



TITLE: Social Media Policy		PAGE: 1 of 6
EFFECTIVE DATE: October 8, 2019	COUNCIL RESOLUTION: 68-19	

### A. PURPOSE

The City of Chowchilla ("City") has an overriding interest and expectation in deciding what is spoken on behalf of the City through the use of social media sites (including but not limited to Facebook and Twitter).

This policy provides guidelines for the establishment and use of social media by the City and its staff, as a means of conveying information about the City and its events and activities to its residents.

For purposes of this policy, "social media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media sites include Facebook, Twitter, LinkedIn, Nextdoor, YouTube, blogs, etc.

For purposes of this policy, comments include information, articles, pictures, videos or any other form of communicative content posted on a City social media site.

Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws.

### B. GENERAL POLICY

1. The establishment and use by any City department of the City's social media sites are subject to the approval of the City Administrator. City social media sites shall display the name and/or official graphic designation (e.g. City seal) of the City.
2. The City Administrator shall designate a principal social media administrator who will collaborate with department-designated social media administrators who manage additional social media sites secondary to the primary City sites.
3. All City social media sites shall clearly denote that it is maintained by the City, e.g. display the City name and/or City Seal and/or approved graphic, and that the site follows the City's Social Media Policy.
4. Wherever possible, the City's social media sites shall link to the official City of Chowchilla website for forms, documents, online services and other information necessary to conduct business with the City.

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5. The principal and department-designated social media administrators will monitor content on the City's social media sites to ensure adherence to both the City's Social Media Policy, and the interest and goals of the City.
  6. The City reserves the right to respond to any posting in a manner consistent with the Social Media Response Decision Tree (see Section G) and shall restrict or remove any content that is deemed in violation of the City's Social Media Policy or any applicable law. Any content removed based on these guidelines must be retained by the department-designated social media administrators for a reasonable period of time, including the time, date and identity of the poster, when available.
  7. These guidelines must be displayed to users or made available by hyperlink.
  8. The City will approach the use of social media tools as consistently as possible, enterprise wide.
  9. The City's official website at <http://www.CityOfChowchilla.org> will remain the City's primary and predominant internet presence.
  10. The City may provide educational information regarding ballot measures via the City's social media sites in compliance with federal and state law, regulations and policies.
  11. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies.
  12. City social media sites are subject to the California Public Records Act of the California Government Code. Any content maintained in a social media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be subject to public disclosure. For Public Records Act requests, contact the City Clerk's office directly.
  13. Comments on topics or issues not within the jurisdictional purview of the City may be removed.
  14. Employees representing the City on any social media site, must conduct themselves at all times as a representative of the City and in accordance with all City policies.
  15. Employees representing the City shall not comment or engage in debate on social media platforms that are not established as official City social media accounts.
  16. City employees shall not engage, comment or post using their personal accounts and claim or otherwise indicate they are communicating officially on behalf of the City or representing the City with their comments.
  17. The following actions by employees are prohibited during working hours:
    - a. Using social media sites to conduct personal or non-City business.
    - b. Browsing social media sites for non-City business matters.
    - c. Reading electronic alerts regarding personal social media account activity or using City e-mail to correspond with personal social media contacts.
    - d. Updating information, uploading photos or otherwise engaging with personal social media accounts for non-City purposes, whether it is on City provided equipment or personal equipment.
    - e. Posting any pictures or comments involving the organization or other City employees that could be construed as inappropriate.

- f. Uploading non-City related video files to post to a social media site due to bandwidth restrictions.
- 18. Where appropriate and consistent with the Social Media Response Decision Tree (see Section G) the City may reply to call outs or engagement where the City's social media site does not enable hosting of the conversation (for example, Twitter).
- 19. City social media accounts shall be managed consistent with the Ralph M. Brown Act, California Government Code 54950 et seq. Members of the City Council, Commissions and/or Boards are discouraged from "liking", "sharing", "re-tweeting" or otherwise participating in any published postings, or use of a social media site, or any form of electronic communication, to respond to, blog, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body, so as to avoid the appearance or possibility of engaging in a serial meeting or other Brown Act violation.
- 20. Members of the City Council, Commissions and/or Boards may, as a matter of free speech, establish their own social media accounts but are requested to make clear that the content posted on social media sites is not the official position of the City.
- 21. The City reserves the right to terminate any City social media account at any time.
- 22. This Social Media Policy may be revised at any time.

## **C. COMMENT POLICY**

- 1. As a public entity, the City must abide by certain standards to serve all of its constituents in a civil and unbiased manner.
- 2. Comments or content containing any of the following inappropriate forms of content shall not be permitted and are subject to removal and/or restriction by the City:
  - a. Comments not related to the business of the City (or specific department if department-specific site), or not relevant to the original topic;
  - b. Comments in support of, or in opposition to, political campaigns, candidates, or ballot measures;
  - c. Violent, profane, obscene or pornographic content and/or language;
  - d. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, national origin, physical or mental disability, medical condition, sexual orientation, as well as any other category protected by federal, state, or local laws.
  - e. Content that threatens or defames any person or organization;
  - f. Content that is hateful or incites violence;
  - g. Solicitation of commerce, including but not limited to, advertising of any non-government related event, or business or product for sale;
  - h. Conduct in violation of any federal, state or local law;
  - i. Encouragement of any illegal activity;
  - j. Information that may tend to compromise the safety or security of the public or public systems;
  - k. Content that violates a legal ownership interest, such as a copyright, of any other party;
  - l. Content that encourages alcohol consumption or the use of legal/illegal drugs;
  - m. Harassment or content which constitutes and/or facilitates stalking;
  - n. Repetitive content;
  - o. Comments which may reasonably interfere with, inhibit, or compromise law enforcement

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- investigations, police tactics, police responses to incidents and/or the safety of police staff and officers;
  - p. Content that violates another person's right to privacy;
  - q. Posts or comments that contain any external links.
3. A comment posted by a member of the public on any City social media site is the opinion of the commenter or poster only, and the publication of a comment does not imply endorsement of, or agreement by, the City, nor do comments necessarily reflect the opinions or policies of the City.
  4. The City reserves the right to deny access to its social media sites for any individual who violates the Social Media Policy at any time and without prior notice.
  5. The City reserves the right to respond to any posting in a manner consistent with the Social Media Response Decision Tree (see Section G) and shall restrict or remove any content that is deemed in violation of the City Social Media Policy or any applicable law.
  6. Comments with inappropriate content as defined in the City's Social Media Policy will be removed as soon as possible and without prior notice. If available on social media sites the City shall invoke a filter that will automatically hide a comment if profanity is used within a post.
  7. Posting a social media comment is not a recommended way to contact the City or Chowchilla Police Department. Contact should be made directly to the Chowchilla Police Department at (559) 665-8600, or in an emergency response call 911.
  8. City departments will monitor their social media sites for comments requesting responses from the City and for comments in violation of this policy.
  9. When an employee responds to a comment, in the capacity of a City employee, the employee's name and title shall be made available. The employee shall not share their personal information, or the personal information of other City employees.
  10. All comments posted to any of the City's Facebook sites are bound by Facebook's Statement of Rights and Responsibilities and Community Standards, located at <http://www.facebook.com/terms.php>, and <http://www.facebook.com/communitystandards>, respectfully. The City reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities and/or Community Standards to Facebook, with the intent of Facebook taking appropriate and reasonable responsive action.
  11. All comments posted to any of the City's Twitter sites are bound by Twitter's Terms of Service, located at <https://twitter.com/tos>, and the City reserves the right to report any violation of Twitter's Terms of Service to Twitter, with the intent of Twitter taking appropriate and reasonable responsive action.
  12. All comments posted to any of the City's Nextdoor sites are bound by Nextdoor's Community Guidelines, located at [https://help.nextdoor.com/s/article/community-guidelines?language=en\\_US#guidelines](https://help.nextdoor.com/s/article/community-guidelines?language=en_US#guidelines). The City reserves the right to report any violation of Nextdoor's Community Guidelines to Nextdoor with the intent of Nextdoor taking appropriate and reasonable responsive action.
  13. All comments posted to any other City social media or similar site not specifically named herein, are bound by the applicable rights and responsibilities and community standards, or similar, that are listed on the general information page for the specific site. The City reserves the right to

report any violation of rights and responsibilities and/or community standards, or similar, to the specific site with the intent of the site taking appropriate and reasonable responsive action.

14. By posting or commenting on a City social media site, the user agrees to the City's terms of use. The user participates by their own choice, taking personal responsibility for comments, username and any information provided.
15. These guidelines shall be displayed or made available by hyperlink on all City social media sites. Any content removed based on these guidelines must be retained in accordance with the Ralph M. Brown Act, California Government Code 54950 et seq., including but not limited to the time, date, and identity of the person when available.

#### **D. REPORTING/REMOVAL OF UNAUTHORIZED COMMENTS**

The City requires that department-designated social media administrators immediately notify the City Administrator's Office if there is any posted material that may be inappropriate, that violates the City's Social Media Policy, or any other City policy, is illegal, or that potentially infringes the copyrights or other rights of any persons. The City Administrator's Office will investigate and respond to all reports of potential violations of the City's Social Media Policy.

Any content removed based on these guidelines must be retained by the sponsoring department for a reasonable period of time, including the time, date and identity of the poster, when available. Upon removal of content, the social media administrator shall notify the commenter that their response has been deemed inappropriate and removed due to inconsistency with the City's content requirements.

The City reserves the right, at any time and without prior notice, to deny access to the social media site to any individual who violates this policy.

Anyone who disputes the City's removal of their posted material from one of the City's social media sites, has the right to appeal its removal within forty-eight (48) hours by written notice to the City Administrator's Office. The City Administrator, or their designee, shall hear the appeal within ten (10) days of receipt. All decisions of the City Administrator's Office are final.

#### **E. TERMS OF SERVICE**

Each type of social media maintains a "Terms of Use" agreement. All comments posted to any City social media site are bound by these Terms of Use and the City reserves the right to report any user violation.

#### **F. IMPLEMENTATION AND OVERSIGHT**

The City Administrator and/or designee has responsibility for the implementation and oversight of this policy.

## G. SOCIAL MEDIA RESPONSE DECISION TREE

