

RESOLUTION NO. 241-16

**RESOLUTION OF THE CITY OF CALDWELL, IDAHO, AN IDAHO MUNICIPAL CORPORATION, ADOPTING A POLICY FOR ALL CITY-MANAGED SOCIAL MEDIA SITES AND PROVIDING FOR THIS RESOLUTION AND POLICY TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.**

WHEREAS, social media has become a widely used means of communication between the City and members of the public to present matters of public interest concerning the City's programs, activities, news stories, etc.; and

WHEREAS, the City desires to create social media sites that are limited public forums in order to facilitate such communications; and

WHEREAS, the City desires to inform its employees of appropriate social media use; and

WHEREAS, the City is concerned with protecting the First Amendment rights of its officials, employees, citizens, and the general public; and

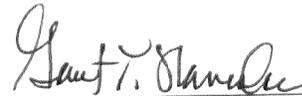
WHEREAS, there is an ongoing need for social media sites to be governed by guidelines in accordance with applicable state and federal law.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Council of the City of Caldwell, Idaho, agree as follows:

1. City social media sites shall be governed, monitored, managed, and utilized in accordance with the City of Caldwell Social Media Policy, attached hereto as Exhibit A.
2. City employee use of social media shall be governed in accordance with the City of Caldwell Social Media Policy, attached hereto as Exhibit A.

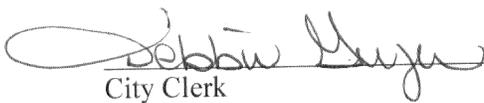
PASSED BY THE COUNCIL of the City of Caldwell this 17th day of October, 2016.

APPROVED BY THE MAYOR of the City of Caldwell this 17th day of October, 2016.



Mayor

ATTEST:

  
City Clerk



## **CITY OF CALDWELL SOCIAL MEDIA POLICY**

The purpose of the City's social media sites is to present matters of public interest concerning the City's programs, activities, new stories, and photos. The City welcomes public input; however, City social media pages are moderated online discussion sites and not public forums. It is the express intent of the City to create a limited public forum devoted exclusively to its postings and comments from members of the public relevant to the subject matter of the post they are responding to. If a visitor needs an official source of information about the City or would like to share their input on unaddressed matters, they should visit the City website and contact a City official or employee.

### **I. INTRODUCTION**

- A. This policy provides guidelines for the use, management, administration and oversight of City-owned social media for official use. It also provides guidelines for employees' personal use of social media both at work and off-duty.
- B. Social media comes in many forms and includes any method that facilitates electronic communications, including internet forums, blogs, online profiles, wikis, podcasts, pictures, video, email, instant messaging, music sharing, voice over IP, as well as social websites or online communities for business and personal use, such as Facebook, LinkedIn, Yelp, YouTube, Google+, Flickr, Pinterest, Path, Picasa, Twitter, message Boards and chat rooms, among others.

### **II. CITY OF CALDWELL MEDIA ACCOUNT ACCESS**

- A. Creation and use of social media forums on behalf of the City are allowed when there is a clear public entity purpose.
- B. All City-authorized social media must only be created with a City of Caldwell email account, shall be authorized by the I.T. Department, and belong to the City. They are overseen and managed at the department level by authorized supervisors.
- C. Specific employees shall be authorized to use the particular social media account on behalf of the City and respective department, and are the only individuals permitted to access, manage, publish, comment and/or post on behalf of the City and department on the media. These employees must conduct themselves at all times in accordance with all applicable City policies.

- D. All posts on City-associated social media must be in accordance with this policy and must be monitored by the department.
- E. Authorized employees must not share personal information about him/herself, other City employees, or citizens on the social media.
- F. Whenever possible, City-associated social media should link back to the official City of Caldwell website for forms, documents, online services and other information for conducting business with the City and its departments.
- G. Users shall have no right of privacy on the City's social media sites, as such sites contain public information and records subject to disclosure pursuant to the Idaho Public Records Act and the City's records retention policy.
- G. Content on social media forums must abide by all applicable federal, state, and local laws, regulations and policies, including copyright, trademark and printed material laws.

### III. SOCIAL MEDIA CONTENT

- A. Users of and visitors to City-associated social media forums must be notified on the forum site that:
  - 1. The intended purpose of the forum is to serve as a medium for communication between the City and members of the public, and is a limited forum;
  - 2. Comments will not be enabled on the site, but visitors are encouraged to contact city officials and employees to voice their support or concerns;
  - 3. A comment posted by a member of the public is the opinion of the poster only;
  - 4. Publication of the comment does not imply endorsement of, or agreement by, the City; and
  - 5. Comments do not necessarily reflect the opinions or policies of the City unless expressly stated by an authorized user.
- B. Comments on the City's social media forums shall remain disabled at all times, but may be allowed for a particular purpose, only when authorized by the City. Comments must be consistent with the subject matter of the City-posted content and with all other provisions of this policy.

- C. Posts and comments made by the public will be reviewed, and while comments will not be edited by the City, the City may remove comments that contain any of the following inappropriate forms of content:
1. Comments not topically related to the particular post, thread, topic or article being commented upon;
  2. Profane, obscene, sexual or violent language or content, or links to such;
  3. Defamatory or personal attacks;
  4. Threats of harm to any person or organization;
  5. Content that promotes, fosters or perpetuates harassment or discrimination on the basis of race, color, religion, sex, age, national origin, citizenship, physical or mental disability, genetic information, veteran status, sexual orientation, gender identity/expression or any other characteristic protected by law;
  6. Solicitation of commerce, including but not limited to advertising for any business or product for sale;
  7. Comments in support of or opposition to political campaigns, candidates or ballot measures of any kind;
  8. Encouragement of illegal activity;
  9. Conduct that violates any federal, state, or local law;
  10. Information that may compromise the safety or security of the public or public systems;
  11. Content that violates a legal ownership interest of any person or entity, such as trademark, patent or copyright; or
  12. Confidential or proprietary information.
  13. If activity listed in 4, 8, 9 or 10 occurs, employees must secure the information and notify the City police department.
- D. Comments complying with these rules must be allowed to remain, regardless of whether they are favorable or unfavorable to the City, its departments, employees, or officials and representatives.
- E. Content that is removed must be retained in accordance with the relevant records retention schedule. This content must be accompanied by a description of the reason it

was removed, the date and time of removal, and the identity of the person posting the content, if available.

- F. The City may deny access to any City-associated social media at any time and without prior notice to any person who violates these content guidelines.
- G. The City does not allow the posting of photographs or videos on its social media sites. If a user has a photograph or video that she would like to share, the user should contact the City.
- G. These content guidelines must be displayed on the social media site or made available by a link to the City's official website.

#### IV. PERSONAL USE OF SOCIAL MEDIA BY EMPLOYEES

- A. Employees may access social media while at work within the parameters of the City's internet-use policies. They must limit use to personal time, such as breaks, lunch periods and when off-duty. It must not interfere with, or be disruptive to, City-related business or the employee's job duties.
- B. If an employee speaks about job-related content on personal social media, or makes reference to the City or its business, people may perceive that the employee is acting on behalf of the City. When making such statements, the employee should clearly state that the statements are the employee's personal views and are not the views of the City of Caldwell. An example of such disclaimer is "The views, opinions, ideas and information expressed are my own and do not reflect the views of my employer and are not in any way attributable to the City of Caldwell."
- C. Participation in social media, whether through City-owned or non-City-owned internet resources, and whether made while on or off duty, must not violate the privacy rights of other City employees, customers, citizens or business partners.
- D. When participating in social media, employees must not violate any City policy.
- E. Employees may be disciplined, up to and including termination, for engaging in inappropriate social media activity while either at work or away from work that impacts the work of the City, the employee or any other City employee.
- F. Nothing in this policy grants an individual right to privacy and shall not be construed to provide an expectation of privacy.

1. Persons who use social media should be mindful that once content is placed online, it is no longer under their control and content shared through private social media does not always stay private.
  2. Employees have no expectation of privacy while using City-owned digital equipment or facilities for any purpose, including the use of email or other electronic communications of any kind, to download, transmit, post, comment or store information, as those communications may be subject to public disclosure under the Idaho Public Records Act.
  3. Regardless of password use and privacy settings, and without notice to the employee, the City may retrieve, review, monitor or log internet usage and content found on City-owned systems and digital equipment.
- G. Employees are free to express themselves as private citizens on social media sites about matters of public concern as long as their speech does not impair working relationships within the City, impede the performance of duties, impair harmony among co-employees or negatively affect the public perception of the City.
- H. Employees are cautioned that speech on- or off-duty, made pursuant to their official duties, is not protected speech under the First Amendment and may form the basis for discipline if deemed harmful to the City.