
SUBJECT: SOCIAL MEDIA USE POLICY

I. PURPOSE

To provide uniform guidelines by which information regarding Douglas County activities, issues, initiatives, warnings, and general information will be disseminated using social media platforms. This includes: assessing and managing comments and replies, managing social media as a public record, and providing guidance on the use of linking to Douglas County’s public websites. For constitutional purposes, Douglas County’s websites and social media platforms are considered government speech¹.

II. GENERAL POLICY

- A. All Douglas County social media sites maintained by Department Directors, Elected Officials, or their designees will be subject to approval by the County Manager, Community Relations Manager, or the applicable Elected Official.
- i. The following will remain Douglas County’s official social media platforms:
 - Facebook
 - Twitter
 - YouTube
 - Instagram
 - Nextdoor
 - ii. Douglas County shall use social media platforms as a method to disseminate public information and as a promotional tool to increase Douglas County’s ability to broadcast its messages to a broad audience.
 - iii. Content posted to Douglas County’s social media platforms will also be available on at least one of Douglas County’s official websites.
 - iv. Wherever possible, content posted to Douglas County’s social media platforms should contain links directing users back to one of Douglas County’s official websites for official information, forms, documents, or online services necessary to conduct business with Douglas County.
 - v. Douglas County supports open dialogue and the exchange of ideas; however, Douglas County’s social media platforms are and will be treated as a non-public forum for First Amendment purposes.
 - vi. Given the immediate nature of social media, Douglas County will take a controlled, strategic, respectful, and thoughtful approach to the use of social media platforms to ensure information is current and appropriate and responses to posts, constituent requests, and questions are accurate and timely.

¹.” *Pleasant Grove City v. Summum*, 555 U.S. 460, 467, 129 S.Ct. 1125, 172 L.Ed.2d 853 (2009); see *Johanns v. Livestock Marketing Assn.*, 544 U.S. 550, 553, 125 S.Ct. 2055, 161 L.Ed.2d 896 (2005).

- vii. Social media platforms are utilized to:
 - Tell people-centric stories that personalize County service, build community, and support the County’s mission, vision, values, and strategic goals.
 - Generate buzz and excitement about County programs and objectives.
 - Engage, and provide relevant, timely, accurate, and actionable information while promoting core services and key events.
 - Administrators should listen to conversations about government services/programs and participate as appropriate.
 - Provide relevant, timely, and accurate information in an expedient manner with consideration of various accessibility methods, such as those who use mobile devices.
 - viii. Departments should establish practical performance measures that tie to an outcome outside of social media when appropriate.
- B. Department Directors, Elected Officials, or their designees, in accordance with this policy, will be responsible for the content and upkeep of any social media platforms their departments maintain. The Douglas County Manager’s Office is responsible for the dissemination of emergency management social media messages and warnings. Content related to crisis or emergency communications must conform to the policies and procedures contained within the approved emergency operations plans. Public safety messages, warnings, and emergency alerts will be published on Douglas County’s official pages to ensure content is being recorded.
- C. All Douglas County social media platforms shall comply with all appropriate Douglas County policies, procedures, as well as Douglas County Code. Additionally, social media platform content shall also be in compliance with state and federal laws and regulations.
- D. Douglas County’s social media platforms must remain public in nature.
- E. Douglas County employees may have their own personal social networking sites; however, these sites must remain personal in nature and be used to share personal opinions or non-work-related information. Employees cannot use their County e-mails or passwords in conjunction with a personal social networking site. For specific guidance, refer to policy 100.36 Social Media Use by Employees.
- F. Department Directors and Elected Officials shall appoint two employees to act as “Administrators” over their social media created by their departments, in addition to the Public Information Officer. Administrators, whose duties are further described in Section IX, are able to post, publish, and manage public comments, questions, and requests. Administrators can also appoint employees to be editors who can monitor posts or edit current posts made by the administrators.
- G. The District Attorney’s office, upon request, is responsible for reviewing the legal terms and conditions required for creating a social media platform account and for determining what information is confidential, privileged, or otherwise exempt from public disclosure.

III. PUBLIC RECORDS/RETENTION

- A. Douglas County's social media platforms are subject to State of Nevada public records laws.
- i. Any content maintained in a social media format that is related to Douglas County business, including a list of subscribers and posted communication, is a public record.
 - ii. The Department's administrators maintaining the site are responsible for responding completely and accurately to any public records request for public records on social media and must direct the public request to the relevant departmental public records officer.
 - iii. Content related to Douglas County business shall be maintained in an accessible format and so that it can be produced in response to a request.
 - iv. Wherever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public records statutory requirements.
- B. State of Nevada records retention schedules apply to social media formats and social media content. Direct messages sent to social media accounts will be treated as general correspondence and kept in accordance with the retention schedules provided by the Nevada State Library and Archives.

IV. SELECTION OF SOCIAL MEDIA PLATFORMS ON BEHALF OF DOUGLAS COUNTY

- A. The account must be accessible to anyone above the age of 18 and available free of charge to users. No site that limits or prohibits access to services shall be used by Douglas County.
- B. Accounts set up for the purpose of communicating with the public on behalf of the County must be approved and created by the Douglas County Department Director, Elected Official, or Public Information Officer and identified as an official department of Douglas County, Nevada, and use either the County logo or County-approved department branding.

V. CONTENT/USE BY OTHERS

- A. Information posted or pages created on social media platforms on behalf of Douglas County must:
- i. Directly pertain to Douglas County, its departments or services;
 - ii. Contain public information, which is not considered confidential under county, state, or federal law or policy;
 - iii. Not contain any personal information;
 - iv. Publish images or photographs of a public place, person in a public place, or public event. Participants may be published or posted as long as the photograph or image is associated with Douglas County news, public event, service, activity, program, or other legitimate public interest or concern, without the express written permission of the person being photographed. The following is prohibited to post or publish on social media platforms if:

- the image or photograph would be highly offensive to a reasonable person; or
 - the image or photograph would intrude on a reasonable person's expectation of privacy (i.e., patient room, restroom, locker room) or any other place traditionally associated with a legitimate expectation of privacy; or
 - the photograph or image is published solely for commercial or political purposes; or
 - the photograph or image depicts the person in a false light.
- v. Not be commercial or political in nature.
- B. Elected Officials, Department Directors, or their designees shall not disclose information determined to be confidential or privileged Douglas County business on any Douglas County social media platform.
- C. Users and visitors to social media platforms shall be notified that the intended purpose of the site is to serve as a mechanism for communication between Douglas County and members of the public. Douglas County's social media articles and comments containing any of the following shall be prohibited:
- i. Comments not topically related to the administrator's posting;
 - ii. Comments in support of or opposition to political campaigns or ballot measures;
 - iii. Profane language or obscene content;
 - iv. Hate speech;
 - v. Defamation to a person or people;
 - vi. Comments or information which promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation, or any other protected class status designated by local, state, or federal law;
 - vii. Sexual content or links to sexual content;
 - viii. Conduct or encouragement of activities which are illegal or may appear to be illegal;
 - ix. Information that may tend to compromise the safety or security of the public, public facilities, Douglas County systems, or Douglas County employees;
 - x. Copyrighted materials, trade secrets, proprietary information, or any other highly-sensitive confidential information, or information which violates a legal ownership interest of any other party;
 - xi. Solicitation of others for commercial ventures, religious, social, or political causes;
 - xii. Comments or information which is or could be controlled or prohibited by Douglas County in a non-public forum;
 - xiii. Information about items in litigation or claims that could be brought against the County;
 - xiv. Personal, protected, sensitive or confidential information of any kind;

- xv. Medical information that violates a person's Health Insurance Portability and Accountability Act (HIPAA) protections or in violation of the Americans with Disabilities Act (ADA); or
 - xvi. Comments or information which would otherwise violate state, federal, local laws, or violate Douglas County codes or policies.
- D. These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date, and identity of the poster when available.
- E. Douglas County reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
- F. Douglas County reserves the right to temporarily or permanently suspend access to social media platforms at any time.

VI. DUTIES

- A. Department Directors, Elected Officials, or their designees shall appoint designated administrators, as set forth in Section IV (F) for their social media.
- B. Designated administrators shall:
- i. Post information on social media platforms;
 - ii. Oversee and manage social media platforms, including authorization and approval of posts;
 - iii. Evaluate, accept, and/or deny requests for usage (friends, followers, etc.);
 - iv. Authorize editors to use social media and confirm each employees receipt, understanding, and duties pursuant to this policy; maintain a list of social media domains, active account logins, and passwords;
 - v. Change passwords if necessary in order to maintain control;
 - vi. Consult with Public Information Officer to ensure social media content is archived; and
 - vii. Coordinate with the Public Information Officer, as appropriate, regarding questions, posts, responses, and removal of information.
- C. Public Information Officer shall:
- i. Maintain a list of social media platform tools, which are approved for use by Douglas County departments;
 - ii. Maintain a list of all Douglas County social media sites, including log-in and password information. Departmental personnel will inform the Public Information Officer of any new social media sites or administrative changes to existing sites; and
 - iii. Have the ability to immediately edit or remove content from Douglas County social media in compliance with this policy.
- D. Designated administrators shall at all times ensure that all statements are official and made on behalf of Douglas County. Discretion should be used before posting or commenting. Once comments are made on some social media, they cannot be deleted.
- E. The designated administrator shall at all times use his or her best judgment in deciding whether or not to respond to a post. The designated administrator shall avoid engaging any person posting in an argumentative or offensive manner.

- F. Posts or comments requiring a response should be answered within 16 work hours (two work days). Whenever possible, responses should be made on the same day. If additional information is needed for a full response, a full response should occur within five work days.
- G. The designated administrators must, not less than once each work day, check the social media site for new activity or violations of this or any other Douglas County policy or applicable law.
- H. Designated administrators should immediately hide, but not delete any comment, which violates any local, state, or federal law regarding discrimination, harassment, or violence and reject posts from users that contain content that is obscene, threatening, harassing, maliciously defamatory, copyrighted, or commercial.
- I. Third-party advertising should be removed or disabled on official Douglas County social media platforms. If this is not possible, a statement should be added to the effect that the County did not authorize or endorse any advertisement on the site.
- J. Comments shall not be deleted or removed based upon the views expressed. Comments will not be edited and shall be hidden for reasons described in H above.
- K. Hyperlinks may be prohibited in their entirety, or they may be deleted or removed where the linked site includes material, which would otherwise violate this policy. Douglas County shall not re-post entries (e.g., “re-tweet”) coming from persons who have filed as candidates for public office for the duration of their election campaigns. Douglas County shall not re-post entries of those with objectionable profile pictures and others whose activities reflect poorly on the County. The County encourages the reposting of content about County activities, services and programs, and content that aligns with the County's mission and goals (e.g., nonprofit entities).

VII. TERMS OF SERVICE

- A. Designated Administrators, Department Directors, Elected Officials, Appointed Officials and their designees must familiarize themselves with the terms of service of each social media platform.
- B. Each social media platform has its own unique terms of service that regulate how users interact using that particular form of media.

VIII. REQUEST FOR USE OF SOCIAL MEDIA

- A. Departments wishing to create and manage department-specific social media platforms should fill out a Social Media Request Form and include login documentation, so designated administrators and the Public Information Officer can access, monitor, and edit all Douglas County accounts.
- B. Requests should be accompanied by an explanation of:
 - i. The purpose of the social media site or service;
 - ii. The primary audience served;
 - iii. The reason internal or existing resources will not meet these needs; and
 - iv. A date range for the project (when it will launch, how long will it be in effect).

- C. Any request to use social media platforms must be approved by the Public Information Officer, County Manager, or Elected Official.

IX. DEFINITIONS

- A. Social Media: Any website or electronic medium that allows for communication accessible to anyone via the internet. Examples of social media include, but are not limited to: Twitter, Facebook, YouTube, Next Door, Flickr, LinkedIn, Wikipedia, Digg, Reddit, Delicious, StumbleUpon, and Snapchat.
- B. Administrator: An employee designated by the County Manager, Department Head, or Elected Official, who establishes, manages page roles and settings, creates and maintains content, and responds to messages for owned social media page.
- C. Editor: An employee appointed by the administrator who creates and maintains content, posts and responds to messages.
- D. Post: An entry in a forum, social media site, or blog by an author or contributor.
- E. User: A duly registered participant in a social media website.

- X. RESPONSIBILITY FOR REVIEW:** The Internal Review Committee shall review this policy as needed or at least once every 3 years.