

**RESOLUTION NO. 2063**

**A RESOLUTION PROVIDING FOR THE ADOPTION OF A REVISION TO THE SOCIAL MEDIA POLICY FOR THE CITY OF GARDNER, KANSAS.**

**WHEREAS**, the City of Gardner now deems it advisable to update the Social Media Policy for employees, Governing Body and appointed members of Boards of the City of Gardner; and

**WHEREAS**, it is the intent of the City Council of the City of Gardner to revise Social Media Policy

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:**

**SECTION ONE:** Social Media Policy is revised as provided for in the attached Social Media Policy

**SECTION TWO:** This updated Social Media Policy supersedes any rules, regulations or policies in conflict herewith, and

**SECTION THREE:** The Resolution shall take effect and be in full force from and after its adoption by the Governing Body of the City of Gardner on October 5, 2020

**ADOPTED** BY THE Governing Body of the City of Gardner, Kansas, this 5<sup>th</sup> day of October, 2020

SIGNED by the Mayor on this 5<sup>th</sup> day of October, 2020.

CITY OF GARDNER, KANSAS

(SEAL)

\_\_\_\_\_  
/s/  
Steve Shute, Mayor

Attest:

\_\_\_\_\_  
/s/  
Sharon Rose, City Clerk

Approved as to form:

\_\_\_\_\_  
/s/  
Ryan B. Denk, City Attorney



# Social Media Policy

Revised October 2020

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Section 1	Purpose
Section 2	Definitions
Section 3	Policies and Procedures
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## 1.0 PURPOSE

The Social Media Policy comprises the philosophy, recommendations and strategies necessary for providing professional city communications in social media. This policy outlines the protocol and procedures for use of social media to publicize official City services and events. In addition, this policy addresses the responsibilities of individual employees and **Governing Body members** ~~City officials~~ **and City board and commission appointees** with regard to social media and the use of City resources (time/equipment), as well as responsibilities related to public records and open meeting laws.

## 2.0 DEFINITIONS

Social Media – Various forms of discussion and information-sharing, including but not limited to blogs, wikis, social networks, virtual worlds, video posts, podcasts, message boards and online forums. Technologies include: picture sharing, wall postings, fan pages, email, instant messaging and music sharing.

Social Networking – The practice of expanding business and/or social contacts by making connections through web-based applications.

## 3.0 POLICIES AND PROCEDURES

- A. All official City of Gardner presences on social media sites or services are considered an extension of the City’s information networks and are governed by the City of Gardner’s **Social Media Policy** and Personnel Policies. Official site(s) are administered by the ~~Administrative Services Manager~~, **City Administrator**, Public Information Officer or an official department designee and used for the limited purpose of informing the public about City business, services and events.
- B. All City of Gardner social media site(s) must comply with applicable federal, state and City laws/ordinances, regulations and policies. This includes adherence with established laws

and policies regarding copyrights, records retention, Freedom of Information Act (FOIA), First Amendment, privacy laws, Kansas Open Records Act (KORA), Kansas Open Meetings Act (KOMA), and information technology, web standards, brand standards and media policies established by the City of Gardner.

- C. ~~Individual departments are encouraged to utilize social media.~~ Prior to creation, department social media sites must be approved by the ~~Administrative Services Manager~~ **City Administrator**, **Public Information Officer** and Department Head **Director**. The ~~Administrative Services Manager~~ **City Administrator** and Public Information Officer (PUBLIC INFORMATION OFFICER) will work with departments to reach their goals by assisting with the development of social media sites and helping the department define a strategy for engagement using social media.

The ~~Administrative Services Manager~~ **City Administrator and Public Information Officer** will also discuss how departments will keep information current on social media sites in order to keep information timely and relevant. The City of Gardner understands that Social Media is an outlet and does not particularly adhere to normal business hours. However, it is essential that an expectation of service be designated that provides a framework for response times. If a response is warranted, during normal business hours (Monday-Friday), a response should be provided as quickly as the information can be captured. If a posting occurs outside of normal business hours, a response should be generated by the next business day. Information should not be released via social media unless it has been verified as factual. It is recommended that language be placed on the social media sites denoting appropriate response times.

~~Each department will have an official designee who is responsible for the management of its social media presence.~~ The ~~Administrative Services Manager~~ **City Administrator** and PUBLIC INFORMATION OFFICER will have administrative access to the sites, including username and password information, and will monitor content to ensure adherence with the Social Media Policy for appropriate use and to ensure that the message and branding are consistent with the goals of the City of Gardner. The City retains the authority to remove information and repeated violation of these standards may result in the removal of department sites from social media outlets.

- D. Each social media site used by the City of Gardner will include an introductory statement that clearly specifies the purpose of the site and directs users to the City's website. In addition, wherever possible, links to information should direct users back to the City's official Web site for more information, forms, documents or online services necessary to conduct business with the City of Gardner.
- E. Employees representing the City via social media outlets must conduct themselves at all times as representatives of the City of Gardner and in accordance with all City of Gardner Personnel Policies and this **Social Media Policy**. Employees shall not disclose information about confidential City business on either the City's social media sites or their personal social media sites. ~~See section 4.0 — Guidelines for Employee Participation in Social Networking.~~ If applicable, disciplinary actions consistent with the City of Gardner Personnel Policies may be taken for misuse of postings.

Employees, appointed officials or elected officials utilizing outside agency social media sites shall follow the guidelines of this policy when posting as an identified member of a City board, commission or council, or when posting information related to City services,

events and programs. The guidelines set forth in Section G of 3.0 shall apply to outside agency postings.

- F. Employees, appointed officials or elected officials may not post as “City of Gardner,” on “City of Gardner” sites (or other sites that appear to be or allude to being official city pages) due to considerations and possible violations of the Kansas Open Meetings Act and are discouraged from discussing campaigns, issues and other political matters on City accounts. In addition, the City will not sanction or support the creation of a social media site for City boards, commissions or councils due to possible violations of the Kansas Open Meetings Act.
- G. City of Gardner social networking content and comments containing any of the following forms of content shall not be allowed for posting:
- a. Comments not topically related to the particular site or blog article being commented upon;
  - b. Profane language or content;
  - c. Content that 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;
  - d. Sexual content or links to sexual content;
  - e. Solicitations of commerce;
  - f. Conduct or encouragement of illegal activity;
  - g. Information that may tend to compromise the safety or security of the public or public systems;
  - h. Content that violates a legal ownership interest of any party
  - i. Employees, appointed officials or elected officials shall not initiate or participate in discussions related to policy creation or formation on social media sites; or
  - j. Content that reflects negatively on the City of Gardner.

The City reserves the right to remove content that is deemed in violation of this policy, applicable law, or the City of Gardner Personnel Policies. Any participants on the City's official social media site(s) who are in continual violation of the posting/commenting guidelines may be permanently removed from the City's site(s).

- H. The City of Gardner reserves the right to temporarily or permanently suspend access to official City social media site(s) at any time.
- I. If the City of Gardner begins operating under the special circumstances of a crisis, staff will immediately stop posting on their respective department sites. All sites will be redirected to the City's main social media sites to ensure followers receive consistent information from the City of Gardner. All communication in a crisis situation will be posted by the ~~Administrative Services Manager~~, **City Administrator**, **Public Information Officer (PIO)** or an **official designated by the City Administrator**. ~~department designee~~. When the City decides to return to normal communications operations, individual departments may again post information related to City services, programs and events.

#### 4.0 GUIDELINES FOR EMPLOYEE PARTICIPATION IN SOCIAL NETWORKING

The City of Gardner understands that social networking and Internet services have become a common form of communication in the workplace and among stakeholders and citizens. The City does not seek to control, through this policy or otherwise, the purely personal online content posted by City employees when that content is posted during non-working time, is posted using personal equipment, is not posted in an official capacity as an employee, appointed official or elected official of the City of Gardner, or is not otherwise disruptive to the City's vision, mission and values. The following guidelines apply to any online post that occurs:

- during working hours;
  - is posted using City equipment; or
  - identifies the City of Gardner, links to information about the City or identifies the individual's position with the City. In addition to being subject to the guidelines listed below, all such online activity is subject to the City's Computer, Email and Internet Use Policy and other policies found in the City of Gardner's Personnel Policies.
- A. City policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting City business. Use of your City email address and/or communicating in your official capacity will constitute conducting City business.
  - B. City employees shall notify their supervisor **and the City's Public Information Officer** if they intend to create a social networking site or service to conduct City business.
  - C. Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties that are related to their professional organizations. Department **Directors** ~~Heads~~ may allow or disallow employee participation in any social networking activities for work-related purposes in their departments, after consultation with **the Public Information Officer** and the Human Resources **Manager**.
  - D. Follow all privacy protection laws, i.e., HIPPA, and protect sensitive and confidential City information.
  - E. Follow all copyright laws, public record laws, retention laws, fair use and financial disclosure laws and other laws that might apply to the City or your functional area.
  - F. Do not cite vendors, suppliers, clients, citizens, co-workers or other stakeholders without their approval.
  - G. Employees are personally responsible for the content they publish through social media sites. Identify yourself and make it clear that you are speaking for yourself and not on behalf of the City of Gardner. If you publish content on a Web site outside of the City of Gardner and it has something to do with the work you do or subjects associated with the City, use a disclaimer such as: "The postings on this site are my own and don't necessarily represent the City's position or opinions."
  - H. Do not use ethnic slurs, profanity, personal insults, or engage in any conduct that would

not be acceptable in the City workplace, including things such as harassment and bullying.

- I. If you identify yourself as a City employee, ensure that your profile and related content is consistent with how you wish to present yourself to colleagues, citizens and other stakeholders. Infractions of these policies may result in disciplinary action up to and including termination of employment. (See City of Gardner Personnel Policies)

## **5.0 GUIDANCE FOR APPOINTED AND ELECTED OFFICIAL PARTICIPATION IN SOCIAL NETWORKING**

The City recognizes that appointed and elected officials may wish to use social media and social networking to connect with constituents and to promote political agendas. When using social media, as with any other electronic communication, elected officials should be mindful of the risks associated with Kansas Open Meetings Act (KOMA) and recognize the potential for personal posts to be considered the official position of the City.

- A. Account Names – Personal social media account names should not be tied to the City. This will help clarify that the individual is not speaking officially on behalf of the City.
- B. Transparency –Appointed or elected officials who use personal social media sites should complete the profiles on those sites and reveal they are appointed or elected officials for the City. In addition, consider including a disclaimer such as: “The postings on this site are my own and don’t necessarily represent the City’s position or opinions.”
- C. Honesty –Appointed or elected officials are personally responsible for the content they publish through social media sites. Please be mindful of all privacy and confidentiality laws when posting and that efforts to be honest don’t result in sharing non-public information related to employees, personnel data, claims or lawsuits or other non-public or confidential information.
- D. Mistakes, Liability and Claims Against the City – If an appointed or elected official makes a factual mistake, it should be corrected as soon as the official is aware of the error. Corrections should be upfront and as timely as possible. As is consistent with social media etiquette, notify the reader of the correction by including something that designates the correction such as “Fixed Link,” “Updated Post,” or “Fact Correction” before the corrected information. To help prevent errors, appointed or elected officials should not post official information about the City. Potential errors could create City issues ranging from minor to significant, and some may create unforeseen liability issues. When appropriate, link back to the City website to provide official information on a subject.

If an elected official makes an error related to official City business, he or she should contact the Public Information Officer to divulge the error and consult on the best manner in which to communicate the correct information. Depending on the type of error, the City may choose to correct the information in a range of official City communication vehicles such as the City Newsletter, website, during a board, commission or council meeting and, potentially, with the local media to ensure the corrected information is broadcast as widely as possible.

Appointed or elected officials should also recognize that using personal technology to communicate on official City business could become inconvenient if a request for data is

made on a particular topic and that appointed or elected official has commented through his or her own equipment. Appointed or elected officials should consider maintaining separate file on their personal technology for City-related communications so they can easily produce any requested public information as required by the Kansas Open Records Act (KORA).

- E. Add Value – There may be times when appointed or elected officials use social media to promote a position on a City issue. When this occurs, appointed or elected officials are encouraged to add value to the conversation by staying focused on the issue.
- F. Mind the Law, Existing City Policies and Guidelines – Appointed or elected officials who use personal social media accounts are not immune from the law, or from the need to follow existing City policies related to electronic communications among board, commission or council members and the use of city-owned technology. Any information posted or responded to by appointed or elected officials should be done so in a manner that does not violate the letter or the spirit of KOMA.

Appointed or elected officials should not upload, post, transmit or make available content known to be false, misleading or fraudulent, or to post photos that infringe on trademark, copyright or patent rights of others.

Appointed or elected officials should not post non-public and confidential information such as information related to employees, personnel data, claims or lawsuits or other non-public or confidential information.

Appointed or elected officials should not use city-owned equipment to post to personal sites content that violates existing city policies, that exhibits hate, bias, discrimination, and pornography, libelous or otherwise defamatory content.

- G. Stop Discussing Issues if asked to do so by the City – There may be instances in which an appointed or elected official should not comment on a particular City issue. This could occur if the discussion might violate laws, regulations or confidentiality, or if a claim or lawsuit has been filed against the City. The City Administrator or the Public Information Officer may contact an elected or appointed official with the request to stop commenting on a particular issue.
- H. Campaigning – Appointed or elected officials shall not use official City social media sites for campaigning purposes.

Contact By Media – Appointed or elected officials who are contacted by the media on a topic of official City business should feel free to refer to the Public Information Officer for assistance.



SOCIAL MEDIA POLICY ACKNOWLEDGEMENT FORM

I, the undersigned, hereby acknowledge that I have read the current version of the City of Gardner Social Media Policy – *Revised October, 2020*

I further understand that the Social Media Policy provides guidance and outlines restrictions for use of City equipment for social media purposes, and I agree to comply with the policy as presented.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Original to be placed in the employee's personnel file.