify the Village Administrator
 - b. Immediately try to regain access to the account.
 - c. Once access to the account is obtained, change the password.
 - d. Delete messages posted by hackers.
 - e. Let followers know that the account was hacked and what is being done to fix the issue.
 - f. Review third-party apps. These could be used by hackers to gain access to accounts.
8. Communication on social media platforms is considered a public record. Posts by the account administrators and any feedback by members of the public will become part of the public record per North Carolina Public Records Law, N.C. Gen. Stat. § 132-1 *et seq.* Always provide links to the board/committee/commission official website for more information, forms, documents, or online services necessary to conduct business with the Board. It is strongly recommended that new or unique information or updates be contained on both the board/committee/commission official website and the social media site. All social media sites are required to be archived for public records retention and must also comply with applicable portions of the records retention schedule at <http://archives.ncdcr.gov/For-Government/Retention-Schedules/Local-Schedules>.