

CITY OF LOMA LINDA
ADMINISTRATIVE PROCEDURE/POLICY

SUBJECT: SOCIAL MEDIA POLICY

POLICY OBJECTIVE

The City of Loma Linda maintains multiple city sponsored social media sites as a way to provide communication on events and information important to those inside and outside the community.

This document establishes citywide social media use policies, protocols and procedures intended to mitigate associated risks from use of this technology where possible. Should the City change its direction on social media use, this policy will be revised and social media activity shall be adjusted accordingly.

The following guidelines refer to official social media pages of the City of Loma Linda.

PROCEDURE/POLICY

1. Purpose

- a.** This Social Media Policy establishes agency-wide guidelines, protocols, and procedures for the use by agency staff of third-party platforms commonly known as social media sites, channels, and technology. This agency regards social media and any official online and Internet presence as a means of augmenting and enhancing traditional communication methods and to engage, convey information to, and communicate with members of the public in order to meet agency missions and goals. This policy applies to all agency employees, officers, volunteers, and any consultants, providers, and contractors acting in an official capacity and when communicating with the public on behalf of the agency.
- b.** The agency intends for its use of any social media site to relate solely to matters of agency business and does not, in any way, intend to nor actually create general public forums.
- c.** The types of content, technologies, and services covered by this policy include, and may not be limited to, the following: Media Sharing (examples: YouTube, Flickr, iTunes), Blogging/Microblogging (examples: WordPress, Blogger, Twitter), Social Networking (examples: Facebook, LinkedIn, Twitter, Nextdoor, and Instagram), Document and Data Sharing Repositories (examples: Scribd, SlideShare, Socrata), Social Bookmarking (examples: Delicious, Digg, Reddit), Wikis (examples: Aboutus, Wikipedia, Ballotpedia), Mash-ups (examples: Trendsmap, TimeTube, Craigslist), Really Simple Syndication (RSS) (examples: Google News, New York Times, CNN), and Widgets (examples: Google Maps, AddThis, Facebook “Like”). The foregoing are examples, only, and the references are not to be considered a requirement that the agency use any of these third-party tools, services, or technologies.

- d. The agency has an overriding interest in protecting the integrity of the information posted on its social media sites and the content that is attributed to the agency or its officials while, at the same time, mitigating and/or eliminating associated risks from the use of such technology.
- e. If the agency changes its direction on social media use, this policy will be revised and social media activity shall be adjusted accordingly. Any questions relating to this policy should be directed to the City's Human Resources/Risk Management Analyst.
- f. While this policy acknowledges that social media is a way to engage with others, this policy is not intended to require agency, nor any agency employee, nor contractor acting in an official agency capacity to actually use social media. Agency will periodically conduct a risk assessment of the use of social media technology and sites and determine whether the use of social media sites is appropriate and whether appropriate risk mitigation controls can be implemented.

2. General Policy

- a. While agency-approved social media sites are to be used for the purpose stated, above, they are not intended to replace nor serve as the primary means of this agency's communication with anyone. The agency does have an official website. This website shall remain the primary means of online communication with the public.
- b. To the extent possible, agency social media sites shall be consistently branded and contain visual elements/graphics clearly identifying such sites as official agency sites, and distinguishing them from non-professional or personal use. Such identification of official agency social media sites shall include the use of the agency logo, contact information including an official agency email address, link to the official agency website, and links to other agency social media sites, as applicable.
- c. City of Loma Linda is responsible for the administration of the agency's social media sites, enforcement of this policy, and securing protection of agency information and technology assets against potential destructive technical incidents in the context of social media use. Approval of agency social media sites under consideration by this agency shall be made by the City Manager or his designee following consultation from agency legal counsel, human resources, and risk management personnel, as appropriate.
 - i. Administration of the agency's social media sites shall include, but is not limited to, regular monitoring of each site, as well as reviewing and approving all content for the agency's social media sites. The agency

- i.** Agency social media sites shall clearly state that such sites are officially maintained by the agency and that the sites comply with the agency's Social Media Policy.
- j.** Agency social media passwords shall not be shared with unauthorized personnel.
- k.** The agency reserves the right to terminate official agency social media sites at any time without notice. The use of social media by this agency is not intended to create any contract with anyone at any time or in any way nor is any use of social media by this agency intended to create any expectation of action to be taken by agency. The public is warned that there is no reasonable expectation that agency nor any emergency services of the agency will respond to any social media posting. Agency's use of social media is not intended to, nor do they create nor may they be relied upon to create, any rights enforceable by law by any party in a civil or criminal action, nor do they create any obligation or duty of care.
- l.** Technology, social media capabilities and scope, and online behaviors are changing constantly. Because of this constant adjustment and adaptation, the agency reserves the right to change, modify, or otherwise amend all or part of this Policy at any time.
- m.** Any agency employee who violates this Policy may be denied access to all agency social media sites.
- n.** Agency social media sites shall be managed consistent with the Brown Act, the Political Reform Act, and the California Election Code. Elected and appointed members of this agency shall not respond to any published postings, nor use any social media site or any form of electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body, or for any political purpose.
- o.** Agency social media sites are subject to the California Public Records Act. Any content maintained on an official agency social media format that is related to agency business, including a list of subscribers, posted communications, and communications submitted for posting, may be considered a public record and subject to public disclosure. California Public Records Act requests for the production of social media site content shall be referred to the agency clerk and agency legal counsel for review and further handling.

In general, official postings on agency social media sites should reflect information that can be found on agency's official website or by other official communication means. Social media use on agency's behalf is not intended to be a source for original or new agency content. If original or new content is created within a social media setting and on agency's behalf, it must be captured and maintained in a recordkeeping system that comports with agency's Record Retention Policy.

3. Personal Use of Social Media by Agency Employees and Contractors

The City of Loma Linda recognizes that employees and contractors have the right to express their personal views through social media activity. However, agency principles, guidelines, and standards of conduct that apply to employees and contractors acting in their official capacities and carrying out their official duties for the agency may also apply to an employee's and contractor's participation in social media. For example, employees and contractors are bound by the agency's rules, regulations, and agency policies. Further, employees and contractors must understand that non-public information (e.g., personal privacy information, proprietary information, confidential information, information pertaining to pending or threatened litigation, personnel matters, attorney-client and attorney work product information, or information subject to government privileges, among others) may not be conveyed through social media unless and until the release of such information becomes lawful and has been authorized by agency management in accordance with the law.

Neither employees nor contractors need to obtain permission from the agency to participate in social media sites in their *personal* capacity. Employees and contractors are cautioned, however, that there may be restrictions on the receipt of compensation, disclosure of nonpublic information, and improper use of an agency title or official authority that may apply to social media activity – even when an employee or contractor thinks they are acting in a personal capacity. Employees and contractors are encouraged to check with agency management if there are any questions.

When an employee or contractor uses social media in a personal capacity, they are doing so for themselves and they are not speaking nor communicating on behalf of the agency. Employees and contractors should make certain that it does not appear they are speaking for the agency unless authorized to do so.

Employees and contractors should not use official agency emails when establishing, setting up, or using social media sites for personal or non-agency/non-official activities.

An employee may include their job title or position with the agency in the area of social media designation for biographical information.

If an employee or contractor has any concern that their use of social media may create the impression that their views are from, by, or sanctioned by the City of Loma Linda, they may use a disclaimer to address this situation. For example, the following disclaimer could be displayed in a profile or other prominent place on a social media site: *"The views and information presented here are mine."* Employees and contractors should contact agency management with any questions or concerns they have over the use of such a disclaimer.

Employees and contractors should not use their agency position, title, or authority to endorse any product, service, company, non-profit organization, or any other enterprise, unless such endorsement is authorized. Any official reference to a product, service, or entity should be in furtherance of agency's legal authority in carrying out official functions.

4. Content

- a. Agency social media sites should be used to communicate agency missions and messages where there is a legitimate business purpose to do so. Those authorized to post social media content on behalf of agency should carefully weigh options and risk management concerns when deciding whether to use social media at all. Announcements and other agency-generated content should be objective and descriptive; use a polite and professional tone; contain only information that is freely available to the public (do not post any content that is not considered public information) and that is not made confidential by any policy of the agency, or by local, state or federal law; and such content should comply with all local, state and federal rules, regulations and policies.
- b. Third-party social media sites officially used by agency should not be the only place in which the public can view agency information to the extent possible.
- c. When an employee or contractor posts to social media in an official agency capacity, the agency is responsible for that content. Employees and contractors authorized to post on the agency's behalf and in an official capacity should remember that standards of ethical behavior and other agency policies apply to online postings. Employees and contractors posting on the agency's behalf when authorized to do so should understand that there is no expectation of privacy when using social media tools on the agency's behalf.
- d. The failure to comply with this and other applicable policies of agency will be reviewed on a case-by-case basis and may result in disciplinary action.
- e. As a public agency, the agency abides by certain standards to serve all constituents in a civil and unbiased manner. As such, the agency has implemented a Social Media Comment and Content Moderation Policy.
- f. Images, text, video, audio files, and other content are subject to the Copyright Law of the United States of America and related codes, policies, and directives. For questions regarding copyright issues, contact agency's legal counsel.
- g. Agency social media content, including comments, pictures, or other material, containing content that is determined to be detrimental to the purpose of the agency's social media sites, shall not be allowed and is subject to removal and/or restriction. Consistent with the purpose of this use of agency social media sites as a Limited Public Forum, agency reserves the right to moderate, monitor, remove, prohibit, restrict, block, suspend, terminate, delete, discontinue or reject comments and access to comments if they are:
 - i. Profane, obscene, pornographic, abusive, threatening, racist, defamatory, and offensive or contain violent language;

- ii. Trolling (posts that are deliberately offensive, provocative, or disruptive and intended to hijack our content, deflect our information off-track, upset someone or create angry responses from other individuals);
- iii. Messages that violate or encourage violation of existing laws or regulations, including the legal rights of others;
- iv. Violations of the intellectual property rights of others;
- v. Messages that contain advertisements or spam (unsolicited messages that are usually intended as advertising or messages that are repeatedly posted on the same site);
- vi. Attacks or calls-to-action for attacks on specific groups or any individual;
- vii. Intended to harass, threaten or abuse an individual or are defamatory, derogatory, or are personal attacks on any City of Loma Linda official, employee, resident, or business person;
- viii. Hateful or discriminatory comments regarding or comments that promote, foster, or perpetuate discrimination or harassment on the basis of race, ethnicity, religion, gender, age, disability, sexual orientation, political beliefs, or any other protected class under local, state, or federal law;
- ix. Links or comments containing sexually explicit content or material;
- x. Links to malicious software or sites;
- xi. Cyber-stalking or threats to an individual or organization, or intended to collect or post private information and data without disclosure (e.g., doxxing);
- xii. Messages that contain any personal information, except to the names and City contact information for specified City personnel that are available for contact by the public;
- xiii. Messages that relate to confidential, private, or proprietary information;
- xiv. Messages that contain content that is not directly related to or in furtherance of the purpose of the City's social media sites, or that is otherwise unrelated to City business;
- xv. Messages that relate to personnel matters, or matters implicating personal privacy rights;

- xvi. Messages that contain content of a political nature, of any kind, including but not limited to comments in support of, or opposition to, political campaigns, candidates or ballot measures;
 - xvii. Self-promotion;
 - xviii. Solicitation of funds;
 - xix. Unsolicited business proposals and inquiries;
 - xx. Messages that contain links to websites or links that do not directly relate to City service, issues, news, and events;
 - xxi. Reports of criminal or suspicious activity (please contact your local police agency directly with this type of information);
 - xxii. Comments which may reasonably interfere with, inhibit, or compromise law enforcement investigations, police tactics, police responses to incidents and/or the safety of law enforcements staff and officers;
 - xxiii. Encouragement of illegal or unlawful activity;
 - xxiv. Any form of legal and/or administrative notices or processes;
 - xxv. Posts not in compliance with our social media host's own terms and conditions; and
 - xxvi. Posts that attempt to or do take over a thread in ways that are contrary to these terms and conditions (including random or unintelligible posts).
- h.** Any unofficial or non-authorized content and all content posted by a member of the public on the agency's social media site are the opinions of the person making the post. Appearance of content on the agency's social media sites does not necessarily imply endorsement of, nor agreement by, the agency, nor does such content necessarily reflect the opinions or policies of the agency.
 - i.** The agency reserves the right to deny access to agency social media sites for any individual who violates this Policy, at any time and without prior notice.
 - j.** For any social media site approved by agency, agency may develop additional usage or other standards to optimize agency's use of such third-party site.
 - k.** Any content posted on a social media site may also be subject to third-party, site-specific rules or policies. The agency reserves the right to report any such violations of a third-party site's rules or policies. The agency also reserves the right to report any post to law enforcement.

5. Privacy

This agency shall establish a Website Privacy Policy. Although some third-party social media providers might be exempt from privacy policy requirements, agency will abide by its policy with respect to agency's official website. However, agency cannot guarantee nor enforce such privacy policies on third-party sites. Agency will periodically review the privacy policies of third party social media sites to make a risk assessment as to the continued use of such third-party offerings.

6. Disclaimer

Agency cannot control and is not responsible for unofficial and other content on social media sites.



T. Jarb Thaipejr, City Manager

11/29/23

Date