

Social Media Policy for Boards and Committees

Social media is a tool growing in popularity for developing direct communications with a community and creating informal opportunities to reach out beyond official publications.

Town policies should cover the “official” town account(s), employee use of social media inside of work, and elected/appointed official use of social media. One way elected/appointed officials and staff can clearly distinguish private social media accounts is by adding disclaimers on election and personal accounts, and not using the account for town business.

To keep a personal account from becoming subject to public records, consider some basic precautions.

Do:

- Post a disclaimer on your personal account that identifies the account purpose and that the opinions you express are your own.
- Limit the account content to personal use.
- Understand and use privacy settings to manage the account.
- Have a plan in place to respond to or forward town-related comments to the town, including how the record is retained.

Don't:

- Don't write posts on personal accounts that would fit within the scope of election/appointment.
- Don't discuss your private accounts in public meetings or documents.
- Don't link to your private accounts from an official town account.
- Don't use town devices to maintain your private account.
- Don't attack people or be rude when responding to town related questions
- Don't state or insinuate you are responding to a town related question in an official manner, especially if you are using a personal account

Think how you, as an elected official or appointed board member would respond if your personal account receives a complaint or public records request. Establish a process to follow if an elected/appointed official receives a town-related question or comment on their personal account. Outline how the question or comment will be addressed, and how the record will be retained.

Before using social media platforms, you should assess your risk tolerance and make sure certain laws – such as the Public Records Act and Open Public Meetings Act – are followed. Remember that your account could be subject to search for public records, requiring elected/appointed officials to cooperate in searches and providing affidavits.

Limit “friending” or “liking” by elected officials or board members subject to the Open Public Meetings Act. While court guidance is evolving, elected/appointed officials need to avoid inadvertent serial meetings that would violate the notice and public meeting requirements. Courts have found those to occur when a chain of conversations involving “action” by a quorum of the board or committee occurs. Passive receipt of information is generally not considered to be action.

Limit posts to “secondary copies” of documents that are already available on a platform that is more easily retained, such as the website.

Refrain from that would be prohibited in other contexts such as: use of public resources for campaign activities; defamatory, discriminatory, or obscene language; violations of intellectual property rights; disclosure of confidential or HIPAA protected healthcare information.

History

10/16/18 Adopted by Council

01/15/19 Amended by Council