

**Social Media Policy  
City of Barre, Vermont**

**Section 1: Title and Authority**

This policy shall be known as the City of Barre social media policy. It has been adopted by the City of Barre City Council pursuant to 24 V.S.A. §§ 1121, 1122, and 872.

The City Council 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 *[City Manager]* or *[his/her]* authorized representative.

**Section 2: Purpose.**

This document outlines the policies and procedures for and City 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 City business. While this policy generally applies to the most popular sites, such as Facebook, YouTube and Twitter, it is acknowledged that social media is an evolving communications tool and that new resources may become available over time. The City may utilize social media and social media sites to communicate information related to the business of the City directly to the public as well as to provide members of the public the opportunity to comment on or participate in discussions concerning City business, including but not limited to operations and services provided by the City. The City encourages the use of social media to further the goals of the City, the missions of its departments and public bodies, and to contribute to the overall vibrancy of its community and a degree of participation by its citizenry, where appropriate.

This policy gives direction to City employees, elected officials, volunteers, appointees, public bodies and other authorized affiliated organizations that utilize the City's electronic/computer resources to access social media websites and engage in social networking for City purposes. The City has an overriding interest and expectation in deciding what is published on behalf of the City through social media and in establishing guidelines for the use of City social media by City officials and the general public.

**Section 3: Definitions:**

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

**Designated Agent** means an individual designated by the City Council to receive and respond to notifications of claimed copyright infringement. Once named, the City must file a "designation of agent" form with the United States Copyright Office.

**Social 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, Wikipedia, YouTube, Flickr, Twitter, LinkedIn, and news media comment-sharing/blogging.

**City Electronic Equipment** means all City electronic equipment including but not limited to

Adopted by Council 1/29/13

computers, cell phones, smart phones, pagers and any other City equipment that may be utilized to send or receive electronic communications.

**City Official** means employees of the City, public officers (whether elected or appointed) and City volunteers.

**City Social Media Site** means the official social media site of the City, or its Departments, as approved by the City Council.

**City Social Networking Moderator** means an individual designated by the City Council to monitor, manage and oversee social media content.

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

#### **Section 4: Conduct of City Officials**

Those designated and authorized to utilize City social media sites do so with the understanding that they are representing the City via social media outlets and must conduct themselves at all times as representatives of the City. Use of City social media sites shall comply with this policy, the City's personnel and any other relevant policies, charter and ordinance provisions, rules and regulations of the City. This includes any usage of City 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 City's personnel policy, employment contract, or collective bargaining agreement as appropriate. Appointees and volunteers found in violation of this policy may be subject to removal from their respective 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 City official responds to a comment in his/her capacity as a City official, the official's name and title shall be made available.

Information posted to City social media sites is public information, and there should be no expectation of privacy in regards to the information posted on City social media outlets. City officials are expressly prohibited from disclosing any information via social media posts that may be confidential, or is confidential in nature by statute or City directive.

City officials are discouraged from using personal accounts to comment on or post information to City social media sites, and/or posting information regarding official City business on other social media sites. All social media site comments and posts by City officials are subject to Vermont's Public Records Law, Open Meetings Law, and all other applicable laws, rules, policies, charter and ordinance provisions and regulations.

City officials should have no expectation of privacy regarding anything created, sent or received on the City's electronic equipment. The City may monitor any and all transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its equipment.

It is the responsibility of authorized City officials to ensure that information communicated by means of social media is accurate and up-to-date.

The City Social Networking Moderator will monitor the content posted by City officials on each of the City's social media sites to ensure it complies with this policy for appropriate use, messaging and branding, consistent with the goals of the City.

Authorized City officials must be provided with a copy of this policy and sign the Acknowledgement of Official Use by Authorized City Officials (see Addendum A) prior to utilizing City social media.

### **Section 5: Comments**

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

1. **The City Government Speech Site** does not allow for any public comments whatsoever. It is reserved for City government to engage in its own expressive conduct to promote its own message. Examples of this type of site include the City's official website and social media sites where public comment has not been enabled.
2. **Limited Public Social Media Forums** are City social media sites where public comment has been enabled to allow for discussion on specific topics as signified by postings by authorized City officials or consistent with the purposes of this policy. Submission of comments by members of the public constitutes participation in a limited public forum.

Users and visitors to City social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between authorized City officials and members of the public. A comment posted by a member of the public on any City social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City, nor do such comments necessarily reflect the opinions or policies of the City.

Comments by authorized City officials shall be allowed on City 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 City social media site and are subject to editing, removal or restriction, in whole or in part, by the City Social Networking Moderator:

- 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 or ballot measures of any kind;
- 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 City.

Adopted by Council 1/29/13

The City reserves the right to deny any individual who violates the City social media policy access to posting to City social media sites, at any time and without prior notice.

The City reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law. Content submitted for posting that is deemed not suitable for posting by the City Social Networking Moderator because it is not topically related to the particular subject being commented upon, or is otherwise deemed prohibited content based on the criteria set forth in this policy, must be retained in accordance with the relevant records retention schedule. Such content shall be accompanied by a description of the reason it is deemed not suitable for posting along with the time, date, and identity of the poster when available.

All City social media authors and public commenters shall be clearly identified. Anonymous posting shall not be allowed.

These conduct guidelines governing comment on City social media sites shall be displayed on all limited City social medium forums or made available by hyperlink from the City's official website.

### **Section 6: Account Management**

The establishment and use by City officials of City social media sites on behalf of the City is subject to approval by the City [*City Manager/City Council*] or [*his/her/its*] authorized representative.

The [*City Manager/City Council*] or [*his/her/its*] authorized representative will review all requests to contribute to City social media sites and has the sole authority to authorize their use and establish and/or terminate City social media accounts of City officials and pages.

There should be an authorization process for employees wishing to create an account for the benefit of the City, with the City [*City Manager/City Council*] or [*his/her/its*] authorized representative as the authority to oversee and confirm decisions. In this role, the [*City Manager/City Council*] or [*his/her/its*] authorized representative will evaluate all requests for usage, verify staff authorized to use City social media tools, and confirm completion of online training for social media if deemed necessary. The City [*City Manager/City Council*] or [*his/her/its*] authorized representative will also be responsible for maintaining a list of all social networking application domain names in use, the names of all City administrators of these accounts, as well as the associated user identifications and active passwords.

All City social media sites shall be established by a duly designated City Information Technology (IT) officer with the approval and under the direction of the [*City Manager*] or [*his/her*] authorized representative, and shall be published using approved City social networking platform and tools and administered by the City IT officer.

### **Section 7: Content Management**

The [*City Manager*] or [*his/her*] authorized representative shall designate a City Social Networking Moderator to monitor, manage, and oversee all content on each social media site to ensure adherence to this policy, including appropriate use, messaging, and branding that is consistent with the interests, goals, and objectives of the City.

The City Social Networking Moderator retains the sole authority to remove information from City social media outlets.

Designated department heads and/or other authorized City officials will be responsible for the content and

Adopted by Council 1/29/13

upkeep of any City social media sites they may create for the individual departments.

The City does not guarantee the authenticity, accuracy, appropriateness, or security of posted hyperlinks or websites or content linked thereto.

Wherever possible, content posted to the City's social media sites will also be available on the City's official website [[www.barrecity.org](http://www.barrecity.org)]. City social media sites should complement rather than replace the City's existing web resources. Content posted on the City's social media sites should contain links directing users to the City's official website for additional information, forms, documents, or online services necessary to conduct business with the City.

All City social media sites shall clearly indicate that they are maintained by the City and shall prominently display necessary City contact information. All City social media sites shall include the prominent placement of the official City seal, if available, along with the following notification:

*This is the official (Facebook, Twitter, YouTube, etc.) page for the City of Barre, Vermont. If you are looking for more information about the City of Barre, Vermont please visit [[www.barrecity.org](http://www.barrecity.org)]. The purpose of this City page is to provide general public information only. Should you require a response from the City or wish to request City services, you must go to [[www.barrecity.org](http://www.barrecity.org)], if appropriate, or contact the City at [insert City office phone number and/or email address].*

#### **Section 8: Public User Agreement**

A copy of this policy shall be accessible from either the City's official website or the City's social media site. The general public shall be informed that agreement to the terms of this policy is a prerequisite to participating in the City's limited public social media forums.

#### **Section 9: Copyright Infringement Notification**

The City 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.

The City respects the intellectual property of others and requests users of the City's social media sites to do the same. In accordance with the DMCA and other applicable law, the City has adopted a policy of terminating, in appropriate circumstances and at its sole discretion, users, subscribers, or account holders who are deemed to be repeat copyright infringers. The City may also in its sole discretion limit access to its City social media sites and/or terminate the accounts of any user who infringes any intellectual property rights of others, whether or not there is any repeat infringement.

The following notification shall be made accessible on all City social media sites and on the City's official website:

*If you believe that any material on the City's official website or City social media site infringes on any copyright which you own or control, or that any link on the City's social media sites directs users to another website that contains material that infringes on any copyright that you own or control, you may file a notification of such infringement with the City's Designated Agent as set forth below. Notifications of claimed copyright infringement must be sent to the City of Barre, Vermont's Designated Agent, for notice of claims of copyright infringement. The City of Barre, Vermont's Designated Agent may be reached as follows:*

Adopted by Council 1/29/13

*Designated Agent:*

*Address of Designated Agent:*

*Telephone Number of Designated Agent: Email Address of Designated Agent:*

### **Section 10: Public Records Law-Compliance**

City 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 City business, including comments posted to City 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.

All files, documents, data, and other electronic messages created, received, or stored on the City's computer system are open to review and regulation by the City and may be subject to the provisions of Vermont's Public Records Law. A public record consists of any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of City business. Public records, regardless of format, are available for inspection and copying unless there is a specific statute exempting the record from public disclosure. Those records exempt from public inspection and copying are set out at 1 V.S.A. § 317(c).

The City's official website and City social media sites shall clearly indicate that any articles and any other content or comments posted or submitted for posting in whatever format are subject to public disclosure. Content related to City business shall be maintained in an accessible format so that it can be produced in response to a public records request. Users shall be notified that public disclosure requests must be directed to the proper custodian of public records. The name, title, and contact information for the proper custodian of public records shall be posted on each City social media site.

### **Section 11: Public Records Law-Retention**

Relevant City records retention schedules apply to content on the City's official website as well as to City social media sites. Content posted or submitted for posting shall be retained pursuant to Vermont's Public Records Law in its standard format and in accordance with applicable disposition orders and retention schedules as established by the Vermont State Archivist.

### **Section 12: Open Meeting Law**

Vermont's Open Meeting Law defines a public meeting as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action. All meetings of a public body are to be open to the public at all times unless otherwise exempted. Members (elected or appointed) of any City public body should refrain from using City social media sites to discuss the business of the public body or taking action by the public body in violation of Vermont's Open Meeting Law. Furthermore, members of public bodies should refrain from commenting on or responding to inquiries related to quasi-judicial matters within the subject matter jurisdiction of their respective public bodies.

Public boards and committees may utilize City social media for gathering of public input and fostering of public discussion related to the role with which it has been charged by statute or the City Council, provided that the use is authorized in accordance with and conforms to this policy.

Information posted by the City on its social media sites will supplement and not replace required notices and standard methods of providing warnings, postings, and notifications required to be made with regard to public meetings and hearings under Vermont law.

### **Section 13: Legal**

All comments posted to any City social media site are bound by that site's applicable statement of rights and responsibilities. The City reserves the right to report any violation of that site's statement of rights and responsibilities to the site provider with the intent of the provider taking appropriate and reasonable responsive action.

### **Section 14: 'Personal' Communication That Can Become 'Public':**

It is important for elected and appointed officials, employees and contracted service providers to remember that some personal communication of employees and service providers may reflect on the City of Barre, especially if personnel are commenting on: anything political in nature; federal, state or local government activities; or, City business. The following guidelines apply to personal communication including various forms of social media (Facebook, Twitter, blogs, YouTube, etc), emails, letters to the editor of newspapers and personal endorsements.

- Remember that what you write is public and may be so for a long time. It may be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your supervisor or other employees to read, or that you would be embarrassed to see in a newspaper or on a prominent website.

**ADOPTED this 29th day of January, 2013.**

### **CITY OF BARRE, VERMONT CITY COUNCIL:**

Thomas J. Lauzon, Mayor  
Carolyn S. Dawes, Clerk/Treasurer

Councilors  
Michael A. Boutin  
Anita L. Chadderton  
Charles M. Dindo  
Lucas J. Herring  
Paul N. Poirier  
Michael P. Smith

**Addendum A: Acknowledgement of Official Use by Authorized City Officials**

I, \_\_\_\_\_"acknowledge that:

A. I received a copy of the City of Barre, 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 City 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;

E. I acknowledge that I understand this policy and I agree that I will comply with all of its provisions.

\_\_\_\_\_  
*City Official's Signature*

\_\_\_\_\_  
*Date*