



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

TOWN OF TIBURON SOCIAL MEDIA COMMUNICATIONS POLICY

I. Purpose

The Town of Tiburon (“Town”) recognizes that social media plays an increasingly important role in society and communication. While Social Media presents many benefits such as community engagement, it also presents certain risks of liability to the Town. This Social Media Communications Policy (“Policy”) establishes guidelines on the use of Social Media sites by the Town and its Departments as a means of conveying Town-related information to the public. This Policy also addresses lawful and proper parameters for Employees’ personal use of Social Media while employed by the Town. This Policy is intended to mitigate associated risks from use of Social Media technology where possible.

The Town has an overriding interest and expectation in protecting the integrity, security, and accuracy of information posted on any official Town or Department Social Media Pages, as well as content that is attributed to the Town and its officials. All official Town and Department Social Media Pages must comply with this Policy.

Although social media provides an interactive platform, the Town intends to create only a limited public forum subject to the restrictions set forth in this Policy as well as any host Social Media site’s terms of use. All questions relating to this Policy should be directed to the Town Social Media Lead.

II. Definitions

- A. “Social Media” refers to interactive online platforms which enable users to create and share content, and which may allow two-way communication between the Town and the public. Examples of Social Media platforms include, but are not limited to: Twitter, Facebook, Nextdoor, Youtube, Instagram, Mysidewalk, Medium, and LinkedIn. These platforms can be accessed either through a web browser, a mobile application, or both.
- B. “Town Social Media Pages” means social media sites, pages, mobile applications, services, or feeds established and maintained by an authorized Administrator or Content Manager on behalf of the Town, and through which information is provided to the general public. The Town currently does not have any approved official Social Media Pages. No Social Media platforms are to be utilized without express authorization from the Town Manager.
- C. “Town Social Media Lead” refers to those Town Employees specifically authorized by the Town Manager to create content or to Post or Comment on a Town Social Media Page on behalf of the Town. The Town Social Media Lead only includes individuals specifically designated by the Town Manager. Only Town Social Media

Leads may Post or Comment on behalf of the Town. Contractors, interns, volunteers or any other Town Employees may not serve as Town Social Media Leads without the express permission of the Town Manager. Town Social Media Leads must be provided this Policy and sign the acknowledgement (Attachment A) prior to the creation of any content.

- D. "Employee," for the purposes of this Policy, includes Town Employees and those acting at their direction, and Town contractors.
- E. "Posts" or "Postings" or "Comment" or "Comments" means information, articles, pictures, videos or any other form of content or communication displayed on a Town or Department Social Media Page. Posts or Comments by members of the public on any Town or Department Social Media Page are also governed by this Policy.

III. Policy for Personal use of Social Media

- A. While Town Employees may voluntarily choose to engage with the Town on its Social Media Pages, the Town does not encourage or require any Employee to "follow" or "like" Town Social Media sites.
- B. The Town does not condone the personal use by Town Employees of Social Media sites during the workday by any means, including by using Town-owned equipment. Town Employees have no right or expectation of privacy when using Town-issued devices or systems. The Town reserves the right to monitor, search, or disclose Employee use of Town resources.
- C. Employees are reminded and cautioned that nothing posted on the internet is private. Content can easily be shared, forwarded, and distributed to broader audiences without your knowledge or permission.
- D. Information posted on any Social Media site may be used as evidence in disciplinary, administrative or legal proceedings.
- E. Employees may not use their official Town email addresses to create or maintain any personal social media page(s).
- F. The personal use of social media by a Town Employee in a manner that violates any Town policy or procedure will not be tolerated, and may be grounds for disciplinary action, up to and including termination. Employees are expected to comply with the same ethical and performance standards on-line as in the workplace. Using social media in a way that adversely impacts the Employee's job, co-workers, or the Town is prohibited.
- G. An Employee's use of social media in a manner that violates the Town's policies and procedures, including, but not limited to, the Town's workplace harassment, discrimination, and retaliation policies, will not be tolerated, and may be grounds for disciplinary action, up to and including termination.

- H. Employees may not post any content on the internet or social media that constitutes or contains Town confidential, proprietary, privileged, private, personnel, or other non-public information.
- I. Town Employees are prohibited from using the Town logo or informal logo, representing the Town, or representing that they speak on behalf of the Town. Employees must also make clear in any on-line activity that the views and opinions they express about work-related matters are their own, have not been reviewed by the Town, and do not necessarily represent the views and opinions of the Town.
- J. This policy is not intended to prohibit conduct permitted by Section 3502 of the Meyers-Milias-Brown Act or any other state or federal law. Accordingly, Town Employees are expressly permitted to discuss wages, hours, working conditions, and union-related activity without fear of reprisal.

IV. Policy for Town Social Media Communications

- A. The Town's official website is the Town's primary source and means of internet communication. To the extent possible, a link to the Town's official website shall be included on any Town Social Media Page. Wherever possible, Town Social Media Pages should link back to the official Town website for forms, documents, online services and other information necessary to conduct business with the Town. Information posted by the Town on Social Media pages will supplement and not replace required notices and standard methods of communication. Where appropriate, content posted on Town Social Media Pages shall also be made available on the Town's official website.
- B. Not all forms of social media may be appropriate for use by the Town. Any Social Media Page established on behalf of the Town must be approved by the Town Manager. Consideration shall be given to the overall nature, theme and suitability for use for Town purposes.
- C. Town Social Media Pages should make clear that they are maintained by the Town and state that they follow the Town's use of Social Media Policy and the host site's terms of use.
- D. Town Social Media Pages are Town property and are not for personal use or benefit.
- E. Town Social Media sites shall bear the name of the Town. If feasible, Town Social Media sites shall also bear the Town's official logo or informal logo as designated by the Town's graphics standards. Town Social Media sites shall be consistent with the Town branding and message. Wherever applicable, Town Social Media sites shall be classified and registered with the service provider as "Official" and/or Government Entity sites. The Social Media team shall take advantage of all options provided by the service provider for Government Entity sites that provide additional protections for the Town.

- F. To the greatest extent possible, this Policy must be displayed to users or made available by hyperlink. At minimum, the terms of the Comment and Response policy, below, must be included in the Town's profile information on the host site.
- G. Photos and other images may be posted only when they are the property of the Town or the owner has provided consent for use. All photos posted by the Town on its Social Media Pages shall be for use in marketing and promotion of Town programs and services. Under no circumstances will the Town use photos of individuals who expressly ask that their photos not be made public or photos of children without the express written consent of a parent or legal guardian.
- H. Many social media sites allow the Town to "like" or "follow" other site users or to share content posted by other site users. Express permission to like or follow any entity, organization, or individual must be obtained from the Town Manager. Sharing or re-posting content is permissible if relevant to Town business, programs, services, or events and the Town has full permission or rights to do so; however, sharing or re-posting political, social or religious material is prohibited.
- I. Any content posted on a Town Social Media Page, including, but not limited to Comments, deleted Posts, private messages, chats, and "likes" may be subject to the California Public Records Act. Any content maintained in a social media format that is related to Town business, posted communication, communication submitted for posting, and removed content, may be a public record subject to public disclosure.
- J. Town Social Media Leads who are authorized to post content on behalf of the Town on its Social Media Pages must conduct themselves at all times as a professional representative of the Town and in accordance with all Town policies.

V. Site Management and Content

- A. Before creating any new Town Social Media Page, the Town Manager shall work with the Town Attorney to review the host site's contract, terms of use, rules and regulations. Town Social Media Leads shall not execute or enter into a contract for web services, internet applications, or any other document binding the Town, without proper authorization and prior review of the contract by the Town Attorney. Clicking a box marked "I agree" or "I accept" constitutes a binding electronic signature and entering into a contract. Prior to clicking any such acceptance box, Employees must first print out the contract, determine if they have sufficient authority to bind the Town to such a contract, and submit it to the Town Attorney for review.
- B. Town Departments and Boards may establish and maintain websites as well as new social media sites but must receive approval from both the Director of the Department and the Town Manager before they are posted.
- C. All Town Social Media Pages must be established by using an official Town email address. All log in and password information shall be maintained by the designated Town Social Media Leads. The Town Manager is required to have full, complete and immediate access to administer all aspects of Town Social Media sites. In addition,

the Town's Department Directors shall concurrently maintain all log-in, password, and other administrative credentials for all Town Social Media sites.

- D. Before establishing new Town Social Media sites and pages, several factors must be taken into account, including: (1) the objectives, goals, and intended audience of the new social media site; (2) the ability of Social Media Leads to timely update and maintain the social media site; and (3) the number of people likely to participate on the social media site to warrant its creation.
- E. The Town's Social Media Pages are to be used for informational purposes and all content must pertain to the Town and/or Town business, programs, services or events. Confidential, proprietary, privileged, private, personnel, or other non-public information is not to be posted or discussed on any Town Social Media Page.
- F. The Town shall have full permission and rights to any content posted by or on behalf of the Town, including all articles, photographs and videos.
- G. Town Social Media Pages shall be managed consistent with the Brown Act, the Political Reform Act, and the California Election Code. Members of the Town Council, Commissions, Boards, or any other elected/appointed officials or committees, shall not post or respond to any Posts, Comments, or publications on any Town Social Media Page, or use any Town Social Media Page to blog or engage in meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of any such Town Council or Commission, or for any political purpose.
- H. No Town Employee or official may use any Town Social Media site for campaign-related purposes. Such campaign-related purposes include, but are not limited to, the following:
 - 1. Statements in support or opposition to any candidate or ballot measure;
 - 2. Requests for campaign funds or references to any solicitations of campaign funds; or
 - 3. References to the campaign schedule or activities of any candidate.
- I. No Town Social Media site may be linked to any private web site related to a candidate's campaign for elective office, but they may link directly to the Town website's election-related pages where general election and candidate information can be found.
- J. All approved Social Media sites must provide a mechanism for the Employee to remove Posts or prevent the Posting of content that violates this Policy.
- K. The Town reserves the right to have any content restricted or removed if deemed to be in violation of this Policy or any applicable federal, state, or local law. Any such removed content must be retained consistent with the Public Records Act, where

applicable, and/or the Town's document retention policy, including the date, time and identity of the poster, when available.

- L. Content in any post or response made on behalf of the Town shall not specifically refer to any Town vendor, supplier, member, contractor, employee, or official without the approval of the Town Manager.
- M. Town Social Media Leads or Department Directors may recommend the termination of any Town Social Media sites. The Town Manager must approve the termination of all Town Social Media sites.
- N. The Town Manager reserves the right to terminate any Town Social Media site at any time, with or without notice, at his or her discretion.

VI. Social Media Leads

- A. All Town Social Media sites must be assigned one or more Social Media Leads responsible for monitoring the site.
- B. Town Social Media Leads will be responsible for posting content on the Town's Social Media Pages on behalf of the Town, monitoring content, responding to Comments where appropriate, and ensuring adherence to this Policy.
- C. Town Social Media Leads shall respond to staff requests for information to be posted on Town Social Media sites within 72 hours of the request, when practicable.
- D. The Town Manager may designate Social Media Leads responsible for monitoring and coordinating Town Social Media sites across Town Departments.
- E. Town Social Media Leads must review the Town's Social Media Pages on a daily basis to ensure compliance with this Policy.
- F. A list of Town Social Media sites and assigned Town Social Media Leads shall be kept and reviewed on a biannual basis by the Town Manager or his/her designee.
- G. Town Social Media Leads must immediately alert the Town Manager to any content posted on the Town's Social Media Pages that potentially violates this Policy. Town Social Media Leads shall not remove content from any Town Social Media Page without consulting with the Town Manager and Town Attorney.
- H. Content posted by Town Social Media Leads on the Town's Social Media Pages shall be done during normal business hours. After-hours and weekend Postings of content shall only be made with approval from the Town Manager.
- I. Town Social Media Leads authorized to post content on the Town's Social Media pages shall not express his or her own personal views or concerns. Rather, posting of content by any authorized Town Social Media Leads shall only reflect the views of the Town.

- J. Town Social Media Leads authorized to post on the Town’s Social Media Pages shall review, be familiar with, and comply with this Policy and the Social Media site’s use policies and terms and conditions.
- K. Town Social Media Leads who leave their positions will have all access rights to Town Social Media sites revoked.

VII. Comment and Response

- A. Many social media sites permit and invite Posts and Comments by site users. By permitting use of this feature, the Town does not intend to create a general public forum, and all Comments and Posts must comply with this policy. In addition, most social media platforms have their own terms of use and standards of conduct. All content posted on a Town Social Media Page must comply with this Policy and any host site user guidelines.
- B. The Town’s commenting policy, set forth below, must be displayed on any Town Social Media site or page, or made available by hyperlink:

This is an official Social Media site for the Town. Anything you Post, including Comments, deleted Posts, private messages, chats, and “likes” may be subject to public disclosure under the California Public Records Act. All Postings on Town Social Media sites shall be sent to an official Town email account and maintained consistent with the California Public Records Act.

By participating on this Town Social Media site or page, you are agreeing to grant the Town a non-exclusive, irrevocable, royalty-free license to any content posted, including information, articles, pictures, videos, hyperlinks or any other form of content, or communication posted on any other Town Social Media site.

Participants must honor intellectual property standards and must limit content to that which is rightfully posted, including reproduced or borrowed content.

The Town intends for its use of any social media to relate solely to matters of Town business, programs, services, activities, or events. A Comment or Post by a member of the public on any Town Social Media Page is the opinion of the commenter or poster only and does not imply endorsement of, agreement with, or reflect the opinions or policies of the Town.

Town Social Media sites may not be used for the submission of any claim, demand, informal or formal complaint, or any other form of legal and/or administrative notice or process, or for the exhaustion of any legal and/or administrative remedy.

The Town disclaims any liability for any loss or damage resulting from any Comments posted on any Town Social Media site.

- C. All Posts or Comments on Town Social Media sites shall be monitored by Town Social Media Leads.
- D. The following Posts or Comments are inappropriate and are subject to removal or restriction by the Town. The list is not necessarily exhaustive and the Town reserves the right to remove or restrict any Post or Comment that violates the purpose or spirit of this policy:
1. Comments not related to Town Posts, business, information, announcements, and events, or Comments not related to the original topic, including random or unintelligible Posts;
 2. Profane, obscene, violent, or pornographic content and/or language;
 3. Content that promotes, fosters, or perpetuates discrimination or harassment on the basis of race, color, national origin, religious creed, ancestry, physical or mental disability, medical condition, pregnancy, childbirth or related medical condition, age, sexual orientation, sex, gender identity, gender expression, genetic information, military or veteran status, marital status, or any other basis protected by applicable state or federal law;
 4. Defamatory content and/or language;
 5. Threats to any person or organization, or hate speech;
 6. Content or encouragement of illegal activity;
 7. Information that tends to compromise the safety or security of Town Employees, the public, public systems, or the Town's technology resources;
 8. Content that violates any legal ownership interest, such as a copyright or trademark;
 9. Content that violates another person's right to privacy, including content containing personal information, such as home addresses, phone numbers, social security numbers, dates of birth or driver's license numbers;
 10. Content that contains confidential or proprietary information;
 11. Content containing false, vicious or malicious statements concerning any employee, the Town, or its operations;
 12. Any political, campaign or election content, including Comments in support of or opposition to any political campaigns or ballot measures;
 13. Solicitation of commerce, including any advertising or business services or products for sale;

14. Content that violates any federal, state or local laws.
- E. The Town reserves the right to report a user directly to the host site if a Post, Comment or other content by the user violates the host site's terms of use.
 - F. The Town reserves the right to deny access to Town Social Media sites or pages for any individual who repeatedly violates the terms of this policy without notice.
 - G. No Post, Comment, or other content shall be removed solely because it is critical of the Town, its' officials, Employees or programs, or because Town staff disagrees with the viewpoint of the Comment, content or submittal.
 - H. Any Town Social Media Lead authorized to Post on the Town's Social Media Pages shall use his or her best judgment in deciding whether or not to respond to a Post or Comment, and shall avoid engaging any user in an argumentative or offensive manner. Any Town Social Media Lead who encounters an inappropriate situation or abuse by a user of the social media site shall immediately report the situation to the Town Manager.
 - I. Any response by an authorized employee made on behalf of the Town shall comply with all terms of this Policy. Furthermore, any opinion expressed on behalf of the Town, on any Town Social Media site or page, is not a substitute for a formal statement in a public hearing process.
 - J. Employees found in violation of this Policy may be subject to disciplinary action, up to and including termination of employment.
 - K. Town elected and appointed officials are discouraged from engaging in conversations in comment sections of Social Media platforms, particularly if the comments will lead to a discussion by a majority of the members of a particular Town board or decisionmaking body.
 - L. This policy may be revised at any time upon approval by the Town Manager. Every attempt will be made to provide prior notice of any changes. However, when deemed necessary in order to fully protect the Town's interests, the interests of the public and Town Employees, and to more fully protect the safety of the public and public systems, this policy may be changed without notice.

VIII. Measurement

- A. Many Social Media sites generate data on use of the Social Media site by visitors and participants. Collecting analytics on the use of Social Media sites is essential in helping the Town determine how a Social Media site is used by the public, as well as determining what kinds of information the public finds valuable and compelling.
- B. All Town Social Media Leads shall have access to any analytics or site traffic statistics available on all Town Social Media sites.

- C. All Town Social Media leads shall be educated on the use of analytics or site traffic statistics available through various Social Media sites or platforms.
- D. When possible, Town Social Media Leads shall generate reports on the use of Town Social Media sites at the request of Town Department Directors.

IX. Advertising and Sponsored Content

- A. Many Social Media sites feature promoted content (such as advertisements or sponsored posts). Often, the owners of Social Media sites do not control what promoted content is placed on its Social Media site or elsewhere on the Social Media platform. The Town is not responsible for any third-party content, including promoted content, which is placed on its Town Social Media sites or pages.
- B. The Town may use advertising options available on its Town Social Media sites as a part of public information outreach efforts or to promote Town programming and events.

X. Exceptions

There are no exceptions to this Policy without the express authorization of the Town Manager.

XI. Authority

By authority of the Town Manager.

ATTACHMENT A

I have read and understood the Town of Tiburon's Social Media Policy, and I am aware of the responsibility that comes with serving as a Town Social Media Lead.

Date: _____