



*Tim O'Donnell*

I. **Purpose.**

The purpose of this Social Media Website Policy ("Policy") is to provide guidance to those employees of the City of Brea who are authorized to post information or create pages (collectively, "post" or "posting" hereinafter), on social media websites such as My Space, Facebook and similar websites, or to participate in "Twitter" or similar kinds of electronic networking services. Social media websites offer substantial opportunities to communicate to a significant segment of the population, and if used properly, may provide substantial benefit to the City of Brea. However, as with other interactive use of the Internet, posting information on social media websites is not without risk. Use of such websites for official City purposes raises legal issues that are unique to local government and generally do not affect private persons or entities. When posting on social media websites on behalf of the City, employees are, in effect, serving as the voice of the City. Therefore, all posting shall be in accordance with the guidelines set forth below.

II. **Guidelines.**

- A. Use of City computers to post information on a social media website is subject to all applicable policies of the City regarding use of City computers.
- B. Only department heads, and employees authorized in writing by a department head, are authorized to post on a social media website on behalf of the City of Brea.
- C. Any and all information posted, or pages created, on behalf of the City must:
  - (i) Directly pertain to the City of Brea;
  - (ii) Contain information that is freely available to the public and that is not made confidential by any policy of the City, or by local, state, or federal law;
  - (iii) Not contain any personal information except the names of employees whose job duties include being available for contact by the public;
  - (iv) Present the City in a positive light;

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- (v) Not include photographs or images of anyone who can be identified, other than the employee posting, without first obtaining a signed release of any such person, or parent of a minor, so depicted;
  - (vi) Not incorporate the City's logo or seal unless approved in advance by the department head;
  - (vii) Not include language of a nature that is sexually explicit, or that is lewd or obscene, racial, political, or illegal, or that expresses an opinion, except as provided under subsection D, below; and
  - (viii) Not be of a commercial nature, unless approved in advance by the department head provided, however, that posts that announce functions or events officially sponsored or conducted by the City are permitted and encouraged.
- D. The specific social networking website must be approved in advance by the employee's department head. Consideration shall be given to the overall nature and theme of the website, and its suitability for use for City purposes. Consideration shall also be given to the fact that some social networking websites permit and invite responsive posts by readers. Allowing interactive, responsive posting can be of great benefit to the City in that it can provide a channel for persons to express approval as well as constructive criticism of City programs and events, and to provide suggestions. Unfortunately, it can also provide opportunities for harmful communications to occur. The key to maximizing the benefits of interactivity, while recognizing every person's free speech rights, is to provide useful guidance to persons wishing to post responses. Therefore, as of the effective date of this Policy, creating webpages that permit responsive posts is allowed under the following conditions:
- (i) The employee, as author of the webpage, in association with his or her Department head, must create and provide notice of a response policy that will appear on the webpage, and that is readily accessible and applicable to anyone wishing to post a response;
  - (ii) The response policy must make clear the purpose or theme of the webpage, invite public comment within the confines of that purpose or theme, whether critical or not, and describe the kind of messages that are not acceptable. Such unacceptable messages may include any that contain a personal attack, cultural or racial slurs, lewd or obscene comments, commercial offers, links to websites that are not within confines of the webpage's purpose or theme, and/or messages that are illegal or that violate any term, condition or policy of the website;



- (iii) The employee shall at all times use his or her best judgment in deciding whether or not to respond to a post; avoid engaging any person posting, in an argumentative or offensive manner; and other than expressing an opinion concerning a City function or event, comply with Sections 2 and 3 of this Policy;
- (iv) The website must provide a mechanism for the employee to remove posts, or prevent posting of messages, that clearly violate the response policy;
- (v) The employee must review the webpage, or posts that are held pending by the site's webmaster, if any, not less than once each work day to ensure compliance with the response policy. Work done in connection with the website/webpage during non-work hours shall be deemed time volunteered by the employee and shall not be compensable or subject to any City-provided benefits.

E. Each employee posting on a social networking website shall review, be familiar with, and comply with the website's use policies and terms and conditions.

F. Many social networking websites include advertising material on pages containing personal postings. Accordingly, it is important to be aware that City of Brea information may be posted so as to be readable concurrently with commercial advertising. This situation has the potential to reflect negatively upon the City of Brea.

G. Except as expressly provided in this Policy, accessing any social networking website shall otherwise comply with all applicable policies of the City of Brea pertaining to use of the Internet by employees, including email content.

H. Unless posted by a department head or an employee having a department head's express written approval, the inclusion of links in any post must comply with the City's official website external link policy.

III. This Policy shall be complied with in all respects. Revisions to this Policy may occur and every attempt will be made to provide prior notice of any such change. However, when deemed necessary in order to fully protect the City's interests, the interests of the public, and to more fully protect the safety of the public, including employees governed by this Policy, then this Policy may be changed without notice. Prior to posting on any social networking website, each employee shall sign an acknowledgement of receipt of this Policy indicating that he or she has read and understands all of its provisions, and agrees to be bound by the same.

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**ACKNOWLEDGEMENT OF RECEIPT  
OF  
CITY OF BREA POLICY & PROCEDURE  
  
SOCIAL MEDIA WEBSITE POLICY**

This statement acknowledges that I have received *and read* a copy of the City of Brea General Policies and Procedures entitled, **Social Media Website Policy**. I acknowledge, and fully understand, the terms of this policy and agree to abide by them. I understand that any violation of this policy could lead to disciplinary action up to and including termination and/or criminal or civil prosecution.

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_