

021820 A.1

Formatted: Right

Formatted: Font: 20 pt

## **Springville Local Government Social Media Policy – Village of Springville, NY.**

### **PURPOSE**

This policy sets forth guidelines for the establishment and use by the Village of Springville NY of its social media sites (Facebook, YouTube and Twitter) as a means of conveying Village related information to its residents, employees and visitors. The Village has an overriding interest and expectation in deciding what is “spoken” on behalf of the Village on its social media sites.

The purpose of this social media policy is to establish enforceable rules for the use of social media by Village officers and employees when engaged in Village business on Village operated social media. Social media at this time refers to Facebook, YouTube, Twitter, and any other communication that is open to response or comment, and media sites used for public notifications such as CodeRED and NY Alert.

Rules are necessary to assure that communications made on behalf of the Village are properly authorized and in correct form; that communications to the municipality by means of social media which can be viewed by the public are appropriate and pertinent; that all communications to the municipality is related to the posted municipal information; and that the sender is clearly and fully informed that a message received by means of social media is not a substitute for required reporting procedures.

For purposes of this policy, “social media” is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include Facebook, YouTube, and Twitter. For purposes of this policy, “comments” include information, articles, and pictures. It also includes other electronic communication media created by the Village such as CodeRED and NY Alert. In this Policy Village operated social media sites are referred to as Village social media sites.

### **SCOPE**

This policy shall apply to all Village agencies and departments as well as any affiliated government or non-government agency or official and/or commission or council permitted by the Village to post on Village social media sites.

*Village of Springville Social Media Policy page 1 of 9*

## **GENERAL POLICY**

The objective of the use of social media by the Village or its departments is to expand and facilitate the dissemination of information from the Village to its residents, taxpayers and the general public.

1. No Village social media site shall be established without prior written approval of the Village Board of Trustees. The following social media sites are approved: Facebook Springville Village Voice under the direction of the Village Administrator and his/her designee, the Mayor, the Police Administrator, the Superintendent of Public Works, and the Emergency Manager; CodeRED under the direction of the Village Administrator, the Superintendent of Public Works, the SVFD Fire Chief, the Emergency Manager, and the Mayor, published through Springville Control Center.
2. The Village social media sites shall clearly set forth that they are maintained by the Village and that they follow this Springville Local Government Social Media Policy.
3. Wherever possible, the Village social media sites should link back to the official Village website for forms, documents, online services and other information necessary to conduct business with the Village. The Official Village website is [Villageofspringvilleny.com](http://Villageofspringvilleny.com)
4. The Village social media sites are not to be used for making any official communications to the Village, for example, reporting crimes or misconduct, reporting dangerous conditions, requesting an inspection, giving notice required by any statute, by ordinance or regulations such as but not limited notices of claim. **Prominent notice of this paragraph shall be displayed on every Village social media site, along with the appropriate contact information for submitting official communications.**
5. This Springville Local Government Social Media Policy shall be placed on the Village Website. A summary version of this Policy shall be placed on Village media sites with a link to the Village Web site and this entire policy.
6. The Village Administrator and/or his/her designee shall monitor Village social media sites to ensure adherence to both this Springville Local Government Social Media Policy and the interest and goals of the Village. The Village has the right and will restrict or remove any content that is deemed in violation of this Springville Local Government Social Media Policy or any applicable law. Any content removed based on these guidelines will be retained by the Village Administrator and/or her/her designee pursuant to the applicable NYS Education Department Records Retention and Disposition Schedule and the Village retention policy, including the time, date and identity of the poster, when available.

7. The guidelines of this Springville Local Government Social Media Policy must be displayed to users on social media site and or made available in full by hyperlink to the Village Website.

8. The Village will approach the use of social media tools as consistently as possible.

9. The Village website will remain the Village's primary and predominant internet presence.

10. The Village social media sites and this Policy are subject to all applicable federal and NYS laws and regulations, as well as applicable NYS record retention requirements.

11. Employees and Volunteers representing the Village's government via Village social media sites shall conduct themselves at all times as a representative of the Village and in accordance with all its policies especially the Village of Springville Employee Handbook.

12. This Springville Local Government Social Media Policy may be revised at any time by approval of the Board of Trustees.

13. This Policy governs all Village social media use by or on behalf of the Village and/or its departments.

14. The Village shall officially approved municipal presences on social media: the Facebook Springville Village Voice, and CodeRED System. No other social media sites are authorized.

15. All Village presence and activity on social media are an integral part of the Village's information networks and must comply with all rules and policies governing the Village's computers and electronic media.

16. All Village officers, agents, employees who use Village social media sites are responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention under New York State and Federal laws, including, but not limited to: Freedom of Information Law (FOIL), Open Meeting Law, Open Public Record Act (OPRA), , privacy laws, the Open Meetings Law, Public Officers Law, and information security policies (if applicable) established by the Village. ~~PDW Checked~~

17. All Municipal policies are applicable to interactions on Village social media sites when acting in an official capacity and representing the Municipality.

Comment [WK1]: Paul needs to review

Formatted: Not Highlight

18. No “friending” or other special relationship between a Village employee and a third person is permitted on, or working on, a Village social media sites.

19. Social media is run by a third party separate from the Village and social media sites occasionally become inoperable. The Village reserves the right to disable its social media accounts either temporarily or permanently at any time. There is no guarantee of “uptime.”

### **COMMENT POLICY**

1. As a public entity the Village must abide by certain standards to serve all its constituents in a non-political, civil and unbiased manner.

Formatted: Not Highlight

2. The intended purpose behind establishing the Village social media sites is to disseminate information from the Village about the Village to its residents, employees and visitors.

3. A comment posted by a member of the public on any Village 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 Village, nor do such comments necessarily reflect the opinions or policies of the Village. The Village explicitly reserves the right to remove any such comment.

Formatted: Not Highlight

4. Any attempt to hack or otherwise compromise the Village’s internet or Village social media sites will be reported to law enforcement and the perpetrator will be denied access to the sites.

5. The Village reserves the right to deny access to its Village social media sites for any individual who violates the Village Local Government Social Media Policy at any time and without prior notice.

6. All comments posted to any Village social media sites are bound by any applicable terms and conditions of Facebook’s Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the Village reserves the right to report any violation of Facebook’s Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsible action. All Village policies are applicable to interactions on Village social media sites when acting in an official capacity and representing the Village.

7. All comments posted to any Village social media sites are bound by any applicable terms and conditions of Twitter's Terms of Service, located at <https://twitter.com/tos>, and the Village reserves the right to report any violation of Twitter's Terms of Service to Twitter with the intent of Twitter taking appropriate and reasonable responsible action. All Village policies are applicable to interactions on social media sites when acting in an official capacity and representing the Village.

8. All comments posted to any Village social media sites are bound by any applicable terms and conditions of YouTube's Terms of Service, located at <https://www.youtube.com/t/terms>, and the Village reserves the right to report any violation of YouTube's Terms of Service to YouTube with the intent of YouTube taking appropriate and reasonable responsible action. All Village policies are applicable to interactions on social media sites when acting in an official capacity and representing the Village.

9. Village municipal employees are prohibited from commenting on Village social media sites except as designated employees of the Village and only as it relates to their office Village duties.

Formatted: Not Highlight

10. No Village employee, Village elected official, vendor performing work or providing services to the Village, or volunteer may post or comment on a Village social media site except when commenting or posting as a designated employee or official. Village employee personal use guidelines for social media regarding Village business is posted in the- Employee Handbook in under Part 4 Other Policies, Social Media.

11. Persons posting prohibited content are subject to being barred from posting comments on Village social media.

#### **PROHIBITED CONTENT**

Comments containing any of the following inappropriate forms of content shall not be permitted on the Village's social media sites and are subject to removal and/or restriction by the Village Administrator and/or his/her designees.

1. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or explicit content links to such materials. Any image or link containing minors or suspected minors in sexual and/or provocative situations will be reported to law enforcement;

2. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, marital status, status with regard to public assistance, physical or mental disability or sexual orientation or gender-identity;

3. Defamatory attacks;
4. Threats to any person or organization;
5. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
6. Conduct in violation of any federal, state or local law;
7. Encouragement of illegal activity or illegal activity;
8. Information that may tend to compromise the safety or security of the public or public systems;
9. Content that violates a legal ownership interest, such as a copyright, of any party the Village does not permit or allow copyright infringing activities and/or infringement of intellectual property rights on its website or social media sites and will remove any and all content and submissions if properly notified that such content and/or submission infringes on another's intellectual property rights;
10. Private contact information such as names, addresses and phone numbers no matter how easily obtained elsewhere; Personal information of a person other than the poster;
11. Spamming or repetitive content;
12. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection Act, 15 U.S.C. Chapter 91 . By posting on a Village media site, users acknowledge that they are at least 13 years old. Parents are responsible for any minor child's posting or comments;
13. Content that incites violence;
14. Photographs or videos;
15. Comments unrelated to the particular post being commented upon;
16. Comments containing vulgar, offensive, threatening, or harassing language, personal attacks, or unsupported accusations; and,
17. Persons posting prohibited content are subject to being barred from posting comments on Village social media.
18. Only content approved by the Village Administrator and/or his/her designee, for public release is allowed to be posted. Content of a sensitive nature

**Comment [WK2]:** Paul needs to confirm

shall not be allowed to be posted. Officials, employees, Village volunteers, or vendors providing services to the Village are prohibited from posting comments.

19. A designee or a person appointed by the Village Administrator is never to be allowed to transfer their social media account information or allow someone access to their account on their behalf without prior written authorization from the Village Administrator.

#### **BREACH OF POLICY**

1. The Village Administrator, and/or his/her designee may be required to remove internet postings on Village social media sites which are deemed to constitute a breach of Policy, as determined by the Village Administrator, subject to applicable archiving and retention requirements as required and indicated in the New York State Records Retention and Disposition Schedule MU-1 (See: [http://www.archives.nysed.gov/records/retention\\_mu-1](http://www.archives.nysed.gov/records/retention_mu-1)).

Comment [WK3]: Which are??

2. Any Village social media site created by the Village remains the property of the Village, including all the followers and friends generated by the site. If the person who created the site leaves the employment of the Village, they must relinquish everything related to the site including user names, passwords and/or access codes or information.

#### **TERMS OF USE DISCLOSURE** *(to be posted on all Village Social Media Sites)*

##### **A. Information Disclaimer**

By visiting this site, you understand and agree that the Village of Springville local government site is provided "AS IS". Village of Springville local government makes every effort to provide accurate and complete information on this website. The information contained herein is not official nor in any way shall it be deemed to constitute legal notice where such legal notice is required by law. The information contained in this site is provided as a service and convenience to people needing information about the Village of Springville local government. Portions of the information on this site may be incorrect or not current. Village of Springville local government, its officers, employees or agents shall not be liable for damages or losses of any kind arising out of or in connection with the use or performance of information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of those materials.

**B. Linking Policy -- Links To External Sites**

The Village of Springville local government site contains links to outside websites. These websites are not owned, operated, controlled or reviewed by the Village of Springville local government. These links are provided solely as a courtesy and convenience to you, the visitor. The Village of Springville local government, its officers or employees, exercise no control over the organizations, views, accuracy, copyright or trademark, compliance or the legality of the material contained in these outside websites. The Village of Springville local government, its officers or employees, do not sponsor, endorse, or approve the information, content, proceeds, materials, opinions or services contained on such outside websites. The visitor proceeds to these outside websites at his/her own risk. The Village of Springville local government specifically disclaims any and all liability from damages, which may result from the accessing of a third-party site, which is linked to the Village of Springville local government website or from reliance upon only such information.

**C. Endorsement Disclaimer**

Reference in this website to any specific commercial products, processes, or services, or the use of any trade firm or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by Village of Springville local government or its officers, employees or agents.

**D. Copyright and Trademark Limitations**

Village of Springville local government makes no warranty that materials contained herein are free of copyright or trademark claims or other restrictions or limitations on free use or display. Making a copy of such material may be subject to copyright or trademark laws.

**E. Use of material from this site**

The Village of Springville local government has made the content of these pages available to the public and anyone may view, copy or distribute *Village of Springville local government information* found here without obligation to the Village of Springville, for

non-commercial, personal use only, unless otherwise stated on particular material or information to which a restriction on free use may apply.

The design of this site, original graphics, and original content are all copyrighted by the Village of Springville and may not be re-engineered, distributed, modified, transmitted, re-used, reposted, or duplicated without the express written permission of the Village of Springville in each instance. All requests to use any part of the original design, code, graphics or content of this site should be made via e-mail to the Village Administrator.

#### **F. Unauthorized Modifications**

Unauthorized attempts to modify or otherwise alter any information or image stored on any Village of Springville local government website may result in criminal prosecution pursuant to New York State Penal Law, including, but not limited to Penal Law Article 156 as well as The Computer Fraud and Abuse Act (CFAA), 18 U.S.C. 1030.-

Updated: 12/4/2018

**Comment [WK4]:** As per what law?