



**Town of Deerfield
Office of the Selectboard
&
Board of Health**

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Social Media Policy

I. PURPOSE AND SCOPE

The purpose of this Policy is to set forth rules governing Town employees' use of social media. Nothing in this Policy is intended to interfere with, restrain, or prevent employee communications or expressions that are protected by law, including, without limitation, the First Amendment of the United States Constitution, State and Federal Whistleblower law, and State and Federal Labor law.

This Policy applies to all Town employees; however, to the extent that this Policy conflicts with the provision(s) of an employee's collective bargaining agreement, such agreement will control.

II. DEFINITIONS

"Social media platform" shall mean websites that facilitate user participation, networking, and collaboration through the submission of user generated content. Examples of social media platforms include, without limitation: blogs, wikis, and microblogging sites, such as Twitter and Wikipedia; social networking sites, such as Facebook and LinkedIn; video-sharing sites, such as YouTube; photograph-sharing site, such as Instagram; and bookmarking sites such as Pinterest.

"Social media identity/account" shall mean a specific user identity or account that has been registered on a third-party social media platform.

"Blog" (an abridgement of the term web log) shall mean a website with regular entries of written commentary and descriptions of events, or other content such as graphics, audio, or video.

"Moderator" shall mean the authorized Town official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by Town officials, employees, and public commentators to be posted to a Town social media account.

"Town employee" shall have the same meaning as "municipal employee" as defined in G.L. c. 268A, § 1(g).

III. GENERAL USE OF OFFICIAL TOWN SOCIAL MEDIA ACCOUNTS

A. Town social media accounts shall adhere to all applicable state, federal, and local laws,

regulations and policies including, without limitation, the Open Meeting Law, Public Records Law, Public Records retention schedules, Conflict of Interest Law, Copyright Law, Campaign and Political Finance laws and rules, e-discovery laws and policies, and other applicable Town policies.

- B. Because the Public Records Law and e-discovery laws and policies apply to social media content, such content must be able to be managed, stored, and retrieved in a manner that complies with them. Further, once such content is posted on a social media site, it must stay posted, unless it is removed for one of the reasons set forth in Subsection G below or it is changed to fix spelling, grammar, or other clerical errors. A record shall be kept of any such modifications.
- C. Town social media accounts and entries thereon shall clearly indicate that any content posted or submitted is subject to public disclosure. Anonymous postings are not permitted on any Town social media accounts.
- D. Each Town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the account.
- E. Each Town social media account shall indicate to users that the site is subject to the third-party platform's terms of service. Furthermore, each Town social media account shall indicate that the social media platform could collect personal information through user's use of such platform; that this personal information may be disseminated by the same; and that such dissemination may not be governed or limited by any state, federal, or local law or policy applicable to the Town.
- F. All Town social media accounts shall clearly indicate they are maintained by the Town and shall have the Town contact information prominently displayed, and if possible, the Town Seal.
- G. The Town reserves the right to restrict or remove any content posted to its social media accounts that is deemed in violation of this policy or any applicable law. Content that will be summarily removed includes, without limitation:
 - i. Comments not topically related to the account;
 - ii. Profane, obscene, or vulgar language, or content;
 - iii. Content that promotes, fosters, or perpetuates discrimination based on race, color, gender, gender identity, gender re-assignment, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, or active military status;
 - iv. Sexual content or links to sexual content;
 - v. Illegal activity or content encouraging the same;
 - vi. Content that poses any risk to public safety; and
 - vii. Content that violates the legal ownership interest of another party.

- H. Town social media accounts are prohibited from endorsing Town vendors, suppliers, clients, citizens, employees or other stakeholders, including political candidates, family, or friends.

IV. USE OF TOWN SOCIAL MEDIA ACCOUNTS BY TOWN EMPLOYEES IN THEIR OFFICIAL ROLE

- A. Town employees posting content to Town social media accounts for any other reason than official Town business is strictly prohibited.
- B. Town employees shall not use or post content to any Town social media unless the same is part of their specific Town job duties.
- C. Town employees must conduct themselves as a representative of the Town and in accordance with all Town rules, regulations, and policies; specifically, the Selectboard's Code of Conduct.
- D. Town employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Accordingly, employees are prohibited from reprinting whole articles or publications without first receiving written permission from the publication owner; and quoting even a short excerpt of someone else's work without acknowledging the source.
- E. Town employees are prohibited from posting legally protected personal information that has been obtained while performing official duties, including, without limitation, information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or information the dissemination of which is restricted under applicable Federal or State privacy laws or regulations.
- F. Town employees are prohibited from disclosing conversations that occur amongst Town officials/employees outside public forums, unless authorized by the Town Administrator. Information about policies, rules, or plans that have not been finalized or officially adopted by the Town may not be posted unless explicitly approved in advance by the Town Administrator or applicable Supervisor.
- G. Town employees must respond to all postings professionally and respectfully, no matter how provocative, cruel, profane, vulgar, uncouth, disrespectful, or insulting such posting may be.
- H. If a Town employee is contacted directly by a reporter or any other member of the media, he/she must immediately refer all questions to the Town Administrator.

V. USE OF TOWN SOCIAL MEDIA ACCOUNTS BY TOWN EMPLOYEES AS A RESIDENT OR OTHER STAKEHOLDER

- A. As prohibited by the Campaign Finance Law, Town employees may not use Town social media accounts for political purposes, such as engaging in political or campaigning activity. This includes, without limitation, the endorsement of any candidate for elective office.

- B. Town employees are prohibited from using their official Town title unless they are posting in an official capacity.
- C. When posting content, Town employees must use the following disclaimer: *“This posting is my own and does not represent the Town’s positions or opinions.”*

VI. USE OF PRIVATE SOCIAL MEDIA PLATFORMS BY TOWN EMPLOYEES

- A. Town employees are personally and professionally responsible for the content they publish.
- B. Town employees must conduct themselves so that a reader would not think that the employee is speaking or on behalf of the Town. Personal views or comments must not be attributed to the Town or the employee’s job duties.
- C. Town employees are prohibited from publishing confidential information relating to Town business to any private website or social media platform, including, without limitation, personal employee information, safety plans and security procedures, or internal investigations.
- D. Employees are prohibited from publishing content that damages the Town’s business interests or that otherwise inhibits its ability to serve its residents and the public.
- E. Town employees are prohibited from posting Town logos or trademarks or photographs of employees in uniform unless the same is protected by law.

VII. VIOLATIONS

Violation of this Policy may result in discipline, up to and including termination¹ from employment. In addition, users shall be personally liable for any losses, costs, or damages incurred by the Town related to violations of this Policy.

Illegal use of Town or private social media platforms may result in referral to municipal, State, and/or Federal law enforcement authorities.

Employees shall report violations of this Policy to their Supervisor, or in the case of Department Heads, directly to the Town Administrator. Any form of retaliation against another user for reporting a violation of this Policy is strictly prohibited.

¹ Termination shall not apply to elected officials. To the extent that the Town can terminate an appointed Town employee, such termination shall be done in a manner consistent with applicable law and/or any applicable individual employment contract.