



ADMINISTRATIVE PRACTICES MANUAL

SUBJECT: SOCIAL MEDIA

1. General Policy Statements

"Social Media" is broad term that encompasses a continually expanding ecosystem of platforms. While the platforms are quite similar, they are unique in terms of how data is stored and the nature of the communications.

It is impossible to create a comprehensive policy that addresses all possible issues on all available platforms given that the law on this topic is still developing. It is also not possible to provide unequivocal black and white rules where the standard often is "reasonableness."

The following policy attempts to describe practices that Dane County Department of Administration prohibits, as well as provides a list best practices for practices that do not have black and white rules, yet. For example, this policy provides guidance regarding the use of social media on behalf of the County, as well as guidance regarding employees' personal use of social media when that personal communication relates to Dane County government.

Dane County also recognizes that many Dane County employees may engage in some form of social media while off work and on Dane County equipment while on breaks. Employees' online activities during work time are covered by the Administrative Practices Manual policy entitled, **Proper Use of Computer Equipment, Software, and Connectivity**. That policy explains that Dane County respects employees' right to communicate on personal time and using personal equipment via email, text messaging, personal websites, blogs, chat rooms and other digital communication so long as employees refrain from (a) purporting to be officially representing Dane County; (b) disclosing confidential information gained as a consequence of employment with Dane County and (c) otherwise violating the Employee Handbook and/or Civil Service Rules.

2. Guidelines for Dane County employees' personal use of social media

- 2.1 Employees may not make social media posts on behalf of the Dane County unless specifically authorized. If you identify yourself as a Dane County employee, then you must make it clear that what you post is representative of your personal views and opinions and not necessarily the views and opinions of the Dane County. Dane County employees should not use their official County e-mail address in conjunction with a personal social media site, nor may they use the Dane County seal or Department logos.
- 2.2 Dane County Civil Service Rules require employees to use good judgment and to show respect for co-workers and the people we serve. If you're about to publish something that makes you uncomfortable and it is related to Dane County's business, please discuss the post with your manager. For example, while it is fine for co-workers to disagree, employees should not use their personal social media sites or accounts to air differences in an inappropriate or unprofessional manner. Dane County will investigate complaints regarding the use of social media on a case-by-case basis.



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- 2.3 Certain Dane County employees (such as department heads, managers/supervisors, and staff who provide information to the public) have a higher obligation regarding the use of good judgment and showing respect for the people whom Dane County serves. Due to their positions, these employees should not only assume that Dane County staff and members of the general public may read what they post on social media, they should be careful not to publish personal thoughts in way that implies they are expressing official Dane County positions. Again, Dane County will investigate complaints regarding the use of social media on a case-by-case basis, even when the complaints pertain to department heads, managers/supervisors, and staff who provide information to the public.
- 2.4 Social media blurs many of the traditional boundaries between internal and external communications. Dane County employees should be careful not to disclose Dane County confidential or proprietary information on social media (or elsewhere).
- 2.4.1 Per the **Communication** policy, employees in covered components are discouraged from communicating with clients/patients through any social media platform or instant messaging forum (Facebook, Instagram, Snapchat, TikTok, WhatsApp, Twitter, Wink, etc.).
- 2.4.2 If a workforce member receives any protected health information (PHI) or personally identifiable information (PII) of others via any social media platform, they should transfer a copy of the message or photos into the client/patient file, and delete the message from their device. Workforce members should also notify the client/patient that further transmission of any PHI should be done utilizing one of the other methods of communication.

3. Guidelines for Department heads regarding the administration of social media

Each Department head is responsible for authorization and administration of Departmental social media sites. Given that social media can provide a lot of information across multiple outlets to broad audiences, if a Department head decides that social media is an appropriate way to communicate; then the Department head may implement a more Department-specific policy and procedure. The following is a list of minimum requirements:

- 3.1 Official County accounts should be "Verified Accounts." In general, social media platforms have a no-cost process by which government representatives can submit certain information to the provider to verify a user's identity. Verified accounts are desirable because it gives some assurance to the public that the information on the social media account that they are viewing/following actually comes from the government official that they believe they are interacting with.
- 3.2 Given that all social media sites can be hacked and/or may sell data to third-parties, Dane County employees and elected officials should never disclose private or sensitive personal information about themselves, others, or the County on any website, social



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media platform, or via email. It is also wise to remember one does not really know with whom they are communicating over social media. Any ID and persona can be spoofed.

- 3.3 The Department head should designate someone who will be responsible for administration of the Department's social media sites and accounts.
 - 3.3.1 The administrator should create and maintain a process for employees wishing to create a social media site or account for the benefit of the Department.
 - 3.3.2 The administrator should maintain a list of all the Department's social media account names and passwords.
 - 3.3.3 The administrator should create and maintain a process to review the content of Department social media applications.
 - 3.3.4 The administrator should ensure that the Department meets its responsibilities regarding collection and records retention including preservation of social media content. (Dane County Information Management uses ArchiveSocial to archive and maintain records of Dane County's social media activity for seven (7) years; please contact the HelpDesk to connect new or existing accounts).
 - 3.3.5 No employee may use a County social media site or account to engage in private business activities, personal commentary, or political activities.

- 3.4 The Department head (or designee) should determine the target audience and the content of the social media site or account. For example, the Department head (or designee) should determine:
 - 3.4.1 How the Department will maintain security of confidential information, including but not limited to protected health information (PHI) or personally identifiable information (PII) of others;
 - 3.4.2 How the Department will ensure communications does not involve posting of copyrighted content without the copyright holder's express permission;
 - 3.4.3 How the Department will ensure its social media does not host inappropriate content; "inappropriate content" obviously includes ethnic slurs, personal insults, obscenity, and so forth, but also includes proper consideration of privacy, using Dane County social media for political purposes, and making unofficial posts, tweets or messages that the public will interpret as official messages; and
 - 3.4.4 How to educate users about specific social media threats and how to prevent unauthorized access to the social media site, that may:
 - Use the Dane County site to spread malware;
 - Encourage users to either click links or download unwanted applications that the attacker has added to the site;
 - Acquire confidential information about employees or citizens; and/or
 - Acquire sensitive security information / data about public safety plans, or security currently in place at public facilities.



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- 3.5 The Department head (or designee) should include a disclaimer that makes it clear that Dane County is not responsible for information posted by users to the site. The disclaimer should include contact information for requesting removal of objectionable content. An example of such a disclaimer is as follows:

This page is produced and maintained by Dane County. We expect participants will respect each other and we reserve the right to remove any inappropriate content and/or content we deem in violation of applicable law. This page is not open to the promotion or advertisement of a business or commercial transaction. Dane County does not endorse or support opinions or views expressed by users of this page and links to other Internet sites should not be construed as an endorsement of the views contained therein. Dane County does not guarantee that external websites comply with the ADA. Please contact (website) to request removal of infringing materials.

- 3.6 Other Requirements:
- 3.6.1 Create the official County social media account using a County email address. Never use a personal or campaign email address to create an official County social media account.
 - 3.6.2 Either (a) permanently block all public posting/comments/tagging OR (b) always allow all public postings/comments/ tagging.
 - 3.6.3 Never selectively delete some postings/comments, but not others. Dane County Departments cannot delete a post simply because Dane County disagrees with the viewpoint expressed. (If Dane County deletes a post simply because Dane County disagrees with the viewpoint expressed, then Dane County has violated that poster's First Amendment rights).
 - 3.6.4 Retain all content and data posted on official County social media accounts for seven (7) years, including any comments, queries, information, or materials submitted by end-users (i.e., not just content that you post or that is posted at your direction), including under certain circumstances, personal information submitted voluntarily such as the end-user's name and/or address.
 - 3.6.5 Ensure that these records are maintained in an accessible and usable format that preserves the integrity of the original records for the period designated by appropriate records retention schedules.
 - 3.6.6 Consider citing sources and providing links when referencing a law, policy or other website.
- 3.7 The following content is acceptable for an official County social media account:
- 3.7.1 Discussions of County issues and how they might be addressed through Board action;
 - 3.7.2 General information about County Board activity such as ordinances or resolutions;
 - 3.7.3 Budget information;
 - 3.7.4 Newsletters from the Elected Official's office;
 - 3.7.5 Publicizing public events;



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- 3.7.6 Publicizing County-related events (for example, Henry Vilas Zoo events or LWR events hosted by "friends of parks" groups, etc.);
 - 3.7.7 Hyperlinks to official County-related websites or webpages, or other official County-related social media accounts;
 - 3.7.8 Public service announcements; AND
 - 3.7.9 Use of County-owned logos, seals or images
- 3.8 The following content is unacceptable for an official County social media account:
- 3.8.1 Solicitation of campaign contributions;
 - 3.8.2 Promotion of campaign-related events;
 - 3.8.3 Photos of campaign-related events;
 - 3.8.4 Photos containing campaign-branded material such as T-shirts, signs, or banners;
 - 3.8.5 Posting any communications that a reasonable person would consider to be campaigning;
 - 3.8.6 If a campaign donor or voter contacts an Elected Official on one of the Elected Official's "official" County social media accounts to talk about fundraising or anything about an election or campaign, the Elected Official may not respond in any way on the "official" County account, or the Elected Official will risk potentially committing state and/or local law campaign finance and/or ethics violations.
 - 3.8.7 Posting any content that is strictly personal or commercial such as promoting the Elected Official's own business or business with which the Elected Official is associated;
 - 3.8.8 Posting any content regarding non-County-related charitable organizations or causes that the Elected Official is involved in (i.e., please attend "save the owls" event);
 - 3.8.9 Solicitation of charitable contributions for non-County-related charitable contributions (i.e., please donate to my church/synagogue/mosque, please buy my daughter's Girl Scout Cookies, etc.);
 - 3.8.10 Advocacy for issues if a reasonable person could conclude that the Elected Official could benefit personally because of that advocacy;
 - 3.8.11 Aid advertising is strictly forbidden (i.e. where an advertiser pays the Elected Official to advertise);
 - 3.8.12 Advertising or promotional materials for organizations or businesses affiliated with the Elected Official are strongly discouraged;
 - 3.8.13 Prurient, obscene, objectionable, offensive, libelous, slanderous, defamatory, violent, threatening, discriminatory, harassing or otherwise objectively harmful content;
 - 3.8.14 Exchanges between County Board Supervisors about official County business;
 - 3.8.15 Personally identifiable information (i.e., addresses, phone numbers, personal email addresses, social security numbers, etc.) about other elected officials, employees, or members of the public;



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- 3.8.16 Anything that a reasonable person would consider to be a malicious or ad hominem attack or a threat directed at an individually-identifiable employee;
 - 3.8.17 Confidential, proprietary or highly sensitive information that relates to Dane County or department operations (or County vendors);
 - 3.8.18 Content that impairs or inhibits the appropriate functioning of government;
 - 3.8.19 Hyperlinks to websites, webpages, or other social media accounts containing any of the content described above;
 - 3.8.20 A third-party's trademarked or copyrighted intellectual property (i.e., logos, seals, music, photographs, images, etc.)
 - 3.8.21 Avoid "tagging" or commenting on the personal accounts of third-parties or on any campaign-related social media accounts.
- 3.9 The following content is unacceptable for a personal social media account:
- 3.9.1 Never use a County email address to create personal social media account.
 - 3.9.2 Never use any County logos or seals.
 - 3.9.3 Never use a third-party's trademarked or copyrighted intellectual property (i.e., logos, seals, music, photographs, images, etc.).
 - 3.9.4 Strictly avoid conducting or discussing anything that a reasonable person would consider to be official County business.
 - 3.9.5 When posting or communicating, consider stating that they are posting/engaging as a private citizen, and not in any official capacity as an Elected Official, if the content enters any sort of "grey area."
 - 3.9.6 It is permissible to post a hyperlink to official County-related websites, webpages, or other official County-related social media accounts and it is also permissible to "tag," "like," or comment on an official County social media account/user while logged onto the Elected Official's personal social media account. Notwithstanding the foregoing, avoid conversation or exchanges about County-related public events or personnel or any County business.
 - 3.9.7 Avoid communicating on a personal social media accounts while engaged in County business (i.e., while attending committee meetings, etc.).
 - 3.9.8 Use the strictest privacy settings possible to restrict unknown third-party members of the public from posting/commenting/tagging/etc. on an Elected Official's personal social media platforms to avoid inadvertent communications/use related to official County business.
 - 3.9.9 If an individual attempts to contact an Elected Official about County business on a personal social media account, the Elected Official should do the following, or risk potentially making the personal account subject to disclosure under the public records law:
 - Inform the individual that s/he inadvertently contacted the Elected Official through his or her personal account;
 - Direct the individual to the Elected Official' "official" County account(s);
 - Screenshot the comment/post that relates to official County business and send the screenshot to County email (or retain the hardcopy printout);



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- Delete the offending content from the personal account;
- Consider blocking that individual from the personal account if possible; and
- Do not engage in any substantive exchange about County business