

Borough of Chambersburg

Social Media Policy

Approved by Chambersburg Town Council: March 12, 2018

Section 1 Purpose

According to the National League of Cities, “Social media is a new world of opportunity for local governments to communicate with citizens and receive feedback. Its risks are similar in nature to those of other types of communication, but with a different twist because material circulates so widely and there are many potential contributors.” A social media policy is a web of interrelated agency policies, some made by reference, others by inference. This policy is not complete unless all employees, volunteers, and public officials are familiar with the other policies promulgated by the Borough of Chambersburg. The purpose of this social media policy is to establish a “best management practice” for the use of existing and changing social media for communication. This policy is binding on all the employees, volunteers, and public officials of the Borough of Chambersburg. Your cooperation is required. This policy is respectful of State and Federal Law, of the protected Constitutional Rights of our employees, volunteers, and public officials to express themselves, as well as foundational principles of transparency and citizen engagement in local government.

Section 2 What is social media?

The definition of social media may change over time. This policy may be updated from time to time to reflect new opportunities and new challenges. According to Merriam-Webster, “social media” includes websites and applications that include forms of narrowcast and broadcast electronic communication (such as social networking and blogging) through which users create online communities/profiles to share information, ideas, personal messages, and other content (including media such as photographs and videos). Examples of social media websites and applications include, but are not limited to, Facebook, Twitter, Instagram, Reddit, Snapchat, LinkedIn, YouTube, and Periscope. Everyday new websites and applications are introduced, which meet the same general definition of social media.

Section 3 Who is covered by this policy?

The Borough of Chambersburg Social Media Policy is unique in that it covers a wide range of individuals who can be seen as agents or representatives of our local government organization.

- a) **Employees:** Individuals who are full time, part time, seasonal, or temporary employees of the Borough of Chambersburg are covered by this policy. Employees must follow this policy in respect to their professional use of social media in the course of their employment, when representing the organization, and to a lesser extent, in their personal life, in so much as a bright line distinction is required between personal and professional use of social media.
- b) **Volunteers:** A municipal government may utilize a large swath of the community as volunteers who intermittently or regularly assist the Borough with activities for no compensation. While clearly these individuals are not employees and no employment obligations are accrued to them for their public service, by association, volunteers become municipal representatives of the

Borough. Therefore, unlike the average citizen, a volunteer must uphold and respect the same core values of professional communication behavior that would be required of an employee. Unlike an employee, the Borough has no employer responsibility to protect a volunteer's right to volunteer for the organization. Volunteers must follow this policy in respect to their personal use of social media, in so much as a bright line distinction is required between personal and professional use of social media in that through their volunteer activities, their private use of social media can be misunderstood to blur the distinction between the volunteer's private right of free speech and speech that represents the organization in an official capacity. This policy attempts to outline that distinction. Volunteers are prohibited from representing the Borough of Chambersburg in an official capacity on social media.

- c) **Public Officials:** Those elected and appointed officials of the Borough of Chambersburg, as defined by State Law, play a very special role in the organization and dissemination of information for the Borough. In some respects, public officials can be seen as autonomous actors, with the right and responsibility to communicate to the public. For example, an elected borough council member has a responsibility to communicate clearly and regularly with their constituents on a host of borough and agency business. This is one of the main roles of a public official. On the other hand, having a variety of information posted on social media, sometimes timely, sometimes inaccurate, without proper disclaimers and legal parlance, does not serve the public well.

Therefore, this policy establishes a “**best management practice for official social media use by public officials**” as well as guidelines for appropriate private or personal use of social media by public officials. Once a citizen becomes a public official, their expectation of privacy and private speech can become muddled as they are a public person with public exposure and responsibilities to the community and to the government organization.

Examples of public officials include elected officials and appointed officials such as the Borough Manager, Borough Secretary, Borough Treasurer, and Police Chief.

Section 4 Bright Line Distinction

- a) The bright line distinction is to **make sure all posts are clearly expressed as your own statements or opinions and not an official statement or position of the Borough.** A disclaimer such as “views and posts are my own and do not represent the position or opinion of my employer or the Borough of Chambersburg,” may seem unnecessary, but it is specifically insisted upon in this context, or in some form otherwise approved by legal counsel. Further, those voluntarily appearing in images on social media should not be wearing uniforms or insignia of the Borough, without the express written permission of the Borough Manager. Obviously, those images obtained in public view (i.e. working in the street) while wearing a Borough uniform or insignia (including a Borough Seal, which is protected by local law), is an exception.

Example of Social Media Disclaimer:

Views and posts are my own and do not represent the position or opinion of my employer or the Borough of Chambersburg.

Section 5 First Amendment Right of Free Speech

- a) Nothing in this policy will limit the First Amendment right of free speech of an employee, volunteer, agent, or official of the Borough of Chambersburg.
- b) Second, any employee's protected, concerted, or union activity shall not be infringed upon by this policy. However, social media can be misunderstood to blur the distinction between private free speech and speech that represents the organization. This policy attempts to outline that distinction.
- c) Third, the Borough of Chambersburg respects the right of employees to engage in private personal activities including the right of association and privacy, but will not tolerate certain types of speech in social media, which may appear to the public to be a professional dissemination of organizational or agency information by our municipal government, obtained in the course of one's employment, without consent of the Borough.
- d) The only exceptions to this principle are protections afforded to employees who discuss the terms or conditions of their employment, report illegal or dangerous activities occurring at work (i.e. whistleblower protections), or who speak out as a private citizen regarding a matter of public concern.

Section 6 Internet Access to Social Media on Borough Owned Devices

- a) The Borough Manager shall serve as the Borough's social media coordinator and shall be responsible for overseeing the Borough's official social media activity and monitoring compliance with all Borough policies including this policy. If the Borough hires a Public Information Officer, that employee may be delegated some of the Borough Manager's responsibilities. The Borough Manager shall designate which social media platforms, if any, the Borough will use to establish an official Borough social media profile, and shall designate which employees, if any, are permitted to publish, edit, or comment on Borough social media profiles on behalf of the Borough. The Borough Manager is herein authorized to determine which social media websites and applications provide a benefit to the organization and are therefore accessible on Borough devices and which social media websites and applications should be blocked. The Borough maintains software, which can be set to block access to specific web pages and web applications. This is an administrative decision of the Borough Manager and is administered by the Information Technology (IT) Office.
- b) If an individual covered by this policy finds that they have access to a social media website or application on a Borough owned device, they should use great care accessing that website or application. They should determine whether access is permitted by the Borough of Chambersburg and whether their use conforms to this policy.
- c) Use of a "chambersburgpa.gov" email address for social media purposes, as a user, subscriber, or creator of content, requires authorization of the Borough's social media coordinator for this activity.
- d) Access to social media websites and applications on personal equipment is understood to exist, but access during work hours for personal purposes should follow existing computer access policies elsewhere promulgated by the Borough of Chambersburg.
- e) Sharing of unauthorized photographs or disclosure of Borough data or information that would reveal personal identification information of certain Borough employees or Borough

citizens/customers or confidential information that is necessary to maintain the safety and security of the Borough's buildings, property, systems, and operations is prohibited. Examples of such information include, but are not limited to:

- All or part of a person's Social Security number, driver's license number, personal financial information, bank account numbers, utility account numbers, home, cellular or personal telephone numbers, personal e-mail addresses, employee numbers or other confidential personal identification numbers;
- The home address of a law enforcement officer;
- Network or computer usernames or passwords or other records regarding computer hardware, software and networks, including administrative or technical records, which, if disclosed, would be reasonably likely to jeopardize computer security;
- Security codes or combinations;
- A record or part of a record related to an ongoing investigation;
- A record or part of a record maintained by the Borough in connection with law enforcement or other public safety activity that, if disclosed, would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection activity.

Section 7 Responsible decision making when utilizing social media

- a) To assist you in making responsible decisions about your use of social media, we have established these guidelines for the professional use of social media and prohibitions for any on or off duty use of social media, which might act to discredit the professional reputation of the Borough of Chambersburg, any of its employees or agents; infringe on the Borough's operations; or infringe on the Borough's ability to provide effective and efficient services. This policy does not overrule common sense relating to the desired character of on or off duty behavior of Borough personnel which is established in other policies relating to employee on and off duty conduct. It is designed to supplement other personnel conduct policies as it specifically relates to social media use. This policy does not apply to an employee's personal use of social media, during personal time, for purely personal reasons where the employee does not identify himself/herself as a Borough employee; unless the bright line distinction between personal and professional communication is unclear.
- b) All Borough policies and applicable state and federal laws, including, but not limited to, policies or laws prohibiting harassment, discrimination, and retaliation apply with equal force to conduct occurring in person and online. Any violation of these policies or laws will be addressed in the same manner whether the offending conduct occurs in person or online. Harassment, bullying, discrimination, or retaliation that would not be permissible in the workplace is equally impermissible online, even if it is done after hours, from home, or on personal computers or other personal devices. Violation of all Borough policies or laws while on social media, even personal social media accounts, may result in disciplinary action by the Borough.
- c) Employees and volunteers who are not authorized to post official Borough content or are authorized employees participating in social media usage while off-duty or in an unofficial capacity shall clearly indicate that the viewpoints they express are their own and do not necessarily reflect the Borough's official policy or position. Take these extra steps to make sure your posts are crystal clear.
- d) **Public Officials should take care to be extremely limited to their activities on social media.** Unlike employees or volunteers, they must make it clear that they are only participating in social media as a private citizen, their messages and posts are not in any official capacity, and the

Borough recommends they avoid expressing any information, details, answers to questions, conversations, corrections, or anything related to the Borough of Chambersburg on their private social media posts and messages. To disseminate information about anything to do with the Borough, including private opinions, it is better that the information be requested to be posted on an **official Borough of Chambersburg social media account** and should not be disseminated through a Public Official's private account without the express written permission of the Borough Manager or Town Council. Only the Borough Manager or Town Council can waive this requirement.

Section 8 Campaigns and political activities on social media

- a) **Borough Department Heads and Assistants are prohibited from expressing any *public* opinions on social media about any federal, state, local, or school district political issue or any Borough Public Official or Borough Public Official candidate.** This is necessary to maintain the trust and confidence of Town Council and the citizens of the community who we serve. Accepting such an appointment by the Borough implies your willingness to limit your rights to *private* expression and social media is not considered a form of private expression.
- b) These guidelines have an equal impact on the use of social media for campaigns and political activities.
- c) Official political campaigns on social media:

If you are a candidate or someone representing a candidate or official for public elected office, please follow the following rules:

So there is no misunderstanding, if a Borough Public Official, candidate or someone representing a candidate or official establishes an official political social media presence on behalf of the Public Official, it is required that the account or name on the social media profile be *the group* representing the Public Official rather than the Public Official himself/herself. For example, if Council Member Mickey Mouse is running for State Senate, the profile might be called Citizens to Elect Mickey Mouse, or the Committee to Elect Mickey Mouse, or Mickey Mouse for State Senate, but not just Mickey Mouse, nor Council Member Mickey Mouse.

When in doubt, the Borough Solicitor will issue an advisory opinion to the Borough Public Official, candidate or someone representing a candidate or official offering advice as to how the political campaign should be identified on social media.

Section 9 Links to external social media on Borough website(s)/application(s)

- a) In computing, a hyperlink, or simply a link, is a reference to data that the reader can directly follow either by clicking, tapping, or hovering. A hyperlink points to a whole document or to a specific element within a document. A link to social media is inferred to be a digital connection to a profile, site, or application associated with social media.
- b) Borough links are strictly prohibited unless expressly approved in writing by the Borough Manager or Town Council. Links are not an expression of endorsement nor does the connection to an approved external website or social media application carry with it any implied or specific responsibility that the information or content on the exterior side of the link is correct, accurate, complies with Borough policies, or is up to date. A link when provided is a convenience for the Borough user to access some external data.

- c) Any proposal to establish an external link from a Borough website should be presented to the Borough's social media coordinator in advance of being created.

Section 10 Official Borough of Chambersburg Social Media Accounts/Profiles

- a) All Borough of Chambersburg official social media accounts will be supervised and managed by the Borough's social media coordinator subject to approval by the Town Council. Any social media account not expressly approved by Town Council is not an official Borough of Chambersburg Social Media Account.
- b) Failure to seek Town Council approval for an official Borough of Chambersburg Social Media Account is a violation of this policy.
- c) The Borough of Chambersburg's websites (www.chambersburgpa.gov, www.chambersburgfire.com, franklin.crimewatchpa.com/chambersburgpd, etc.) will remain the Borough's primary and predominant internet presences.
 - The best, most appropriate Borough of Chambersburg uses of social media tools fall generally into two categories: first, as channels for disseminating time-sensitive information as quickly as possible (example: emergency information); or second, as marketing/promotional channels which increase the Borough's ability to broadcast its messages to the widest possible audience.
- d) Wherever possible, content posted to Borough of Chambersburg social media sites will also be available on the Borough's websites.
- e) Wherever possible, content posted to Borough of Chambersburg social media sites should contain links directing users back to the Borough's official websites for in-depth information, forms, documents or online services necessary to conduct business with the Borough of Chambersburg.
- f) Wherever possible, all Borough of Chambersburg social media sites and accounts shall comply with all appropriate Borough of Chambersburg policies and standards.
- g) Borough of Chambersburg social media sites, accounts, and content contained therein maybe subject to Commonwealth of Pennsylvania public records laws. Any content maintained in a social media format that is related to official Borough actions and activities, including a list of subscribers and posted communication, are a public record. The Borough Manager's Office and the Borough Secretary as the Right to Know Officer are responsible for responding completely and accurately to any request for public records on social media. Content related to official Borough actions and activities shall be maintained in an accessible format and so that it can be produced in response to a request.
- h) Pennsylvania state law and relevant Borough of Chambersburg records retention schedules may apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the Borough Secretary shall preserve records required to be maintained for a period of no less than thirty (30) calendar days on a Borough server in a format that preserves the integrity of the original record and is easily accessible.
- i) Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between the Borough of Chambersburg and members of the public. In general, the Borough shall attempt to exclude the ability to post public comments

on social media postings or, if possible, decline to participate in social media conversations. Users and subscribers should be referred to Borough Public Officials to discuss items.

- j) To the extent public comments are enabled, all members of the public will be allowed to comment and public comments shall not thereafter be blocked, filtered, deleted, or otherwise censored, except as provided below or as allowed by law. Any comments posted by a member of the public on the Borough's social media sites, accounts, and content are the opinion of the poster only and the presence of such comments on the Borough's social media does not imply that the Borough endorses or agrees with the comments. The Borough of Chambersburg social media websites, profiles or applications and articles and comments associated therein, containing any of the following forms of content shall not be allowed:
- Comments not topically related to the particular social medium article being commented upon;
 - Profane 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 national origin, physical or mental disability or sexual orientation;
 - Sexual content or links to sexual content;
 - Solicitations of commerce;
 - Solicitations for donations;
 - Conduct constituting or encouraging illegal activity;
 - Information that may tend to compromise the safety or security of the public or public systems;
 - Content that violates a legal ownership interest of any other party; or
 - Content that violates trademark or copyright laws.
- k) **Any content removed based on these guidelines must be retained by the Borough's social media coordinator, including the time, date and identity of the poster when available pursuant to record retention rules in this policy.**
- l) The Borough reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.
- m) The Borough is prohibited from banning or blocking any user or subscriber to any official Borough of Chambersburg social media account unless their participation is creating an illegal or unmanageable situation. For example, a subscriber who repeatedly posts sexual content or links to sexual content may be blocked if it becomes impossible to repeatedly and timely delete such unauthorized content. In such cases, a block must be approved by either the Borough Manager or Town Council.
- n) Comments, media, or other information posted to or displayed on the Borough's social media sites, accounts, and content are subject to monitoring and review at any time, and users should have no expectation of privacy with respect to any such comments, media, or other information. However, given our limited staff resources, monitoring may not occur 24/7, and as such, the Borough of Chambersburg is not liable for inappropriate or offensive comments that may be posted.

Section 11 Violations of this policy

- a) **Employees:** Violations of this policy may result in appropriate disciplinary actions up to and including termination. This Policy will not be construed or applied in a manner that improperly interferes with employees' rights under the Pennsylvania Public Employee Relations Act, Pennsylvania Labor Relations Act, or any other applicable Pennsylvania or federal labor law. Any activities that are expressly protected under these labor laws shall be permitted in accordance with the applicable labor law. Nothing in this policy shall be construed as superseding or being in conflict with any existing or future Collective Bargaining Agreement maintained by the Borough of Chambersburg.

- b) **Volunteers:** Violations of this policy may result in removal of opportunities to volunteer with the Borough of Chambersburg. In extreme cases, a volunteer who wantonly violated this Policy may be banned from entering into Borough owned facilities or participating in Borough activities. Any volunteer who violates this policy shall be afforded the right of an administrative hearing before discipline is decided, but in so much as this is an administrative decision the ultimate administrative decision is made by the Borough Manager or his designee.

- c) **Public Officials:**
 - **Appointed Officials:** Violations of this policy may result in appropriate disciplinary actions up to and including termination.
 - **Elected Officials:** Violations of this policy may result in:
 - i. A public censure of the elected official as decided by a majority of Town Council; or
 - ii. A civil action to recover the costs of investigating and documenting any violation of this policy.

Section 12 Administration

This policy shall be administered by the Borough Manager or his designee. With respect to activities of the Borough Manager, this policy shall be administered by the President of Town Council.

Section 13 Acknowledgement

All current and future Borough of Chambersburg Employees, Volunteers, or Public Officials, must acknowledge that they have received and read a copy of this policy. It will be included in all future Personnel Handbooks published by the Borough's Personnel Office.

Print Name

Date

Signature

Employee No.