San Mateo County Social Media Toolkit

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How to use this toolkit

This toolkit is broken into five parts: 1) social media policy, 2) guidelines for departments, 3) Web 2.0 legal issues and concerns, 4) guidelines for employees and 5) appendices.

The social media policy establishes the County Manager's Office as the clearinghouse for all new County-sponsored social media sites. Departments are required to submit a workplan for each site.

The department guidelines outline workplan requirements and considerations when setting up social media accounts for official County business.

The section addressing Web 2.0 legal issues addresses First Amendment concerns, terms of use, public meeting requirements (Brown Act), records retention, spam, intellectual property, public records act and contextual advertising. Departments can find templates for disclaimers, terms of use, privacy and other legal notices that should be included in an official County social media site.

The employee guidelines address three distinct uses of social media: required work related use of social media, personal use of social media at work and use of social media outside of work.

The appendices are supplementary materials to increase your understanding of social media and support your efforts.

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1. San Mateo County Social Media Policy

1.1. Introduction

1.1.1. Overview

Web 2.0 and social media are umbrella terms that define the various activities that integrate technology, social interaction, and content creation. Social media uses the "wisdom of crowds" to connect information in a collaborative manner online. Social media uses many technologies and forms, including Really Simple Syndication (RSS) and other syndicated web feeds, blogs, wikis, photo–sharing, video–sharing, podcasts, social networking, social bookmarking, mashups, widgets, virtual worlds, microblogs (Twitter), and more. (See Appendix D: The Social Media Landscape and Glossary of Terms for a more detailed description of social media services and tools.)

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, San Mateo County departments may consider participating in social media to reach a broader audience. San Mateo County supports the use of social media to further the goals of the County and the missions of its departments where appropriate.

San Mateo County endorses the secure use of social media tools to enhance communication, collaboration and information exchange; streamline processes; and foster productivity improvements. However, their application must not compromise data confidentiality and integrity. This policy establishes guidelines for the use of social media.

1.1.2. Background

Social media has accelerated the shift from mainstream media to the Internet. microblog sites like Twitter and video sites like YouTube enable the person on the street to instantly report events as they unfold.

Likewise, social media offers government new ways of informing the public, engaging residents and targeting constituents with tailored messages at a low cost. Creating a public commons online is not without peril because it is difficult to anticipate situations as yet unknown. Moving forward in a deliberate, thoughtful manner is the County's chosen approach. By implementing effective policies and adequately training employees, we can avoid problems along the way.

The use of social media contributes to the Shared Vision 2025 outcome of a Collaborative Community by enhancing communication, collaboration, transparency, and information exchange.

1.2. Social Media Policy

1. All official San Mateo County presences on social media sites or services are considered an extension of the County's information networks and are governed by County policies, including e-mail, Internet usage and portable computer policies.

2. The County Manager will review department workplans for social media sites and may delegate this review function to the E-Government Advocate and the County Communications Manager; however, online county-created representation on social media accounts is ultimately the responsibility of department heads.

3. The E-Government Advocate and the County Communications Manager will help departments develop appropriate uses for social media, identify the best social media tools to achieve their goals and define a strategy for community engagement using social media.

4. Departments that use social media 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, Freedom of Information Act (FOIA), First Amendment, Health Insurance Portability and Accountability Act (HIPAA), privacy laws and information security policies established by San Mateo County. These guidelines attempt to address the most common concerns in these regards, but departments should contact County Counsel with any questions regarding these areas.

5. Wherever possible, links to more information should direct users back to the County's official website for more information, forms, documents or online services necessary to conduct business with San Mateo County. In addition, to the extent that use of social media includes allowing users to post comments, the site must include a list of the applicable guidelines being applied by the County to the forum.

6. Employees representing the County government via social media outlets must conduct themselves at all times as representatives of San Mateo County. Employees that fail to conduct themselves in an appropriate manner shall be subject to appropriate disciplinary actions.

7. The E-Government Advocate and the County Communications Manager will monitor content on each of the department social media sites to ensure adherence to the social media policy for appropriate use, message and branding consistent with the goals of San Mateo County.

2. Departmental Guidelines: Establishing Social Media Accounts for Official County Business

2.1. Develop a workplan

The workplan should include:

1. Purpose
2. Describe what business, governmental, or policy objective you want to achieve.
3. Explain the advantages of using the social media application(s) you have chosen.
4. Show how social collaboration will advance over time and a strategy for publicizing the site.
5. Means for establishing authenticity of site
6. Process for reviewing and responding to comments
7. Moderation and privacy policy
8. A record retention procedure
9. A summary of the department's decisions regarding the legal issues outlined in these policies
10. An exit strategy -- outline triggers for deactivation of an account.
11. Staffing
12. Number of staff assigned, titles and reporting structure
13. Expected time commitment
14. Training for managers, supervisors and staff in use of social media.
15. Set clear objectives.
16. Discuss acceptable use.

2.2. Account Management Guidelines

2.2.1. Online Representation on Social Media Accounts is the Responsibility of Department Heads

- Department heads will appoint a social media moderator(s) to manage the social media account, who will ensure the appropriateness of content.

- Designated moderator(s) shall:
  - Be a San Mateo County employee.
  - Be familiar with San Mateo County policies.
  - Understand the scope of responsibility and be appropriately trained to interact on behalf of a department.

2.2.2. Social Media Training

Once the department has decided to engage in the use of social media, the agency will entrust specific individuals with the responsibility of posting and updating the agency's social media identity or page (e.g. writing the blog, drafting and sending out the micro-blogs, updating the social networking page). Agencies must articulate clear expectations for its use prior to securing the social media identity or page.

2.2.3. Establishing Authenticity — Branding

Follow these guidelines in order to provide authenticity and legitimacy to your social media site.

- Use the County seal and/or department logo on social media accounts to confirm authenticity of site.

- Include a link from your official web page to your social media account and vice versa.

- Complete your one line bio where applicable. Make sure it includes something about being the "official account" for your department or division. Make sure it includes "San Mateo County."

- Make sure your name includes some form of San Mateo County, such as, SMC.

2.2.4. Use a County E-mail Account to Post

To assure that information posted on social media accounts are official, timely and accurate, all material posted should be tied to the moderator(s) San Mateo County e-mail account. Coordinate with the County Manager's Office and ISD to unblock social media from County computers and to establish an appropriate e-mail account and url or web address.

2.2.5. Retention of Records

- All content is to be fully accessible to any person requesting documents from that site.

- No records should ever be deleted without just cause from any social media network, rather be retained through the specific means provided by the particular network of choice. (See Section 2.2.8 Updating Account Content: Content Deletion)

- Responsibility is left to each department to retain records (refer to the IT Security Officer and County Counsel for suggestions).

2.2.6. Security of Social Network

The following strategies can minimize the risk of a hacker breaking into your site.

- Protection Strategies

  o Follow the County's password policy guidelines when setting passwords for social media sites.
     http://intranet/Attachments/Intranet/Policies/pwd_policy_guidelines.pdf
  o Never leave station unattended or unlocked when logged on to a social media account.
  o Only department head, or designee, and moderator should know login and password to social media account(s).
  o At least two people should have the password.
  o If moderator(s) change, login and password should also change.

Even with these measures, sites are not immune from attacks by tenacious criminals. One sign of intrusion is defacement, in which your web page is replaced with the attacker's message. Another indicator might be complaints of e-mails containing a virus or a fraudulent message coming from a County social media account.

- Network Attack Protocol - If security of account has been compromised:

  o Call ISD Help Desk as soon as you notice a problem..
  o Change login and password information immediately.
  o Acknowledge security breach to social media followers. The County Communications Manager and/or your Public Information Officer can help you develop a communications strategy.
  o Look for signs of damage, make necessary corrections.
  o Report incident to County Manager's Office and IT Security Officer.

2.2.7. Posted Material Guidelines

All material posted shall be consistent with San Mateo County's mission, vision and values.

2.2.8. Updating Account Content

Appropriate Times

- Regularly: Departments should develop a workplan to monitor accounts daily and update as appropriate for the type of site. For example, be prepared to post to Twitter a minimum of 2-3 times per week to build a following.

- Emergency: Departments should address use of social media during an emergency within their respective department emergency operations plan.

- Dissemination and Interaction Tips

  - Monitor your social media network for discussion about San Mateo County, to reduce/eliminate inappropriate discussions/posts.
  - All County accounts should be viewable to the public and should not use privacy settings.
  - County accounts should only join a group or become a fan of a page if it is related to work (can include professional, governmental or non-profit organizations).
  - County accounts can create their own groups by using the same guidelines mentioned in this policy.

Acceptable Content

Acceptable forms of content include, but are not limited to:

- Text

- Video and photographs - Be sure to check images and videos for sensitive information in the background. Obtain photo releases as needed

- Graphics

- Links (hyperlinks)

Unacceptable Content

Before removing content from a public user that violates these guidelines consult with County Counsel.

- Profane language or content.

- Content that promotes, fosters or perpetuates discrimination of protected classes under the equal opportunity ordinance.

- Explicit sexual or harassing content, images or links to sexual or harassing content, images or links.

- Violent or threatening content.

- Solicitation of commerce, commercial activities, fund-raising or sponsorship.

- Conduct or encouragement of illegal activity.

- Information that may compromise the safety or security of the public or public systems; or content that violates a legal ownership interest of any other party, such as trademark or copyright infringement.

- Political activities.

- Anything that violates San Mateo County's policies and procedures.

- Personal information about employees.

- Off topic discussions or postings.

- Making or publishing of false, vicious or malicious statements concerning any employee, supervisor, the County or its operations.

- Links that are:
  o Primarily commercial in nature.
  o Charge a user-fee for access.
  o Deemed misleading, contain unsubstantiated claims or are determined to be in conflict with the San Mateo County's mission, vision and value statements.

Content Deletion

- Unacceptable content should be removed as soon as possible after consultation with County Counsel. Deleted records should still be retained for public record.

- Individual -- friends, fans or followers -- shall be removed if they continue to post inappropriate content. One warning should be given. If the individual posts inappropriate content a second time, he shall be removed or blocked. The following verbiage can be used to warn individuals about their content:

  "Your recent post is in violation of San Mateo County's Social Media Policy. Refrain from posting inappropriate content in the future. If you do not refrain from posting such content, we will regretfully have to block you from further posts. Thank you for understanding."

  Again, It is best to consult with County Counsel before removing a member of the public.

- Tagged Material - Material that is tagged to departmental accounts should be monitored to ensure appropriateness. If the tag is inappropriate, moderators or designees shall remove the tag promptly.

Reservation of Rights

The County Manager, or designated representative, reserves the right to delete submissions that are deemed inappropriate.

If the County Manager's Office, or a designated representative, chooses to delete any record for unacceptable content, it is still that particular department's responsibility to retain a public record of that content and keep a running record of why the record was removed.

3. Social Media/Web 2.0 Legal Issues

3.1. Introduction

Use by County departments of social media implicates various legal issues. In order to protect each department and the County from unwanted problems, each department considering utilizing social media/Web 2.0 must review the following points/issues (listed in Part 1, below), present a summary of its anticipated use with respect to these legal issues in its workplan (requirements listed in Part 2, below), and then finalize a Statement of Departmental Policy with respect to the use of that particular social media/Web 2.0 resource for posting on or linking from the social media/Web 2.0 website before utilizing the social media (requirements listed and sample language provided in Part 3, below). The department should contact County Counsel with questions or concerns about these or other legal issues, as it is important to make decisions about these issues *before* utilizing social media.

3.2. Part 1 - Legal Concerns:

In preparing to use social media/Web 2.0 resources, a department should consider each of the following **underlined topics** before making a decision to use the resource and keep these points in mind when drafting its workplan:

Terms of Use. Departments utilizing social media/Web 2.0 resources should be aware that each site or resource likely has its own terms and conditions of use, and some of those terms and conditions may create a conflict with County policies. Each department must review the terms and conditions of use for each site or resource it plans to use and address any issues they spot in the legal discussion section of the workplan during the planning stage. The department's assigned attorney in the Office of County Counsel should be consulted regarding all such terms of use before the department decides to use the site or resource. Where the terms of use implicate an issue, County Counsel will provide input to the department regarding ways to address the issue or counsel the department on the risks it is assuming in utilizing the social media/Web 2.0 resource.

Aside from the content of a particular social media outlet's terms of use, there are a few general blanket restrictions on the County end that will apply to such use. The list, which is subject to modification, includes the following:

 First Amendment Concerns. The United States and California Constitutions protect the freedom of speech of citizens from undue restrictions by the government. Because the County and its departments are government actors, the ways in which they can limit speech are restricted by these constitutional protections, including the First Amendment.

To the extent that social media sites or resources permit users other than the department to generate content, such as by posting comments, the department

must be careful when deciding whether to permit such user-generated content. If a department's use of a site is only informational, such as using a site to disseminate information without permitting comments by other participants, the department may list information that would be appropriate for sharing with the public. However, if the department decides to use the site to permit user-generated content (i.e., content from outside the department) to be posted or shared, First Amendment issues can come into play.

In order to protect the department and the County, the department *must* adopt one of the following designations for its use of the social media and follow the accompanying requirements below *before* beginning its use of the social media site or resources. Any planned change to the type of use by the department must be made in consultation with County Counsel and must also be made in accordance with these categories and requirements *before* such change is made. The categories are:

<u>Information sharing only</u>: If the use of the site/resource involves only sharing of information by the department, with no posting of information by anyone other than authorized department representatives, then the use of the site or resource is considered "information sharing" and does not create any kind of public forum. This is true even if others can send messages to the department through the resource or site. So long as such messages are not posted for others to view, the use remains "information sharing" only. Creating a list of information based on input from others, such as a public list of frequently asked questions, does not turn the use into a public forum.

<u>Non-public forum</u>: If the department wishes to create a limited, non-public forum for use by a small set of individuals, such as by department employees only, it can impose restrictions on the kinds of topics it wishes to encourage input on or even can limit the types of views on the topic that are permitted. To the extent that social media/Web 2.0 resources are used for this purpose, the department should limit access to the intended users so as to avoid permitting authorized users to have comments broadcast to the general public, thus destroying the non-public nature of the forum. The level of control associated with this kind of non-public forum requires clear restrictions determined in advance regarding the limits on content and that prevent general access. As with public forums below, the restrictions on topics or even on particular viewpoints should be clear, objective, and uniformly applied.

<u>Public forum</u>: If the department opts to permit comments, feedback, or other information to be posted by anyone other than the department representative(s) for viewing by the public or other users, the department may be creating a public forum of some kind. The ability of the department to limit, alter, or remove such comments, feedback, or other information depends on the policies adopted by the department prior to allowing such content.

In no event should the department engage in discrimination based on the viewpoint of such comments, feedback, or other information. Once the forum is opened to participation by the public, the department must remain viewpoint neutral. However, there are ways in which the department can limit or control the content of such forums. Also, the department must be clear to users about the type of forum it is creating, indicate any limits on the types of content allowed in clear, unambiguous terms, and be consistent in the application of those limits on all comments, feedback, or other information. Accordingly, the department must decide which of the following types of forums it wishes to create:

Designated public forum: If the department wishes to allow substantial input from others with minimal restrictions, it can create a designated public forum. In general, a designated public forum only permits content-neutral limitations on the kind of speech, for example where speech is limited in the manner in which it is submitted. So, a department could limit the timeframe during which comments on a particular topic are permitted, or it could restrict all comments to a certain length. In order to limit the kinds of views expressed, the department would need to show that the restrictions are necessary to serve a compelling government interest and that the restriction is narrowly drawn to achieve that end. Such restrictions can be hard to draft, and accordingly a department should create a designated public forum with caution. In creating such a forum, the department is generally limiting its own ability to remove content that may be deemed divisive, upsetting, or even off-topic.

Limited public forum: If the department wishes to allow input from others that is limited to specific topics, it can create a limited public forum. In general, although a limited public forum still only permits content-neutral limitations on the kind of speech, it does allow for speech to be restricted to certain topics. For example, a department could create a forum for others to post questions regarding a particular subject matter. So long as the department is clear about the topical restrictions and is uniform in its enforcement, the department has the ability to remove comments that are off-topic. However, the department should still be aware that it will need to leave in place comments that, although perhaps off-color and non-productive, still relate to the topic. So, if the department asks for questions regarding its policies for dealing with the public, and someone posts a facetious question that suggests the department head has no interest in dealing with the public, that comment should not be removed. When in doubt about whether a comment can be removed, the department should consult with County Counsel. To help create a limited public forum, the department should avoid subjective or overly general criteria regarding the subject-matter limitations. The more limited, more objective, and more specific the criteria is, the better. Also, the department should consider whether it wants to restrict participation using objective criteria (e.g., limiting participation to employees or certain groups of constituents) or utilize administrative control over access to the forum. Both such controls can help create a secure limited public forum. Also, in a limited public forum, policies against "personal attacks" may be permissible so long as the limitation is reasonably necessary to

encourage public participation and foster discussion of the issues for which the forum was created.

For any forum created by the department, the department must post the applicable information listed below on the social media website, must consistently apply its guidelines to all comments, and must utilize objective and specific criteria for limiting comments, as outlined below.

Also, although social media sites might have their own policies restricting users in their speech (e.g., limits on use of profanity or personal attacks), the department should avoid enforcing those rules itself. In order to remain viewpoint neutral, the social media site itself should enforce such restrictions, not the department.

Public Meeting Requirements (the Brown Act): The Ralph M. Brown Act (Gov. Code, § 549501 *et seq.*) governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils, and school boards. The purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies, and the Brown Act imposes an "open meeting" requirement on local legislative bodies. The Act only applies to multi-member bodies such as councils, boards, commissions and committees, which are created for the purpose of reaching collaborative decisions through public discussion and debate. For purposes of social media/Web 2.0, departments must remain aware that the Brown Act applies to meetings of a majority of the members of such multi-member bodies, including "serial meetings," which can be held when members collect information or conduct business by communication in sequence, such as by e-mail or the Internet. The department should avoid having its use of social media/Web 2.0 create a meeting of such multi-member bodies, and when in doubt the department should contact County Counsel. More information on the Brown Act is available at
http://caag.state.ca.us/publications/2003_Main_BrownAct.pdf

Public Records Act: Information posted by the department on a social media/Web 2.0 site, including information the department permits to be posted by other users, may be subject to the Public Records Act. To the extent such social media outlets are open to the public, the public by definition already has access to those records and can access them without the assistance of the department or the County. However, the cautionary language below should be used by the department on the site/service. In addition, the department should consider whether it wants to archive information from the site for any reason.

Dissemination of Information and Spam/Text Messaging: The department should avoid sending spam by way of social media/Web 2.0 unless participants have opted-in to notifications of some kind. In addition, the department should never send unsolicited text messages to mobile telephone devices as doing so is against the law. If the department plans to collect contact information from social media participants to use to disseminate information, the department must: (1) post its policy regarding authorized uses of the distribution list; (2) require subscribers to opt-in to the list; (3) permit subscribers to remove themselves from

the list at any time by contacting a listed representative of the department; (4) not release the list of subscribers except as authorized by law; and (5) not use the list except as outlined in the department's posted policy regarding use of the list.

Intellectual Property: The department shall avoid using the intellectual property (trademarks, artwork, music, other protected symbols or copywritten materials) of other individuals or organizations unless expressly authorized by the owner to use the protected intellectual property.

Advertising: Many social media/Web 2.0 services use contextual advertising that is not within the control of the department. Accordingly, the policy statement below regarding advertising should be included in the department's policies on the site/service.

3.3. Part 2 - Summary of Anticipated Use for workplan:

In preparing its workplan, the department should include discussion of how each of the legal issues raised above will come into play, if at all, in relation to its planned use of the social media/Web 2.0 resource being considered. There is no specific format for drafting this discussion, but the department can use the **underlined topics** from Part 1, above, as an outline for addressing the legal issues. The legal summary should include a statement indicating that the department's attorney with County Counsel has reviewed the social media/Web 2.0 website's terms of use, listing the name of the attorney and any issues identified by the attorney during the review. The summary should also indicate which type of forum, if any, the department's use will create in relation to the First Amendment concerns listed above. The department can then address the other legal issues listed, and it can simply state that certain issues are not implicated if that is the case.

3.4. Part 3 - Statement of Departmental Policy:

In relation to the department's use of the specific social media/Web 2.0 resource, the department should work with County Counsel to draft a formal statement of the department's policies relating to the use of that particular resource. The statement should be posted on the site or service in an accessible location, ideally being posted on the site/service itself or, if that is not possible, via a link on the site/service to a copy of the statement, which can be posted on the department's public internet site.

That statement should include the following, filling in information in [brackets] as appropriate:

> "**Purpose:** The San Mateo County [Department name] has decided to use this site/service for the purpose of [insert purpose, being as specific as possible]. The [Department name]'s use of this site/service is being

done as deemed advisable by that department, which may decide to change or eliminate its use of this site/service."

The department should select <u>one</u> of the four following "**Limitations on Use**" sections based on the kind of forum it wishes to create, filling in the relevant information as appropriate:

The statement must also include one of the four following options:

OPTION 1: Information sharing only

"**Limitations on Use**: It is the intent of [Department name] to only share information with its use of this site/service. The purpose of the department's use of this site/service is to [insert detailed description, listing each purpose and being as specific as possible]. The use of this site/service does not permit comments to be posted directly by other users of this site/service but instead is intended for dissemination of information to interested users or subscribers. To the extent other users wish to share information or have questions, concerns, or comments about the content of this site/service, they may contact the department via [insert method]. [Department name] reserves the right to re-post questions, comments, or other information provided by users to [Department name], for example by the creation of a frequently asked questions (FAQ) list or any other method, but such use of information submitted is done at the sole discretion of [Department name] and constitutes the sharing of relevant information by [Department name] rather than by any individual who submits information."

OPTION 2: Non-public forum

"**Limitations on Use:** It is the intent of [Department name] to create a non-public forum with its use of this site/service. The purpose of the department's use of this site/service is to [insert detailed description, listing each purpose and being as specific as possible]. As part of the department's efforts to further these purposes, the comments section of this site/service is being offered to a limited group of individuals with restricted access to the information as a non-public forum intended to serve as a mechanism for communication between the group members and the department with respect to [list purposes].

"Participation by other users is limited to [describe restriction on participants, using objective criteria (e.g., limiting participation to employees or certain groups of constituents)]. And the owner of this page will also use [insert method] to impose administrative control over access to the forum. Finally, [Department name] will remove any comments, including comments on the approved topics, that [add content-based restrictions, which should be clear, objective, and uniformly applicable].

"With respect to such comments, the department reserves the right to remove inappropriate comments, including those that have obscene

language or sexual content, involve ad hominem personal attacks on another user, threaten or defame any person or organization, violate the legal ownership interest of another party, promote illegal activity, promote or solicit commercial services or products, or are not topically related to the particular posting/permitted subject matters. The department believes these restrictions to be reasonably necessary to encourage participation and foster discussion of the issues for which the forum was created by maintaining a civil discourse and permitting all relevant viewpoints on the approved topics.

"[Department name] will routinely monitor the comments posted by authorized users of this site/service, and any comments that are not in line with these restrictions will be removed. To the extent that any authorized user believes the comments of another user are not in line with these purposes and restrictions, they are welcome to notify [Department name] by [method]. [Department name] will make a determination about the appropriateness of such comments based on its application of these purposes and restrictions, and that determination is final and not subject to outside review. [Department name] intends its application of these purposes and restrictions to be consistent over time. [Department name] does not intend for this forum to become an avenue for public discourse. Please note as well that any terms of service that this site/service places on user participation still apply to comments made by any user, and this site/service may enforce its own terms of service. To the extent that any user believes a comment has been made in violation of the terms of service of this site/service, that person should contact the site/service rather than contacting [Department name], as [Department name] has no obligation to enforce the terms of service of this site/service."

OPTION 3: Designated public forum

"Limitations on Use: It is the intent of [Department name] to create a designated public forum with its use of this site/service. The purpose of the department's use of this site/service is to [insert detailed description, listing each purpose and being as specific as possible]. As part of the department's efforts to further these purposes, the comments section of this site/service is being offered as a designated public forum intended to serve as a mechanism for communication between the public and the department with respect to [list purposes]. Participation by other users is accordingly not limited to specific subject matters or topics.

"However, with respect to such comments, the department reserves the right to remove inappropriate comments, including those that have obscene language or sexual content, involve ad hominem personal attacks on another user, threaten or defame any person or organization, violate the legal ownership interest of another party, promote illegal activity, or promote or solicit commercial services or products. The department believes these restrictions to be reasonably necessary to

encourage public participation and foster discussion by maintaining a civil discourse and permitting all differing viewpoints.

"[Department name] will routinely monitor the comments posted by other users of this site/service, and any comments that are not in line with these restrictions will be removed. To the extent that any user believes the comments of another user are not in line with these purposes and restrictions, they are welcome to notify [Department name] by [method]. [Department name] will make a determination about the appropriateness of such comments based on its application of these purposes and restrictions, and that determination is final and not subject to outside review. [Department name] intends its application of these purposes and restrictions to be made in a manner that is viewpoint neutral and is consistent over time. [Department name] intends for this forum to become an open avenue for public discourse. Please note as well that any terms of service that this site/service places on user participation still apply to comments made by any user, and this site/service may enforce its own terms of service. To the extent that any user believes a comment has been made in violation of the terms of service of this site/service, that person should contact the site/service rather than contacting [Department name], as [Department name] has no obligation to enforce the terms of service of this site/service."

OPTION 4: Limited public forum

"**Limitations on Use**: It is the intent of [Department name] to create a limited public forum with its use of this site/service. The purpose of the department's use of this site/service is to [insert detailed description, listing each purpose and being as specific as possible]. As part of the department's efforts to further these purposes, the comments section of this site/service is being offered as a limited public forum intended to serve as a mechanism for communication between the public and the department with respect to [list purposes].

"With respect to such comments, the department reserves the right to remove inappropriate comments, including those that have obscene language or sexual content, involve ad hominem personal attacks on another user, threaten or defame any person or organization, violate the legal ownership interest of another party, promote illegal activity, promote or solicit commercial services or products, or are not topically related to the particular posting/permitted subject matters. The department believes these restrictions to be reasonably necessary to encourage public participation and foster discussion of the issues for which the forum was created by maintaining a civil discourse and permitting all differing viewpoints on the approved topics.

"[Department name] will routinely monitor the comments posted by other users of this site/service, and any comments that are not in line with these restrictions will be removed. To the extent that any user believes the comments of another user are not in line with these purposes and

restrictions, they are welcome to notify [Department name] by [method]. [Department name] will make a determination about the appropriateness of such comments based on its application of these purposes and restrictions, and that determination is final and not subject to outside review. [Department name] intends its application of these purposes and restrictions to be made in a manner that is viewpoint neutral and is consistent over time. [Department name] does not intend for this forum to become a fully-open avenue for public discourse but rather is using this site/service for discussion of a limited nature. Please note as well that any terms of service that this site/service places on user participation still apply to comments made by any user, and this site/service may enforce its own terms of service. To the extent that any user believes a comment has been made in violation of the terms of service of this site/service, that person should contact the site/service rather than contacting [Department name], as [Department name] has no obligation to enforce the terms of service of this site/service."

Finally, the statement should include the following:

"**Statement Regarding Terms of Use and Privacy**: Use of this site/service is subject to the terms of use of the site/service, including the privacy policies of the site/service, which can be found here: [insert link to terms of use]. Anyone posting comments or submitting information to [Department Name] on this site/service should keep this in mind. In addition, the poster of comments or information to this site/service agrees that his or her comments may be treated by the County of San Mateo as a public record subject to disclosure pursuant to Cal. Gov't Code Section 6250 *et seq.*, regardless of whether such comments actually constitute a public record. Posters are urged to protect their privacy and should consider refraining from posting personally identifying information, including but not limited to: last name, address, age, and phone number. To the extent this site/service is open to the public, the public has access to its content and can access that content without the assistance of the department or the County of San Mateo."

"**Responsibility for Content**: Except for information disseminated by the owner/manager of this [blog, fan page, etc.], any information posted or submitted by others expresses the views of the person submitting such information and not necessarily the views of the County or the department, and neither the County nor the department is responsible for the opinions and information shared by others."

"**Disclaimer of Notice**: Communications made through this site/service shall in no way be deemed to constitute legal notice to the County of San Mateo or any of its agencies, officers, employees, agents, or representatives with respect to any existing or potential claim or cause of action against the County or any of its agencies, officers, employees, agents, or representatives where notice to the County is required by any federal, state or local law, rule or regulation."

"**<u>Advertising</u>:** Users of this site/service should understand that contextual advertising as appears on this site/service is byproduct of use of the site/service. [Department name] does not control the site or service's placement or use of such advertising, and in no way does the use by [Department name] of this site or service constitute any endorsement or support of any such advertisements. Reference in such advertisements or in any user-generated content herein to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise does not constitute or imply endorsement, recommendation, or favoring by the County of San Mateo and shall not be used for advertising or product endorsement purposes."

"**<u>Contact Person</u>**: You may contact [Department name] via [insert preferred method, whether through the message option of the site/service or other option, listing a name or position title as appropriate]. In addition, [Department name] may be contacted by telephone at [add main department number]."

In addition, if the department plans to collect contact information by way of the site/service allowing users to opt-in to announcements, it must draft and include in the Statement of Department Policy a section titled "**<u>Dissemination of Information</u>**", as follows. If the Department needs assistance, it should contact County Counsel for help drafting this section. The section should read as follows: "**<u>Dissemination of Information</u>**: [Department name] will allow users/subscribers to opt-in to receiving information or notifications in relation to the department's use of this site. The Department will only use the list for dissemination of the following kinds of information for the following purposes: [insert description of information to be disseminated and purposes of distribution]. Users/subscribers that are interested in receiving information or announcements on a periodic basis must opt-in to receiving such information, and subscribers are permitted to remove themselves from the announcement list at any time by contacting the listed representative of the department. The department will not release the list of subscribers except as authorized by law, and the department will not use the list except as outlined in the department's posted policy regarding use of the list."

4. Social Media Policy for Employees

4.1. Introduction

This policy addresses three distinct uses of social media, including:

- **Required Work Related Use of Social Media:** Use of social media that is sanctioned as part of employee's job function (e.g. when an employee tweets on behalf of the Director of the department on the Director's Twitter account).

- **Personal Use of Social Media at Work:** An employee's personal use of social media while at work (e.g. logging onto Facebook and providing personal updates to a Facebook page, which is outside of the employee's official job function, while at work, during work hours).

- **Personal Use of Social Media Outside of Work:** An employee's use of social media in his or her personal capacity outside of work time.

For definitions of social media services and tools and their uses, see Appendix D:The Social Media Landscape and Glossary of Terms.

4.2. Required Work Related Use of Social Media Guidelines for Employees

1. **You are Personally Responsible for What You Publish.** You are personally responsible for the content you publish on your department social media site. Be mindful that what you publish will be public for a long time.

2. **Stick to Your Area of Expertise.** For example, if Planning receives a question about Public Works on their network, it is not appropriate for Planning to answer the question since it's not the department's area of expertise. Instead the moderator should direct the question to the appropriate department. However, if you respond to a problem, you own it. Once you become the point of contact for a customer or employee complaint, stay with it until it is resolved.

3. **Considerations When Speaking on Behalf of Your Department.** Identify yourself—name and, when relevant, role at your department—when you discuss department or department-related matters on your department social media website or in connection with the department's social media identity. Write in the first person. It is important to make clear when you are speaking for yourself, and when you are speaking on behalf of the department. Only speak on behalf of the department when your commentary is based on your department's explicit written standards, policies, and practices, or you have received prior permission from your supervisor to address a particular topic in a particular way

4. **Understand Users' First Amendment Rights.** Although departments can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, we cannot use the moderation function to restrict speech with which the department merely disagrees. Users have some First Amendment rights in posting content to public social media sites hosted by San Mateo County. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, such as those identified in the department's moderation policy.

5. **Do Not Comment on Social Media Sites about Department Business Outside the Department's Social Media Sites or Identities.** Do not publish content to any website outside of your department's website that has to do with your department or department-related matters, unless you have been authorized to do so by your department head.

6. **Respect Copyright Law.** Social media participants must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote more than a short excerpt of someone else's work and, if possible, provide a link to the original.

7. **Protect Confidential Information.** Don't provide your department's confidential information. Never post legally protected personal information that you have obtained from your department (e.g., information that is not public record). Ask permission to publish or report on conversations that occur within your department. Never post information about policies or plans that have not been finalized by your department, unless you have received explicit permission from

your supervisor to post draft policies or plans on the department social media site for public comment.

8. **Consider Your Content.** As informal as social media sites are meant to be, if they're on a government domain or a government identity, they're official government communications. Social media sites will be sought out by mainstream media – so a great deal of thought needs to go into how you will use the social media in a way that benefits both the department and the public.

9. **Don't Feed the Rumor Mill.** Do not deny or affirm them—or suggest either denial or affirmation in subtle ways. You may choose to fix the facts or let the comment stand.

10. **Handling Negative Comments.** Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public you should expect that some of the feedback you receive will be negative Some effective ways to respond to negative comments include:

    a. Providing accurate information in the spirit of being helpful

    b. Respectfully disagreeing

    c. Acknowledging that it is possible to hold different points of view

11. **Provide Links.** When you make a reference to a law, regulation, policy, or other website, where possible provide a link or at a minimum, the citation.

12. **Respect Your Audience and Your Coworkers.** Don't use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your department's workplace. Remember that San Mateo County's residents reflect a diverse set of customs, values and points of view. Don't be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. Do not use your department's social media presence to communicate among fellow County employees. Do not air your differences with your fellow County employees on your department's social media's presence. Show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory—such as race, ethnic origin, and religion.

13. **Be Transparent, Admit to Your Mistakes, and Differ Respectfully.** Don't pick fights, be the first to correct your own mistakes, and don't alter previous posts without indicating that you have done so. When you see misrepresentations made about your department by media or by other users, you may use the department's social media site or identity to point that out. However, you must do so with respect, and stick to the facts.

14. **Use the Social Media Site or Identity Only to Contribute to Your Department's Mission.** When you contribute to your department's social media site or identity, provide worthwhile information and perspective that contributes to your department's mission of serving the public. What you publish will reflect on your department and the Administration. Social media sites and identities should be used in a way that contributes to the department's mission by:

a. Helping you and your co-workers perform their jobs better;

b. Informing citizens about government services and how to access them;

c. Making the operations of your department transparent and accessible to the public;

d. Creating a forum for the receipt of candid comments from residents about how government can be improved; and

e. Encouraging civic engagement.

15. **Respond to Your Own Mistakes.** If you make an error, own up to it and correct it quickly.

San Mateo County policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:

a. Strike through the error and correct.

b. Create a new post with the correct information, and link to it from the post you need to correct or clarify.

Either method is acceptable. The goal is that for the social media identity or site to achieve transparency, we cannot change content that has already been published without making the changes clearly evident to users.

16. **Use Your Best Judgment.** If you're about to publish something that makes you even the slightest bit uncomfortable, review the suggestions above and think about why that is. If you're still unsure, discuss it with your manager.

17. **Respect Your Time.** Make sure that your online activities, even if they are sanctioned or required by your department, do not interfere with other parts of your job. Employee social media users are responsible for keeping their managers informed about any impediments that arise which could disrupt the agreed on publishing schedule.

18. **Handling Media Inquiries.** A department's social media identity or site may lead to increased inquiries from the media. If you are contacted directly by a reporter, you should refer media questions to your department's designated media contact or the County Communications Manager.

4.3. Personal use of social media at work

San Mateo County employees are prohibited from using County computers to access social media sites for personal use.

4.4. Personal Use of Social Media Outside of Work

4.4.1. Overview

These Social Media guidelines for San Mateo County employees have been created to address some of the choices that individual employees, contractors, consultants, temporary staff and other workers at the County may face online. These guidelines are not intended to address every situation encountered through use of a social media.

4.4.2. Background

Whether or not a San Mateo County employee chooses to create or participate in a blog, wiki, online social network or any other form of online publishing or discussion outside the workplace is his or her own decision. However, emerging online collaboration platforms are fundamentally changing the way County employees work and engage with each other, clients and partners. The old social norms and standards still apply, but the openess of social media creates situations that call for new rules of etiquette.

4.4.3. San Mateo County Guidelines for Employees Engaging in Social Media Outside of Work

1. **Employee's personal use must not be attributable to the department or employee's job function at department.** While an employee's use and comments made at social media sites are subject to First Amendment protections, as well as permissible restrictions, any personal use made of social media sites outside of work must not be attributable to the department or the employee's job function at the agency. For example:

    a. Do not use your work e-mail address to register for social media and other sites unless the purpose is directly related to your job.

    b. Do not display the San Mateo County seal or other official County logos, emblems or patches on personal social networking accounts.

    c. Don't provide the County's or another's confidential or other proprietary information.

    d. Do not state or imply that you speak for the County, for a county department, or for County officials.

2. **Protect your privacy.** Employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated media. San Mateo County is not responsible for the personal content of your social media sites. Be mindful that what you publish may be public for a long time. Be aware of your association with San Mateo County in online social networks. If you identify yourself as a San Mateo County employee, ensure your profile and related content is consistent with how you wish to present yourself with colleagues and clients.

3. **Use a disclaimer.** Whether you publish to a blog or some other form of social media, make it clear that what you say there is representative of your views and opinions and not necessarily the views and opinions of San Mateo County. Unless you are specifically authorized by your manager or supervisor to speak on behalf of the County, consider including the following disclaimer on personal blogs or social media in which you identify yourself as a County employee: "The postings on this site are my own and don't necessarily represent San Mateo County's positions, strategies or opinions."

Appendix A: Current County Policies Related to Social Media

1. Internet usage policy
   http://intranet.co.sanmateo.ca.us/Attachments/Intranet/Policies/internet_usage_policy.pdf
   (Rev. August 12, 2008)

2. E-mail policy
   http://intranet/Intranet/IntranetHome/Policies%20and%20Standards/email.htm
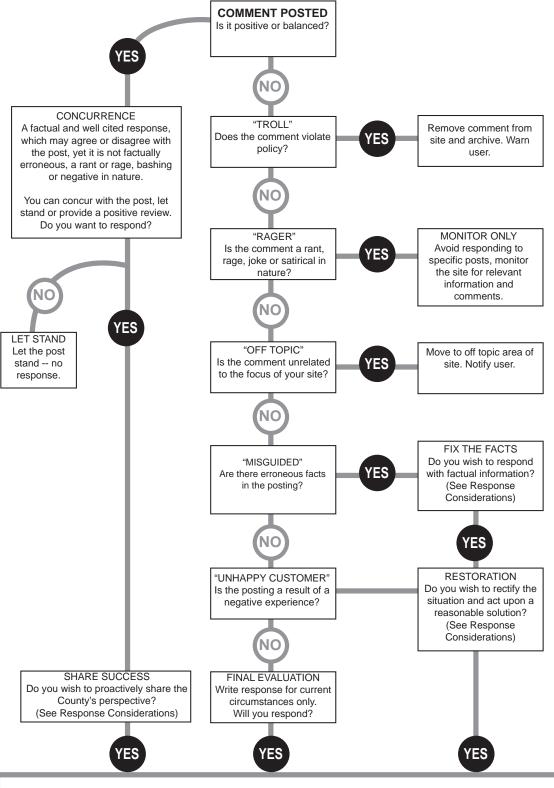   (Rev. March 26, 2007)

3. Political Activities
   http://intranet.co.sanmateo.ca.us/Intranet/IntranetHome/Policies%20and%20Standards/signdoc1_political_activities.htm (Rev. September 17, 1996)

4. Portable Computing Policy
   http://intranet.co.sanmateo.ca.us/Intranet/IntranetHome/Policies%20and%20Standards/portable_computing.htm(Created April 28, 2003)

5. Password Policy Guidelines
   http://intranet/Attachments/Intranet/Policies/pwd_policy_guidelines.pdf

Should I Respond Online to Comments Posted on a San Mateo County Social Media Site?

COMMENT POSTED
Is it positive or balanced?

YES →

NO ↓

CONCURRENCE
A factual and well cited response, which may agree or disagree with the post, yet it is not factually erroneous, a rant or rage, bashing or negative in nature.

You can concur with the post, let stand or provide a positive review. Do you want to respond?

"TROLL"
Does the comment violate policy?

YES → Remove comment from site and archive. Warn user.

NO ↓

"RAGER"
Is the comment a rant, rage, joke or satirical in nature?

YES → **MONITOR ONLY**
Avoid responding to specific posts, monitor the site for relevant information and comments.

NO ↓

NO

LET STAND
Let the post stand -- no response.

YES

"OFF TOPIC"
Is the comment unrelated to the focus of your site?

YES → Move to off topic area of site. Notify user.

NO ↓

"MISGUIDED"
Are there erroneous facts in the posting?

YES → **FIX THE FACTS**
Do you wish to respond with factual information? (See Response Considerations)

NO ↓

YES

"UNHAPPY CUSTOMER"
Is the posting a result of a negative experience?

RESTORATION
Do you wish to rectify the situation and act upon a reasonable solution? (See Response Considerations)

NO ↓

SHARE SUCCESS
Do you wish to proactively share the County's perspective? (See Response Considerations)

FINAL EVALUATION
Write response for current circumstances only. Will you respond?

YES   **YES**   **YES**

RESPONSE CONSIDERATIONS

TRANSPARENCY - Disclose your County connection.

CITE YOUR SOURCES - When you make a reference to a law, regulation, policy, or other website, where possible provide a link or at a minimum, the cite.

RESPECT YOUR TIME - Do not spend more time than the response is worth.

USE A PROFESSIONAL TONE - Respond in a tone that reflects positively on San Mateo County.

Appendix C: County Social Media Sites

Twitter Feeds

1. Elections (CARE) http://twitter.com/smcvote
2. Health: Environmental Health https://twitter.com/flowstobay
3. Sheriff's Jail Planning http://twitter.com/jailplanning
4. San Mateo Hep B Free http://twitter.com/smhepbfree

YouTube Channels

1. Elections (CARE) http://www.youtube.com/democracylive
2. Health: Get Healthy San Mateo http://www.youtube.com/user/gethealthysanmateo
3. San Mateo County Fair http://www.youtube.com/user/SanMateoCountyFair

Facebook Pages

1. Elections (CARE) http://www.facebook.com/pages/San-Mateo-CA/democracyLIVE/10069601721?ref=s
2. San Mateo County Census http://www.facebook.com/pages/San-Mateo-County-Census-2010/153983470578
3. San Mateo County Housing Department http://www.facebook.com/pages/County-of-San-Mateo-Department-of-Housing/154349057692?v=info
4. San Mateo County Human Resources http://www.facebook.com/SanMateoCountyHR
5. Sheriff's Jail Planning http://www.facebook.com/album.php?aid=2334&id=100000417318299&l=ea806dbfcc
6. San Mateo Hep B Free http://www.facebook.com/pages/San-Mateo-Hep-B-Free/324687086254

Vimeo

1. PenTV http://www.vimeo.com/peninsulatv

Flikr

1. Library http://www.flickr.com/photos/smcl/

Blogs

1. Elections (CARE) http://insideelections.shapethefuture.org/
2. Elections (CARE) http://www.warrenslocum.blogspot.com/
3. Health: YSPACE SMC youth blog http://www.yspacesmc.org/Blog/
4. Human Services: Fatherhood Collaborative http://fatherhoodcollaborative.blogspot.com/
5. County Manager's Office http://smcnews.wordpress.com/

Wikis

1. San Mateo County Style Guide http://smcmediaguide.pbworks.com/
2. San Mateo County Web 2.0 Policy http://smcweb2policy.pbworks.com

Appendix D: The Social Media Landscape & Glossary of Terms
Here's a guide to help you understand social media services and tools.

Technology	Simple Definition	Examples	Opportunity/Potential in Government
Blogs	Journal or diary with social collaboration (comments)	Blogger, Wordpress Human Services Agency: Fatherhood Collaborative http://fatherhoodcollaborative.blogspot.com/ County Manager's Office http://smcnews.wordpress.com/	Government information to new audiences. Puts human face on government using informal tone. Opens public conversations. Surface issues & solve them.
Microblogging	Form of blogging which allows brief (140 characters) text updates.	Twitter, Tumblr., Jaiku, Cromple Health: Environmental Health https://twitter.com/flowstobay Sheriff's Jail Planning http://twitter.com/jailplanning	Broadcast messages: emergencies, news, announcements, real time reporting, recruiting. The media follows Twitter feeds of newsmakers.
Wikis	Collaborative authoring & editing	Wikipedia, PB Works, Wikispaces San Mateo County Style Guide http://smcmediaguide.pbworks.com/	Workgroup or public collaboration for project management, knowledge sharing, public input. Contributions to 3rd party sites e.g. Wikipedia.
Video, Image & Multimedia Sharing	Video & image libraries – community members can share & comment on media	YouTube, Vimeo, Flickr, Picasa, Slideshare, Scribd PenTV http://www.vimeo.com/peninsulatv Library http://www.flickr.com/photos/smcl/	Public outreach, education, training, other communication for "connected" and on-line audiences. How To videos & audios to improve service and achieve mission. Save costs through use of photos posted by public.
Podcasting	Multimedia content syndicated out for use on iPod TM, Mp3 players & computers.	Podcast Alley, iTunes, Podcast Pickle	More ways to get message out. Build trust with conversational voice. Use for updates, live government deliberations, emergencies, how-to messages

Virtual Worlds	Simulations of environments & people. Users take the form of avatars.	Webkinz, Whyville, Second Life, FarmVille	Public outreach and other communication for kids and niche Internet audiences. Virtual Town halls, education, training.
Social Networking Sites	Users can add friends, send messages & build their own profile.	Facebook, MySpace, Meetup, Ning San Mateo County Human Resources http://www.facebook.com/SanMateoCountyHR	Build/join communities. Potential viral of spread messages & content friend to friend. Recruitment. Event announcements.
Social Networking Sites (Business Professionals)	Users can find others in similar professions, send messages & build their own profile.	LinkedIn, Plaxo, GovLoop	Recruitment. Encouraging employees to maintain complete profiles may strengthen an organization's reputation.
Social Bookmark & News (Sharing, Tagging) Sites	Users can share, discover and vote on content	Digg, Reddit, StumbleUpon, Del.icio.us, Yahoo!	Increase the popularity and use of government pages, information, and services. Viral marketing.
Crowdsourcing	Problems are broadcast to an unknown group of solvers in the form of an open call for solutions. Users can vote and comment on proposed solutions.	IdeaScale, ChallengePost SMC Budget Ideas http://smcbudget.ideascale.com	Motivate, inspire and guide the public to solve challenges. Gain better solutions. Tap the wisdom of crowds.

Glossary of Terms

Blog: a website with regular entries of commentary, descriptions of events, or other material such as graphics or video, displayed in reverse-chronological order (most recent first). Readers are typically free to comment on the content of the blog, known as posts, and often subscribe to blogs via an RSS feed (see below).

Crowd-sourcing: taking the tasks commonly conducted by a certain group (government, business etc) and outsourcing them to a group of people or community through an open call for contributions. Web 2.0 communications technologies can be used to leverage the efforts and ideas of large masses of potential collaborators.

Data mashup: the combination of data from two or more previously unconnected data sources to provide new context and meaning to the information. An example of data mashing would be combining crime statistics with maps to visually depict incidences of crime across geographical areas.

Facebook: a global social networking website in which users create profiles and exchange text, images and links with friends, family and community members. Users can join networks based on location, workplace or school and can join groups based on their particular areas of interest, coordinate events and maintain a personal profile.

Flickr: an image and video hosting website and online community. The site allows for posting of images and video, as well as user comment on that content. The site is used by many bloggers and Twitter users to store images which are then embedded or linked to in their posts.

RSS: a method of publication of frequently updated online content, such as blog entries or news headlines. An RSS feed typically includes full or summarized text as well as metadata such as publishing dates and authorship. RSS feeds are read using aggregators, such as Google Reader and browser-inbuilt RSS readers.

Twitter: a free social networking and micro-communications site that facilitates the online publication of text messages up to 140 characters in length. Updates, known as tweets, are delivered to a user's followers in real time.

YouTube: a video sharing website where users can upload, view and comment on videos free of charge. Governments can create their own channels.

Wiki: a website that is freely contributed to, altered and edited by a number of users. Wikipedia is an example of a large-scale application of the Wiki principle.

Viral: something is virally spread on the internet or goes viral, if it is spread widely across online media sources through posting and reposting by ordinary people, as opposed to a direct and continued effort by the information source. Many private corporations use this online form of word-of-mouth to advertise their products through viral marketing.