

SULLIVAN COUNTY POLICIES AND PROCEDURES

I. **SUBJECT:** SOCIAL MEDIA POLICY

II. **ADOPTED:** December 21, 2017; **REVISED:** July 21, 2022

III. **PURPOSE:** To (1) define the expectation of users of social media, including, but not limited to, elected officials, commissioners, department heads, directors, administrators and employees (hereinafter referred to collectively as “employees”) and (2) ensure the appropriate use of social media used in connection with the business of the County of Sullivan (hereinafter referred to as “County”). The use of County Social Media Sites (as defined below) is limited to business communications and informational purposes in accordance with authorized County goals and objectives. Personal use of County Social Media Sites is strictly prohibited. *County Social Media Sites are not intended to create or serve as public forums.*

Social media technologies can help County departments inform residents and make government more open and transparent. To provide a unified and professional social media presence, the County Manager, in their discretion, may control access to official County Social Media Sites.

The County Manager, Director of Communications and Chief Information Officer will develop appropriate uses for official County Social Media Sites, select appropriate social media outlets, and help departments define a strategy of engagement for using social media.

IV. DEFINITIONS

Social Media: various forms of information-sharing technology used to create internet-based content that produces communication and/or conversations.

Forms of social media include, but are not limited to, social networking, blogs, video sharing, picture sharing, wall postings, e-mail, instant messaging,

podcasts, wikis, message boards, online forums, RSS and other syndicated web feeds.

Examples of social media outlets include, but are not limited to, Facebook (social networking), YouTube (video sharing), Twitter (social networking and micro blogging), Instagram (photos and videos), Snapchat (time-limited posts), Pinterest (themed sharing), LinkedIn (business networking), Tik Tok (videos) and other comment sharing/blogging.

County Social Media Sites: the official social media sites authorized by the County, approved by the County Manager, and managed on a day-to-day basis by the Director of Communications and/or approved Department Heads.

Personal Social Media: any form of social media created and maintained by an employee for their personal use.

Department Head: any Elected Official, Commissioner, Director, Administrator, or other head of a County department, office, or agency.

F.O.I.L.: the Freedom of Information Law, Article 6 of the New York State Public Officers Law, which governs rights of access to government records.

Record (as defined in Article 6 of the Public Officers Law, Section 86): any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes.

V. POLICIES AND PROCEDURES

1. County Social Media Site Creation/Approval

Process: Department Heads interested in creating a Department-specific County Social Media Site for County business purposes must submit a Business Case Justification to the County Manager and Director of Communications for approval. At a minimum, the Business Case Justification should:

- Name the Social Media platform to be utilized (e.g., Facebook, etc.);
- State the goals for setting up this particular County Social Media Site;
- Identify the intended audience;
- Summarize the type of information expected to be shared/displayed;
- Discuss the anticipated benefit from establishing the site;
- Identify who will create content for the site and interface with the Director of Communications; and
- Explain why the information cannot be included on an existing County Social Media Site and why a separate County site is necessary

Business Case Justifications that are approved by the County Manager will be retained by the Director of Communications for audit purposes.

2. Account Management

Account management includes the creation, maintenance, preservation, disabling and destruction of County Social Media Site accounts.

The Director of Communications will be responsible for the creation of County Social Media Sites and, in coordination with the Division of Information Technology Services (ITS), for the preservation of data on those sites.

Except as noted below, Department Heads must send all requested content to the Director of Communications for approval before any content is

published on a County Social Media Site. For Department-specific County Social Media Sites, Department Heads authorized to administer such sites may publish content on their sites without prior approval, so long as such content complies with this Policy.

The Director of Communications will be responsible for maintaining a list of all County Social Media Sites in use and their associated account user IDs and active passwords. (Note: This does not apply to passwords that are used by individuals to access their personal social media accounts.)

3. Acceptable Use

County Social Media Sites are intended to be used solely for authorized County purposes, including informing the public of County issues, projects, events, deadlines, emergencies, and other news. County Social Media Sites are not intended to create or serve as public forums, and public commenting shall be disabled to the extent permitted by the underlying social media outlet. Personal use of County Social Media Sites is strictly prohibited.

Posting Guidelines

Information posted shall be relevant, timely and appropriate to the goals of County government. Postings must contain information that is freely available to the public and not be confidential as defined by any County policy or state, federal or local law.

Employees are prohibited from posting information about pending or anticipated litigation, personnel information, sensitive or confidential information, medical information that may violate the Health Insurance Portability and Accountability Act (HIPAA) or New York State privacy laws, or any other nonpublic information, political endorsements, or any other endorsements not authorized by the County Legislature.

Vulgar, profane, obscene and/or pornographic content is expressly prohibited on County Social Media Sites. The County Manager, Director of

Communications, or their designee, shall have discretion on the removal of postings.

4. Public Use of County Social Media Sites

Comments are not allowed or permitted to be displayed on any official County Social Media Site, so long as the social media platform gives the County control over commenting features. As such, communications made to a County government entity through a County Social Media Site shall not be considered formal public comment and shall not constitute official legal notice to the County or as requests for records under F.O.I.L. Private messages or hidden comments and posts on County Social Media Sites may be treated by the County as public information subject to disclosure to third parties. Any messages or posts containing threats, or other statements indicating criminal activity, will be forwarded to the County Sheriff.

5. Disclaimer

The following disclaimer shall be posted on each County Social Media Site: "This is an authorized social media site for the County of Sullivan, New York." If space permits, the following language should be included with the disclaimer: "This page's purpose is to promote County business and inform the public of County-related events, notices, emergencies and other news. It is not intended to create or serve as a public forum. Comments, messages and other communications made through this site, while recorded, may not be read. This site and any posting, comment or message thereon shall not serve as official notice upon the County. Please visit our website for the best way to contact us."

6. Content

County departments, in collaboration with the Director of Communications, shall undertake best efforts to keep content posted on County Social Media Sites accurate and up-to-date. Any corrections to posted content shall be

made expeditiously, with notice provided to the Director of Communications.

Wherever possible, links on County Social Media Sites should direct users back to the County's website for additional information, forms, documents, or online services necessary to conduct business with the County.

7. Legal Issues

The County is responsible for complying with applicable laws, regulations and policies. This includes adhering to established laws and policies regarding copyright, records retention, Freedom of Information Law, First Amendment, privacy, HIPAA, information technology, federal, state and other constitutional rules.

Nothing in this Policy is intended to conflict with any federal, state, or local law or regulation that guarantees the free speech rights of public employees.

8. Preservation

In collaboration with the Director of Communications, ITS is responsible for archiving and collecting the County's Social Media Site data and content. County Social Media Site content is not considered confidential and may be subject to production as required by law. ITS and/or the Director of Communications shall produce County Social Media Site content in compliance with any request made by the County Attorney, County Manager, and/or Court Order.

9. Personal Social Media Accounts

Social media content associated with the County shall be consistent with the County's responsibilities to the public and its professional standards and the County's Code of Conduct. This includes personal social media pages and posts – including posts to group pages/channels – if a County employee lists their official title or posts material describing work as a County employee.

The County does not endorse Personal Social Media accounts or their content, and information contained on Personal Social Media sites does not represent the County or any official position of the County.

Employees should be aware that a social media post may be permanently available and open to being republished in other media. In addition, postings related to County business may, in certain circumstances, be required to be produced in accordance with a F.O.I.L. request or litigation.

10. Violations

Any employee that makes a post, comment, message, or other communication that is in violation of the law, this Policy, or any other County policy, on either a County or Personal Social Media Site, may be subject to discipline.

VI. POLICY EFFECTIVE DATE

This Policy shall take effect as of the date of its adoption by the County Legislature.

The County reserves the right to change, modify or amend all or part of this Policy at any time.