

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF YUBA, STATE OF CALIFORNIA**

**RESOLUTION ADDING M-2 SOCIAL MEDIA POLICY)
TO THE YUBA COUNTY ADMINISTRATIVE)
POLICY AND PROCEDURES MANUAL)**

RESOLUTION NO. 2023-3

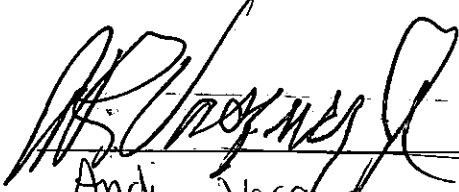
WHEREAS, the purpose of an administrative manual is to provide guidelines for county staff and leadership in procedural matters affecting all county departments; and

WHEREAS, the current administrative policy and procedures manual should be updated periodically to reflect changes in Board policy and current administrative practice.

NOW, THEREFORE, BE IT RESOLVED that the Yuba County Board of Supervisors hereby adopts the following Policy Number M-2, Social Media Policy, of the Yuba County Administrative Policy and Procedures Manual as set forth in Exhibit A.

PASSED AND ADOPTED by the Board of Supervisors of the County of Yuba, State of California, this 13th day of December 2022, by the following vote:

- AYES: Supervisors Vasquez, Blaser, Fuhrer, Bradford, Messick
- NOES: None
- ABSENT: None
- ABSTAIN: None



 Andy Vasquez, Chairman

ATTEST: MARY PASILLAS
CLERK OF THE BOARD OF SUPERVISORS



 Angela Dayberry, Board Clerk

Michael J. Ciccozzi
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:



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PURPOSE:

The County of Yuba (County) believes social media has become ingrained into society to the point that it must be included in the overall effort to communicate with the public and to reach a broader audience, when conveying information about the County's mission, meetings, activities, current issues, and emergency situations. Yuba County also recognizes social media is a constantly evolving and potentially volatile form of communication that require guidelines and standards for County staff and departments. Inclusion of social media platforms in the County's broader communications plan inspires a particularly overriding interest and expectation in protecting the integrity of information posted on its social media sites and the content that is attributed to the County and its officials.

The purpose of this policy is to ensure the County's conversational and informational presence on social media platforms maintains the professional image of the County of Yuba and meets legal standards. The policy establishes oversight, administration, and management guidelines for departmental use of social media to further the goals of the County.

SCOPE:

This policy applies to County of Yuba employees, volunteers, contractors, and any other representative acting on behalf of the County or any of its Departments and Divisions.

This policy provides both precautionary information and necessary restrictions regarding employees' participation in County social media accounts, as they relate to self-expression, discrimination, and acceptable use of technology. Specific guidelines can be found in other County and Department policies.

DEFINITIONS:

The Merriam-Webster dictionary defines social media as "forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos)." Through social media, individuals or groups can create, organize, edit, comment on, combine, and share content. Social media uses many technologies and forms, including social networking, blogs, wikis, photo-sharing, video-sharing, podcast, social bookmarking, mash-ups, widgets, virtual worlds, micro-blogs, Really Simple Syndication (RSS), and more. Not all forms of social media are appropriate for use by County departments.

The following definitions are for the purposes of this Policy:

1. **Communications Coordinator:** As applies to this policy, the lead communications position designated by the County Administrator has administrative responsibility for implementing, overseeing, and ensuring that the Social Media policy is effectively communicated to and applied by Departments choosing to utilize social media.
2. **Department Director:** As applies to this policy, has the authority to determine and establish social media activity at the department or division program level, appoint staff to manage social media account(s) and periodically monitor use.

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3. **Communications Specialist:** As applies to this policy, the communications position with department-level or county-level responsibility for implementing, overseeing, and ensuring that the Social Media policy is effectively communicated to and applied by Departments choosing to utilize social media.
4. **Employee(s):** As applies to this policy, any County employee or employees authorized by Department Director to post and establish social media presence at the department or division program level.
5. **Social Media:** A category of Internet-based resources that has a participatory element by integrating user-generated content. This includes, but is not limited to, social networking sites (Facebook, LinkedIn), micro-blogging sites (Twitter), photo- and video-sharing sites (TikTok, Instagram, Pinterest, YouTube), wikis (Wikipedia), blogs (Digg, Reddit, WordPress), and news sites.
6. **Social Networks:** Online platforms where users can create profiles, share information and socialize with others using a range of technologies.
7. **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

RESPONSIBILITY:

1. Administration of Social Media Sites

For the purpose of providing general oversight and continuity related to the County's use of social media, the Communications Coordinator/Specialist or designee must be able to immediately address content from all County sanctioned social media sites/accounts, including but not limited to access in crisis situations.

Therefore, the Communications Coordinator/Specialist, or designee will:

- A. Maintain a list of social media sites and tools approved for use for County business.
- B. Maintain a "Master List" of all social media sites established on behalf of the County or County departments.
- C. Be included as administrators on all County/Department social media sites, solely for the purpose of addressing emergency issues when other account administrators assigned by Departments are not available.
 1. This does not include specialized social media presences being used for forensic or public safety purposes.
- D. Maintain a "Master List" containing redundant 24/7 contact information of employee(s) responsible for maintaining content on department or division social media accounts, as well as login/password details, to immediately address emergency issues.
 1. Specialized social media presences used for forensic or public safety purposes will not be in this registry.

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- E. Provide guidance and resources to assist Department Directors in addressing concerns regarding public comments.
- F. Have the right to review content on County social media sites, which does not include confidential public safety related content, to ensure compliance with the County's Social Media Policy and the interests and goals of the County. In consultation with the Department Director, modify or remove social media activity at the department or division program level.
- G. Monitor industry standards for style and content, and ensure that the departments using social media receive periodic updates regarding expectations pertaining to the County's social media presence.
- H. Be responsible for ensuring any critical or time sensitive information that comes to their attention is appropriately disseminated through the proper channels to ensure timely dissemination to the affected individuals.

2. Department Directors

Within the terms of this policy, Department Directors will have the authority to determine and establish social media activity at the department or division program level including:

- A. Appointing an employee or employees with authority to use social media on behalf of department or division.
- B. Adding, editing, monitoring, maintaining, and removing content from all social media sites their Department or Division may create, including review of comments from the public.
 - 1. Removing content that accumulated comments from residents is an action that would effectively remove those comments, and as such should be avoided.
- C. Elected Department Directors have authority within the guidelines of this policy to determine the voice and content for any social media activity for their department. In so doing, the Elected Department Director will adhere to the standards set forth in this Social Media Policy. Any such social media site established by an Elected Department Director will make clear that the social media site content is established by the Elected Department Director and may not reflect the opinion or position of the County nor does it imply endorsement of or agreement by the County.

3. Employees

- A. Any employee authorized to post items on any of the County's social media sites shall review, be familiar with, and comply with the County's Social Media Policy and any related guidelines issued by the Communications Coordinator/Specialist, or designee.

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- B. Any employee authorized to post items on any of the County's social media sites shall participate in any update training sessions provided by the Communications Coordinator/Specialist.
- C. Employees posting social media on behalf of their individual departments or division are also subject to any terms established by their department or division, when such terms are more restrictive than those established in the County Social Media Policy, as more restrictive terms are not limited by this policy. The acceptable voice and content of any social media activity on an Elected Department Director social media site is ultimately up to the elected county official or officials responsible for the activity. In so doing, the Elected Department Director will adhere to the standards set forth in this Social Media Policy. Any such social media site established by an Elected Department Director will make clear that the social media site content is established by the Elected Department Director and may not reflect the opinion or position of the County nor does it imply endorsement of or agreement by the County.
- D. Postings on any of the County's social media sites by an authorized County employee shall only reflect the views or concerns of the County. Any postings made by authorized County employees on an official County of Yuba social media site will be viewed by the public as coming from the County Organization, and shall reflect an accepted County of Yuba voice and validity.
4. Elected Officials other than Department Directors
- Elected Officials who are not Department Directors, including Board Supervisors, have authority within the guidelines of this policy to determine the voice and content for any social media activity for their department. In so doing, the Elected Official will adhere to the standards set forth in this Social Media Policy. Any such social media site established by an Elected Official will make clear that the social media site content is established by the Elected Official and may not reflect the opinion or position of the County nor does it imply endorsement of or agreement by the County.
5. Exception
- County employees using social media in an authorized investigative or covert capacity law enforcement shall not be limited by this policy, and shall be governed by internal department or division policy for that investigative or covert effort.
6. User Behavior
- Employees representing the County government via social media outlets must conduct themselves at all times as representatives of the County of Yuba. Employees shall comply with any applicable County and Department policies regarding speech and expression. Employees who fail to conduct themselves in an appropriate manner shall be subject to appropriate disciplinary actions.

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PROCEDURES:

1. General

- A. The County will utilize social media to begin and participate in online conversations, for the purposes of engaging with residents, building relationships with them and providing useful information to them, as well as to other County partners and stakeholders. We will build awareness of the County's mission by providing relevant, timely information and opportunities for interaction.
- B. Our goals in using social media include:
1. Expanding visibility and outreach.
 2. Increasing credibility with the public by posting relevant information and offering transparency.
 3. Building affinity; creating a media presence that positively promotes the County and/or its Divisions/programs.
 4. Increasing engagement from the public as visitors/fans/members/customers/ patrons.
 5. Disseminating time-sensitive and emergency information efficiently and quickly, and in coordination with appropriate departments when necessary, consistent with applicable County policies.
 - a. Emergency information should be coordinated with Yuba County Sheriff's Department Public Information Officer to disseminate via CodeRED alerts or other community alerts, as needed.
 - b. Emergency information shall also be coordinated with the County's Communication Coordinator/Specialist to disseminate via countywide social media accounts and to appropriate community partners.
 6. Increasing and unifying internal communications and engagement with all County employees, volunteers, contractors, and any other representatives acting on behalf of the County.
- C. The County's website (www.yuba.org) will remain the County's primary and predominant Internet presence.
- D. Where appropriate, content posted to County social media sites will also be available on the County's official website.
- E. Where appropriate, content posted to County social media sites should contain links directing users back to the County's official website for further information and services.

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- F. All official social media presences are to be listed on the County of Yuba website to assist the public in identifying official social media presences, and where appropriate the social media presence should be in an interactive format, utilizing “Follow Us” or “Like Us” buttons.
- G. All County social media sites shall comply with usage rules and regulations provided by the site provider, including privacy policies.
- H. The County Administrator’s Office reserves the right to terminate any County social media site that has been inactive for 90 days or longer, or has such a small community following that it does not merit staff time needed to maintain a presence on the site. Prior to deactivation, the Department or Division will be notified in writing by the Communication Coordinator/Specialist or designee that the site will be terminated within five days of notice.

2. Use of Social Media for Emergency Communications

- A. Social media, CodeRED and other community alert programs are available resources that can be used in emergency and crisis situations when information needs to be disseminated to the community efficiently and quickly. Activation of these resources can be directed through the Sheriff’s Department or the Communication Coordinator/Specialist.

3. Creating Social Media Accounts

Prior to creating an account, Departments choosing to utilize social media shall follow these steps:

- A. The Director will consider whether social media is appropriate and/or useful to the Department or Division, including an analysis of which platforms to use.
 - 1. Consideration should also include whether the requesting department/division/program would gain a following large enough to warrant its own account or would find more benefit in posting as part of another Department social media page or the County social media page.
- B. Establish a well thought out social media plan that complements countywide policies and considers the Department’s mission and goals, audience, legal risks, technical capabilities, security issues, emergency response procedures, etc.
- C. Assign the responsibility of adding, editing, monitoring, maintaining, and removing content from all social media sites to an employee or employees within the department or division to assist in maintaining the site.
- D. Inform the Communication Coordinator/Specialist or designee in writing that an account will be created and include the account name and address, login information, intended use of the account, and the names and contact information of employee(s) responsible for maintaining account.
- E. Notify the County Counsel’s Office and request legal review of the terms and conditions for establishing an account using a new social media site that has not been designated as an approved social media site.

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- F. Notify the Information Technology (IT) Department and request a review of the platform for any security risks.
- G. Departments or divisions within the County of Yuba needing to access a social media site not previously used by the County for the purposes of maintaining public safety or law enforcement confidentiality are exempted from required advance notice to the Communications Coordinator/Specialist and County Counsel, if the emergent need dictates immediate action.
- H. All County social media sites shall, when allowed by the platform, utilize official County contact information for account set-up, monitoring, and access. The use of personal email accounts or phone numbers by any County employee, official, or volunteer as public contact information within a County social media site is not allowed.

4. Ongoing Security Evaluation of Existing Social Media Accounts

The Information Technology (IT) Department, in consultation with the County Administrator's Office, will periodically review the security of social media platforms used by County Departments. Accounts created for social media sites determined to contain significant security risks shall be deactivated, and access to corresponding apps shall be removed from County devices.

5. Adherence to Laws and Regulations

- A. All County social media sites shall adhere to applicable federal, state and local laws, regulations and policies, including all applicable County policies or guidelines.
- B. Any person representing the County on any social media site shall conduct himself or herself at all times as a professional representative of the County and in accordance with all County policies. This includes any County or Department policies that have specific language governing expressions, display of images, posting and use of department records.

6. Public Records

The County is subject to the California Public Records Act. All social media sites shall clearly indicate that any article and any other content posted or submitted for posting are subject to public disclosure as required by law.

7. Retention of Records

- A. County social media sites are subject to the California Public Records Act. Any content maintained on a County social media site that is related to County business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure.

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- B. All postings on a County social media site shall be archived and maintained consistent with the County's Records Retention Schedule and Records Management. Yuba County will subscribe to a service for the purpose of archiving all social media content. All County and Department social media sites must be registered with the archive service provided approved by the county through the Communications Coordinator/Specialist, for the purposed of automatic archiving.
- C. Any Department Director, Employee, or other administrator of a County or Department social media site who is considering removal of a comment shall contact the Communications Coordinator/Specialist, who in turn may also consult with the County Counsel's office, to review whether such an action is necessary or appropriate.
- D. In the rare instance where content is removed pursuant to this policy, such content shall be printed out prior to removal and forwarded to the Communications Coordinator/Specialist or designee for retention. Removed content will be retained by the Communications Coordinator/Specialist or designee pursuant to relevant records retention schedule, including the time, date, and identity of the poster, when available.

8. Content Standards

- A. Any County social media site that elicits or allows comments from the public shall be designated as a limited public forum for First Amendment purposes. As such, and in order to promote the County's goals articulated above and remain in compliance with other laws, County social media site content shall not contain any of the following.
 - 1. Profane language or content
 - 2. Sexual content or links to sexual content
 - 3. 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, sexual orientation or other protected characteristic
 - 4. Solicitations or commerce
 - 5. Conduct or encouragement of illegal activity
 - 6. Information that may compromise the safety or security of the public or public systems
 - 7. Libelous or defamatory comments
 - a. Libel is a false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye, which exposes any person to hatred, contempt, ridicule, or obloquy, or which causes a person to be shunned or avoided, or which has a tendency to injure a person in his or her occupation.
 - 8. Content that violates a legal ownership interest of any other party
 - 9. Private or personal information published without consent

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10. Comments not topically related to the particular social medium article being commented upon
 11. Threats of violence or injury to any person, property, or organization.
 - B. These guidelines shall be displayed to users or made available by hyperlink on all County social media sites, as well as on the County website. Any content removed based on these guidelines must be retained, including the time, date, and identity of poster, when available.
 - C. If the comment cannot be removed due to the social media platform where the post originated, the department may choose to address the post by monitoring the activity of the commenter, sending a direct message, muting, blocking, or reporting negative activity to the social media platform where it originated.
 - D. Blocking of any user is an option that should be employed only as a last resort to address extreme and persistent violations of posted standards
 1. Violations considered serious enough to warrant blocking an individual shall be documented electronically or in a printed file, and discussed with the Communications Coordinator/Specialist and County Counsel before any individual is blocked.
 - E. Users posting to the County's social media sites shall be informed that the County disclaims any and all responsibility and liability for any materials that the County deems inappropriate for posting.
 - F. Daily maintenance and monitoring of these social media sites is the responsibility of the applicable County Department.
9. Access to County Social Media Sites
- No County social media site shall be maintained or operated to block or mute users of the social media platform.