

Town of Fayston Selectboard – Social Media Policy

Section 1: Title and Authority

This policy shall be known as the Town of Fayston Social Media Policy. It has been adopted by the Town of Fayston Selectboard pursuant to 24 V.S.A. §§ 1121, 1122, and 872. The Selectboard reserves the right to amend any of the provisions of this Social Media Policy for any reason and at any time, with or without notice. This Social Media Policy will be administered by the Selectboard or their authorized representative(s).

Section 2: Purpose.

This document outlines the policies and procedures for town use of social media sites. The purpose of this policy is to provide standards and procedures for the appropriate use of social media when conducting town business. While this policy generally applies to the most popular sites, such as Facebook, Front Porch Forum, YouTube, Twitter, and Snap Chat, it is acknowledged that social media is an evolving communications tool and new resources may become available over time. The town may utilize social media and social media sites to communicate information related to the business of the town directly to the public, as well as to provide members of the public the opportunity to comment on or participate in discussions concerning town business. The town encourages the use of social media to further the goals of the town, the missions of its departments and public bodies, and to contribute to the overall vibrancy of its community and degree of participation by its citizenry, where appropriate.

This policy gives direction to town employees, elected officials, appointees, the public and other authorized affiliated organizations that utilize town's electronic resources to access social media websites and engage in social networking for town purposes.

The town has an overriding interest and expectation in deciding what is published on behalf of the town through social media and in establishing guidelines for the use of town social media by town officials and the general public.

Section 3: Definitions:

Comment means a statement or response submitted by a town official or member of the public to the town for posting on the town's social media website.

Designated Agent means an individual designated by the town Selectboard to receive and respond to notifications of claimed copyright infringement.

Social Media means the various forms of information-sharing technology to create web content and dialogue around a specific issue or area of interest. Examples of social media applications include but are not limited to Facebook, MySpace, Google and Yahoo Groups, Front Porch Forum, YouTube, Twitter, LinkedIn, Snap Chat, etc..

Town Electronic Equipment means all town electronic equipment including but not limited to computers, cell or smart phones, pagers and any other town equipment that may be utilized to send or receive electronic communications.

Town Official means employees of the town and public officers (whether elected or appointed).

Town Social Media Site means any official social media sites of the town.

Town Social Networking Moderator means Department Heads, Town Administrator, the Selectboard or their designee authorized to monitor, manage and oversee social media content.

Visitor means a member of the general public who accesses town social media sites.

Section 4: Conduct of Town Officials

Those designated and authorized to utilize town social media sites do so with the understanding they are representing the town via social media outlets and must conduct themselves at all times as representatives of the town. Use of town social media sites shall comply with this policy, the town's personnel policy and any other relevant policies, charter provisions, rules and regulations of the town. This includes any usage of town social media sites from outside of the workplace.

Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment in compliance with the town's personnel policy and employment contract. Appointees and volunteers found in violation of this policy may be subject to removal from their respected public posts. Elected officials found in violation of this policy may be subject to private or public admonishment and/or may be asked to resign their office.

When a town official responds to a comment in his/her capacity as a town official, the official's name and title should be made available.

Information posted to town social media sites is public information, and there should be no expectation of privacy in regards to the information posted on town social media outlets. Town officials are expressly prohibited from disclosing any information via social media posts that may be confidential. Furthermore, town officials should have no expectation of privacy regarding anything created, sent or received on the town's electronic equipment. The town may monitor any and all transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its equipment.

Town officials are discouraged from using personal accounts to comment on or post information to town social media sites, and/or posting information regarding official town business on other social media sites. All social media site comments and posts by town officials are subject to Vermont's Public Records Law, Open Meetings Law, and all other applicable laws, rules, policies, charter provisions and regulations. The town's social media sites will be monitored regarding the content posted on them to ensure it complies with this policy for appropriate use, messaging and branding, consistent with the goals of the town.

Authorized town officials must be provided with a copy of this policy and sign the Acknowledgement of Official Use by Authorized Town Officials (see Addendum A).

Section 5: Comments

For purposes of this policy, town social media falls into two distinct categories:

1. Town Social Media Forums are town social media sites that do not allow for any public comments whatsoever. It is reserved for town government to engage in its own expressive conduct to promote its own message. Examples of this type of site include the Town's official website and social media sites where public comment has not been enabled.

2. Limited Social Media Forums are town social media sites where public comment has been enabled to allow for discussion on specific topics as signified by postings by authorized town officials or consistent with the purposes of this policy. Submission of a comment by members of the public constitutes participation in a limited public forum.

Users and visitors to town social media sites should understand the intended purpose of the site is to serve as a mechanism for communication between authorized town officials and members of the public. A comment posted by a member of the public on any town social media site is the

opinion of the commentator and publication of a comment does not imply endorsement of, or agreement by the town, nor do such comments necessarily reflect the opinions or policies of the town.

Comments by authorized town officials shall be allowed on town social media sites only when consistent with the provisions of this policy. Comments by the general public shall be allowed on limited public social media forums only when consistent with the provisions of this policy.

Comments containing any of the following inappropriate forms of content shall not be permitted on any type of town social media site and are subject to editing, removal or restriction, in whole or in part, by the Town:

- Comments not topically related to the particular social medium thread or topic or article being commented upon;
- Comments in support of or opposition to political campaigns;
- Profane, obscene, or sexual language or content or links to such language or content;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation;
- Solicitations of commerce, including but not limited to advertising of any business or product for sale;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Defamatory or personal attacks;
- Threats to any person or organization;
- Conduct that violates any federal, state, or local law; or
- Content that violates a legal ownership interest of any other party.

If comments are related to the topic at hand, then the content must be allowed to remain, regardless of whether it is favorable or unfavorable to the town.

The town reserves the right to deny any individual who violates the town social media policy access to posting to town social media sites, at any time and without prior notice. They also reserve the right to instruct Town Social Networking Moderators to change settings on any social media sites so it can no longer accept comments. All town social media authors and public commenters shall be clearly identified. Anonymous posting shall not be allowed.

Section 6: Account Management

The establishment and use by town officials of town social media sites on behalf of the town is subject to approval by the Selectboard. They will evaluate all requests for usage, verify staff authorized to use town social media tools, and confirm completion of online training for social media if deemed necessary. The Selectboard or their authorized representative will also be responsible for maintaining a list of all social networking application domain names in use, the names of all administrators of these accounts, as well as the associated user identifications and active passwords.

Section 7: Content Management

Designated department heads and/or other authorized town officials will be responsible for the content and upkeep of any town social media sites they create. Content posted on the town's social media sites should contain links directing users to the town's official website for additional information, forms, documents, or online services necessary to conduct business with the town.

All town social media sites shall include the prominent placement of the following notification: This is the official (Facebook, Twitter, etc.) page for the Town of Fayston, Vermont. If you are looking for more information about the Town of Fayston or you require a response from the town or wish to

request town services, please contact the Selectboard at faystonsb@madriver.com. A copy of this policy is available from the town's official website.

Section 8: Copyright Infringement Notification

The town complies with the provisions of the Digital Millennium Copyright Act of 1998 (DMCA). Federal law (U.S. Copyright Act, Title 17 of the US Code, and, more recently, the Digital Millennium Copyright Act, 105 PL 304) makes it illegal to download, upload, or distribute in any fashion copyrighted material in any form without permission or a license to do so from the copyright holder.

Section 9: Public Records Law - Compliance

Town social media sites and their related social media content are subject to Vermont's Access to Public Records Law. Information that is produced or acquired in the course of town business, including comments posted to town social media sites, may be a public record - thus, there should be no expectation of privacy in regards to the information posted on these social media outlets.

Section 10: Photo and Electronic Imaging

To manage photographs and electronic images taken by Town of Fayston employees and to assure professionalism and the privacy rights of personnel, patients, victims and the public.

- Consent and authorization shall be obtained by the Town of Fayston for the right to publish, reproduce and/or use for advertising purposes, any photograph, video image, audio recording, or any other likeness of a member of the public and /or their family.
- Under no circumstances will employees be allowed to use a personal camera, video recorder, or the camera/video function of a personal cellular phone, smart phone, or any other digital imaging device while at any incident, unless authorized by supervisor to document damage to Town property and/or infrastructure.
- Any on-scene images and or any other images taken by a Town employee in the course and scope of their duties are the sole property of the Town of Fayston. This includes any images taken inadvertently with an employee's personally-owned camera, cell phone camera, or any other digital imaging device.
- **No** images taken by an employee in the course and scope of their duties may be used, printed, copied, scanned, e-mailed, posted, shared, reproduced or distributed in any manner, without express consent of the Department Head or Selectboard or as required as part of their normal duties. This includes the posting of any Town photographs on personal Web sites such as, but not restricted to: Facebook, Myspace, YouTube, other public safety agency websites, or e-mailed to friends, relatives or colleagues.
- Personal use of Town cameras or equipment is strictly prohibited.
- Violation of this policy may result in disciplinary action.
- All photographs containing individually identifiable patient, victim, and participant or community member information are covered by Health Insurance Portability and Accountability Act (HIPAA) privacy laws.
- All scene photography/video shall be for clinical, documentation, or training purposes only and conducted by or at the direction of the Waitsfield/Fayston Fire Department or Police Department personnel in charge of the scene, using approved department equipment.

- All Fayston Fire Department digital images will be downloaded as soon as possible, and will be cataloged and stored securely with controlled access. After being downloaded, images on memory cards will be erased.
- The use of unauthorized helmet and body cameras are strictly prohibited.
- Related Policies: Town of Fayston Video/Audio Recording Equipment Policy

ADOPTED this 5th day of March, 2018.

SIGNATURES OF THE TOWN OF FAYSTON, VERMONT SELECTBOARD

Addendum A: Acknowledgement of Official Use by Authorized Town Officials

I, - - - - - acknowledge that:

- A. I received a copy of the Town of Fayston Vermont's social media policy on _____ (Date);
- B. I have been given an opportunity to ask questions about said policy and I have been provided with satisfactory information in response to my questions;
- C. I understand the language used in this policy;
- D. I acknowledge that the town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;
- F. I acknowledge that I understand this policy and I agree that I will comply with all of its provisions.

Town Official's Signature

Date