

SOCIAL MEDIA POLICY

PURPOSE: This policy establishes and governs the use of social media by City of Laguna Beach employees when posting for or on behalf of the City of Laguna Beach.

GENERAL POLICY: The City of Laguna Beach uses social media to communicate, connect, and engage with our residents, businesses, and visitors. It enhances life in Laguna Beach by keeping social media users apprised of events, items of interest, and disruptions. Our goal is to build trust as a community ally by fostering engagement with our community. An active social media presence will also promote and enhance Laguna Beach's image and reputation. Social media is a communications tool that works in tandem with the City's other communication tools to further the goals and objectives of the City and each department. The City of Laguna Beach has an overriding interest in what is posted for or on behalf of the City on social media.

PROVISIONS:**POSTING GUIDELINES AND BEST PRACTICES**

The Digital Communications Coordinator and the City Manager's Office oversee activity and actively manage the City's official social media accounts in direct coordination with City departments.

City Department Heads are responsible for overseeing fresh and up-to-date content on the City's social media pages in coordination with the Digital Communications Coordinator and Account Administrators.

Communications on the City's social media pages are the property of the City of Laguna Beach. While the City's social media pages are administered by the City, the content on the pages is not entirely controlled by the City. The City does not endorse any links or advertisements on its social media pages placed by the page owners or their vendors or partners.

Guidelines for posts to the City's social media pages are as follows:

- Each social media account shall have a designated Account Administrator.
- Employees must be authorized to post on behalf of the City of Laguna Beach by the City Manager, the City Manager's designee, the Digital Communications Coordinator, and/or Department Heads of departments with social media accounts.
- Any employee authorized to post or plan posts to any of the City's social media pages shall review, be familiar with, and comply with the City's Social Media Policy (this document).
- Any employee authorized to post or plan posts to any of the City's social media pages shall not share the City's social media passwords without express permission.
- The City's website (<http://www.lagunabeachcity.net>) shall remain the City's primary and predominant internet presence. Whenever possible, the City's social media posts shall link to the official City of Laguna Beach website for information, forms, documents, online

services, and other materials necessary to conduct business with the City of Laguna Beach.

- The City of Laguna Beach's social media pages shall comply with all appropriate City of Laguna Beach policies and procedures.
- The City of Laguna Beach's social media activities shall adhere to applicable federal, state, and local laws, regulations, and policies.
- The City shall secure rights and permissions before posting, sharing, or distributing copyrighted materials, including but not limited to photographs, video, music, and art.
- The City's social media pages shall share only factual information, not rumors, innuendo or unconfirmed information.
- Content on the City's social media pages shall support the City's values, image, and interests.
- Content shall be appropriate for all audiences.
- Staff shall not respond directly to hostile, aggressive, or rhetorical posts. (See below: Moderation, Removal, and Blocking of Third-Party Content.)

Best Practices for posts to the City's social media pages are as follows:

- Accuracy is of primary importance, and always takes precedence over urgency.
- When possible, acknowledge every comment in some way, either with a "like" or a reply, because the public appreciates a response, even to simple affirmative comments.
- Timely responses are important. It is acceptable to post a response stating that we are looking into the issue and will respond again later with more information.
- No matter the comment or quality of conversation, treat everyone with respect. Even if you have seen a comment many times before, treat it the same way you would the first time.
- If you identify a mistake or misinformation on one of the City's social media pages, contact the Digital Communications Coordinator or designated Account Administrator, who shall correct the error as soon as possible.
- Don't use the City's social media pages to promote commercial products, entities or causes unrelated to the City's values, image, and interests; promote personal financial interests; or promote personal or Employee Association positions.
- All official City-related communications through social media should be professional, but posts should be written in a fun, friendly, and conversational tone, as appropriate. It's okay to say "hi" and "thanks" on social media. Humor may be used with caution.
- Although posts are created by different individuals and different departments, the public doesn't know that. The Digital Communications Coordinator and Account Administrators try to keep a cohesiveness among our social media posts that showcases a clear, coherent voice and visual presence for each social media page. This includes but is not limited to the length, language, and tone of posts; use of fonts, colors, graphics, and memes; and types of images (e.g., limited use of stock photography and GIFs).

To avoid potential liability for the employee and the City, staff shall not post or make comments that:

- Discriminate on the basis of race, creed, color, age, religion, gender, marital status, sexual orientation, gender identity, disability, national origin, weight, height, or genetic information.

- Are sexual in nature.
- Compromise the safety or security of the City or individuals, or contain any confidential information of the City, or confidential information covered by a Non-Disclosure Agreement.
- Support or oppose a political candidate or ballot measure.
- Express personal views or concerns. Postings shall reflect the views of the City. (See below: Personal Use.)
- Contain religious messages or advocate or promote religious beliefs.
- Promote illegal activity or violate any local, state or federal laws.
- Violate another party's privacy, copyright, trademark or other protected property.
- Violate a person's right to privacy, such as HIPAA (the Health Insurance Portability and Accountability Act), which protects a person's health information. Seek advice from legal counsel before posting any personal information.

MODERATION, REMOVAL, AND BLOCKING OF THIRD-PARTY CONTENT

Social media platforms have tools for moderating comments, including blocking users, banning users, and hiding or deleting individual posts. The First Amendment of the United States and the California Constitution may prevent some of these actions because public agency web pages are considered a forum for speech. Many governments social media managers find it helpful to look at social media moderation along the same lines as moderation of comments at a public meeting: while it is acceptable for the public to criticize and disagree with agency actions, if the speech becomes disruptive, agencies will enforce "rules of decorum."

To avoid First Amendment issues, staff shall review comments or posts suspected of violating the City's Social Media Policy with the Digital Communications Coordinator, City Manager designee, and appropriate Department Head to determine if the post should be removed, if the user should be blocked, and/or if the involvement of legal counsel is warranted.

DELETING COMMENTS: User comments shall not be deleted solely because they criticize or are unpleasant towards the City or a City official, employee or department. They may be deleted if they violate the Social Media Policy and after verifying that they have been properly archived in compliance with California's public record retention laws. (See below: Archiving)

HIDING COMMENTS: The City of Laguna Beach shall delete comments instead of hiding them. Hiding comments does not remove them from the original poster's page and can allow the conversation to continue unseen by the City.

The City reserves the right to delete inappropriate content if it contains inappropriate or disruptive content. This includes content that:

- Uses abusive, vulgar, offensive, profane, sexual, threatening, or defamatory language or content;

- Uses terms that target specific individuals or groups based on race, creed, color, age, religion, gender, marital status, sexual orientation, gender identity, disability, national origin, weight, height, or genetic information.
- Compromises the safety or security of the public or public services or facilities, City officials, or City employees;
- Contains personal or sensitive identifying information;
- Contains a malicious code, virus, or any other item that may interfere or disrupt the City of Laguna Beach's technology services, servers, computer systems, or networks;
- Incites or promotes violence or illegal activities;
- Advertises or promotes a commercial product or service;
- Promotes or opposes a political candidate or ballot measure;
- Violates another party's copyright, trademark, or other protected property.

Banning or blocking individual users shall be a last resort and in consultation with legal counsel. Users will only be blocked after verifying that their posts have been properly archived in compliance with California's public record retention laws.

ARCHIVING

The City of Laguna Beach's social media postings and comments are subject to California's civil discovery statutes and the California Public Records Act. Retention of social media records shall fulfill the following:

- Social media records shall be captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social networking page.
- Social media records shall be maintained in an authentic format. The ideal format is the native technical format provided by the social network along with complete metadata.
- Social media records shall be archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- The City utilizes an automated archiving service by an outside agency, ArchiveSocial, to comply with the above, and applicable public records laws and civil discovery statutes as well as to fulfill record retention requirements
- The Digital Communications Coordinator and the Director of Administrative Services have access to ArchiveSocial and can use it to fulfill relevant Public Records Act requests.

ELECTED AND APPOINTED OFFICIALS AND THE BROWN ACT

The City's social media presence shall be managed in accordance with the Brown Act. The Brown Act, a California law established in 1953, protects the public by, among other things, assuring their right to attend, observe and participate in all public meetings of local legislative bodies, guaranteeing that meeting topics will be properly noticed to the public, and prohibiting non-public meetings of official bodies unless otherwise specifically authorized.

In certain circumstances, social media activities may be considered meetings or serial meetings, in which case they would be subject to the restrictions of the Brown Act. Serial meetings generally take place as hub-and-spoke meetings or daisy chain meetings in which a majority of the members of official bodies are ultimately involved in the discussion. When a five-member body is involved, hub and spoke meetings occur when member A privately talks to member B, and then member A talks separately to member C on the same subject. Daisy chain meetings happen when member A privately talks to member B, who then talks to member C on the same subject. Both scenarios could play out on social media to inadvertently create a meeting or serial meeting.

Social media commenting, replies, and likes may be considered statements of expression. Therefore, regarding items of official business that are currently being heard, discussed, deliberated, or acted on, or that could be heard, discussed, deliberated, or acted on in the future, members of the City Council, Planning Commission, Design Review Board, Arts Commission, Heritage Committee, and other City advisory bodies should refrain from commenting on, sharing, liking, tweeting, retweeting, or otherwise participating in social media posts or other digital public communications because such responses could create a meeting or serial meeting in violation of the Brown Act.

PERSONAL USE

This policy does not govern or regulate the use of social media by City employees in their non-work capacity or associated privacy rights.

City employees may have personal social networking accounts. These pages should remain personal in nature and be used to share personal opinions and non-work-related information; however, City employees may use their personal social media accounts to share information about pending employment opportunities with the City of Laguna Beach. Following this principle helps ensure a distinction between shared personal and City views. City employees must never use their agency e-mail account or password in conjunction with a personal social media page.

Although it is advisable for City employees to refrain from commenting on City issues on social media, the decision whether to do so on a personal social media account rests with the individual. City employees should be mindful that inappropriate usage of official agency social media can be grounds for disciplinary action.

NEW PLATFORMS AND ABANDONING ACCOUNTS

Social media is always evolving, and over time new platforms will emerge that the City is not currently using. If and when the desire to use a new platform arises, the Digital Communications Coordinator, the City Manager's designee, and other staff as appropriate shall determine whether or not the new account furthers the City's goals and whether or not adequate resources are available to manage and monitor the account.

City social media accounts that have been inactive for 30 days may be considered for abandonment. Before cancelling an account, the Digital Communications Coordinator, the City Manager's designee, and other staff as appropriate shall determine that the account is no longer useful as a communication tool and should be abandoned. Before cancelling any account, the account must be properly archived.