

Social Media Policy Town of Windham, Vermont

Section 1: Title and Authority

This policy shall be known as the Town of Windham social media policy. It has been adopted by the Town of Windham Selectboard pursuant to 24 V.S.A. §§ 1121, 1122, and 872.

The Selectboard reserves the right to amend any of the provisions of this social media policy for any reason and at any time, with or without notice.

This social media policy will be administered by the Selectboard and/or its authorized representative.

Section 2: Purpose.

This document outlines the policies and procedures for and town use of social media sites. The purpose of this policy is to provide standards and procedures for the appropriate use of social media when conducting town business. While this policy generally applies to the town website and popular sites, such as Facebook, YouTube, Twitter and other platforms, there are several evolving social media and networking platforms that may fall under its authority. The town may utilize social media and social media sites to communicate information related to the business of the town directly to the public as well as to provide members of the public the opportunity to comment on or participate in discussions concerning town business, including but not limited to operations and services provided by the town. The town encourages the use of social media to further the goals of the town, the missions of its departments and public bodies, and to contribute to the overall vibrancy of its community and degree of participation by its citizenry, where appropriate.

This policy gives direction to town employees, elected officials, volunteers, appointees, public bodies and other authorized affiliated organizations that utilize towns electronic/computer resources to access social media websites and engage in social networking for town purposes. The town has an overriding interest and expectation in deciding what is published on behalf of the town through social media and in establishing guidelines for the use of town social media by town officials and the general public.

Section 3: Definitions:

Comment means a statement or response submitted by a town official or member of the public to the town for posting on the town's social media website.

Designated Agent means an individual designated by the town Selectboard to receive and respond to notifications of claimed copyright infringement. Once named, the town must file a "designation of agent" form with the United States Copyright Office.

Social Media means the various forms of information-sharing technology to create web content and dialogue around a specific issue or area of interest. Examples of social media applications include but are not limited to a town website, Facebook, MySpace, Google and Yahoo Groups,

Wikipedia, YouTube, Flickr, Twitter, LinkedIn, and news media comment-sharing/blogging.

Town Electronic Equipment means all town electronic equipment including but not limited to computers, cell phones, smart phones, pagers and any other town equipment that may be utilized to send or receive electronic communications.

Town Official means employees of the town, public officers (whether elected or appointed) and town volunteers.

Town Social Media Site means the official social media site of the town.

Town Social Networking Moderator means an individual designated by the town Selectboard to monitor, manage and oversee social media content.

Visitor means a member of the general public who accesses town social media sites.

Windham Town Social Media Manager means the authorized representative appointed by the Selectboard with the designated responsibility of the IT officer, website administrator, designated agent, and social networking moderator.

Section 4: Conduct of Town Officials

Those designated and authorized to utilize town social media sites do so with the understanding that they are representing the town via social media outlets and must conduct themselves at all times as representatives of the town. Use of town social media sites shall comply with this policy, the town's personnel and any other relevant policies, charter provisions, rules and regulations of the town. This includes any usage of town social media sites from outside of the workplace.

Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment in compliance with the town's personnel policy, employment contract, or collective bargaining agreement as appropriate. Appointees and volunteers found in violation of this policy may be subject to removal from their respected public posts. Elected officials found in violation of this policy may be subject to private or public admonishment and/or may be asked to resign their office. When a town official responds to a comment in his/her capacity as a town official, the official's name and title should be made available.

Information posted to town social media sites is public information, and there should be no expectation of privacy in regards to the information posted on town social media outlets. Town officials are expressly prohibited from disclosing any information via social media posts that may be confidential.

Town officials are discouraged from using personal accounts to comment on or post information to town social media sites, and/or posting information regarding official town business on other social media sites. All social media site comments and posts by town officials are subject to Vermont's Public Records Law, Open Meetings Law, and all other applicable laws, rules, policies, charter provisions and regulations.

Town officials should have no expectation of privacy regarding anything created, sent or received on the town's electronic equipment. The town may monitor any and all transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its equipment.

It is the responsibility of authorized town officials to ensure that information communicated by means of social media is accurate and up-to-date.

The Town Social Networking Moderator will monitor the content posted by town officials on each of the town's social media sites to ensure it complies with this policy for appropriate use, messaging and branding, consistent with the goals of the town.

Authorized town officials must be provided with a copy of this policy and sign the Acknowledgement of Official Use by Authorized Town Officials (see Addendum A) prior to utilizing town social media.

Section 5: Comments

For purposes of this policy, town social media falls into two distinct categories:

1. **The Town Government Speech Site** does not allow for any public comments whatsoever. It is reserved for town government to engage in its own expressive conduct to promote its own message. The official Windham Town Website is currently an example of this type of site where public comment has not been enabled.
2. **Limited Public Social Media Forums** are town social media sites where public comment has been enabled to allow for discussion on specific topics as signified by postings by authorized town officials or consistent with the purposes of this policy. Submission of comments by members of the public constitutes participation in a limited public forum.

Users and visitors to town social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between authorized town officials and members of the public.

A comment posted by a member of the public on any town social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the town, nor do such comments necessarily reflect the opinions or policies of the town.

Comments by authorized town officials shall be allowed on town social media sites only when consistent with the provisions of this policy. Comments by the general public shall be allowed on limited public social media forums only when consistent with the provisions of this policy. Comments containing any of the following inappropriate forms of content shall not be permitted on any type of town social media site and are subject to editing, removal or restriction, in whole or in part, by the Town Social Networking Moderator:

- Comments not topically related to the particular social medium thread or topic or article being commented upon;

- Comments in support of or opposition to political campaigns or ballot measures of any kind;
- Profane, obscene, or sexual language or content or links to such language or content;
- 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;
- Solicitations of commerce, including but not limited to advertising of any business or product for sale;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Defamatory or personal attacks;
- Threats to any person or organization;
- Conduct that violates any federal, state, or local law; or
- Content that violates a legal ownership interest of any other party.

If comments are related to the topic at hand, then the content must be allowed to remain, regardless of whether it is favorable or unfavorable to the town.

The town reserves the right to deny any individual who violates the town social media policy access to posting to town social media sites, at any time and without prior notice.

The town reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law. Content submitted for posting that is deemed not suitable for posting by the Town Social Networking Moderator because it is not topically related to the particular subject being commented upon, or is otherwise deemed prohibited content based on the criteria set forth in this policy, must be retained in accordance with the relevant records retention schedule. Such content shall be accompanied by a description of the reason it is deemed not suitable for posting along with the time, date, and identity of the poster when available.

All town social media authors and public commenters shall be clearly identified. Anonymous posting shall not be allowed.

These conduct guidelines governing comment on town social media sites shall be displayed on all limited town social medium forums or made available by hyperlink from the town's official website.

Section 6: Account Management

The establishment and use by town officials of town social media sites on behalf of the town is subject to approval by the town Selectboard or its authorized representative.

The Selectboard or its authorized representative will review all requests to contribute to town social media sites and has the sole authority to authorize their use and establish and/or terminate town social media accounts of town officials and pages.

There should be an authorization process for employees wishing to create an account for the benefit of the town, with the town Selectboard or its authorized representative as the authority to oversee and confirm decisions. In this role, the Selectboard or its authorized representative will evaluate all requests for usage, verify staff authorized to use town social media tools, and

confirm completion of online training for social media if deemed necessary. The town Selectboard or its authorized representative will also be responsible for maintaining a list of all social networking application domain names in use, the names of all town administrators of these accounts, as well as the associated user identifications and active passwords.

All town social media sites shall be established by a duly designated town Information Technology (IT) officer with the approval and under the direction of the Selectboard or its and shall be published using approved town social networking platform and tools and administered by the town IT officer.

Section 7: Content Management

The Selectboard or its authorized representative shall designate a Town Social Networking Moderator to monitor, manage, and oversee all content on each social media site to ensure adherence to this policy, including appropriate use, messaging, and branding that is consistent with the interests, goals, and objectives of the town.

The Town Social Networking Moderator retains the sole authority to remove information from town social media outlets.

Designated department heads and/or other authorized town officials will be responsible for the content and upkeep of any town social media sites they may create.

The town does not guarantee the authenticity, accuracy, appropriateness, or security of posted hyperlinks or websites or content linked thereto.

Wherever possible, content posted to the town's social media sites will also be available on the town's official website. Town social media sites should complement rather than replacement of the Town's existing web resources. Content posted on the town's social media sites should contain links directing users to the town's official website for additional information, forms, documents, or online services necessary to conduct business with the town.

All town social media sites shall clearly indicate that they are maintained by the town and shall prominently display necessary town contact information. All town social media sites shall include the prominent placement of the official town seal, if available, along with the following notification:

This is the official website page for the Town of Windham, Vermont. If you are looking for more information about the Town of Windham, Vermont please visit <http://townofwindhamvt.com>. The purpose of the town page is to provide general public information only. Should you require a response from the town or wish to request town services, you must go to <http://townofwindhamvt.com>, if appropriate, or contact the town at 802-874-4211 and/or windham.town@gmail.com.

Section 8: Public User Agreement

A copy of this policy shall be accessible from either the town's official website or the town's social media site. The general public shall be informed that agreement to the terms of this policy is a prerequisite to participating in the town's limited public social media forums.

Section 9: Copyright Infringement Notification

The town complies with the provisions of the Digital Millennium Copyright Act of 1998 (DMCA). Federal law (U.S. Copyright Act, Title 17 of the US Code, and, more recently, the Digital Millennium Copyright Act, 105 PL 304) makes it illegal to download, upload, or distribute in any fashion copyrighted material in any form without permission or a license to do so from the copyright holder.

The town respects the intellectual property of others and requests users of the town's social media sites to do the same. In accordance with the DMCA and other applicable law, the town has adopted a policy of terminating, in appropriate circumstances and at its sole discretion, users, subscribers, or account holders who are deemed to be repeat copyright infringers. The town may also in its sole discretion limit access to its town social media sites and/or terminate the accounts of any user who infringes any intellectual property rights of others, whether or not there is any repeat infringement.

The following notification shall be made accessible on all town social media sites and on the town's official website:

If you believe that any material on the town's official website or town social media site infringes on any copyright which you own or control, or that any link on the town's social media sites directs users to another website that contains material that infringes on any copyright that you own or control, you may file a notification of such infringement with the town's Designated Agent as set forth below. Notifications of claimed copyright infringement must be sent to the Town of Windham, Vermont's Designated Agent, for notice of claims of copyright infringement. The Town of Windham, Vermont's Designated Agent may be reached as follows:

Designated Agent:

Windham Social Media Manager
5976 Windham Hill Road
Windham, Vermont 05359
802-874-4211
webmaster@townofwindhamvt.com

Section 10: Public Records Law – Compliance

Town social media sites and their related social media content are subject to Vermont's Access to Public Records Law. Information that is produced or acquired in the course of town business, including comments posted to town social media sites, may be a public record – thus, there should be no expectation of privacy in regards to the information posted on these social media outlets.

All files, documents, data, and other electronic messages created, received, or stored on the town's computer system and website server are open to review and regulation by the town and may be subject to the provisions of Vermont's Public Records Law. A public record consists of any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of town business. Public records, regardless of format, are available for inspection and copying unless there is a specific statute exempting the record from

public disclosure. Those records exempt from public inspection and copying are set out at 1 V.S.A. § 317(c).

The town's official website and town social media sites shall clearly indicate that any articles and any other content or comments posted or submitted for posting in whatever format are subject to public disclosure. Content related to town business shall be maintained in an accessible format so that it can be produced in response to a public records request. Users shall be notified that public disclosure requests must be directed to the proper custodian of public records. The name, title, and contact information for the proper custodian of public records shall be posted on each town social media site.

Section 11: Public Records Law – Retention

Relevant town records retention schedules apply to content on the town's official website as well as to town social media sites. Content posted or submitted for posting shall be retained pursuant to Vermont's Public Records Law in its standard format and in accordance with applicable disposition orders and retention schedules as established by the Vermont State Archivist.

Section 12: Open Meeting Law

Vermont's Open Meeting Law defines a public meeting as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action. All meetings of a public body are to be open to the public at all times unless otherwise exempted. Members (elected or appointed) of any town public body should refrain from using town social media sites to discuss the business of the public body or taking action by the public body in violation of Vermont's Open Meeting Law. Furthermore, members of public bodies should refrain from commenting on or responding to inquiries related to quasi-judicial matters within the subject matter jurisdiction of their respective public bodies.

Public boards and committees may utilize town social media for gathering of public input and fostering of public discussion related to the role with which it has been charged by statute or the town Selectboard, provided that the use is authorized in accordance with and conforms to this policy.

Information posted by the town on its social media sites will supplement and not replace required notices and standard methods of providing warnings, postings, and notifications required to be made with regard to public meetings and hearings under Vermont law.

Section 13: Legal

All comments posted to any town social media site are bound by that site's applicable statement of rights and responsibilities. The town reserves the right to report any violation of that site's statement of rights and responsibilities to the site provider with the intent of the provider taking appropriate and reasonable responsive action.

Addendum A:

Windham Town Website Policy

The official Town of Windham Vermont government website, townofwindhamvt.com, will serve to provide a connection between the full and part-time citizens of Windham and other visitors to the town government, community information, schedules and events of the town. The website will comply with the Windham Social Media Policy.

The Town of Windham owns and maintains this internet site and uses reasonable efforts to provide current and accurate information. The Town makes no warranty or representations as to the currency or accuracy of the information.

Neither the Town of Windham, its internet service provider, nor any of the parties involved in creating, producing or delivering this site shall be liable for any direct, incidental, consequential, indirect or punitive damages arising out of your access, use of, or inability to use this site, or any errors or omissions in the content thereof.

The Town of Windham is not responsible for the content, views, opinions or representations of any off-site pages referred to through links.

Persons submitting email comments or questions to the Town of Windham's officials or employees should be aware that the Town cannot guarantee, nor does it represent that such communication will remain private and confidential. Similar to mailed or delivered comments, comments received via email may become subject to public disclosure under the State of Vermont Public Records Law and/or as part of the discovery procedure in a civil lawsuit.

Information Disclaimer

The Town of Windham has made reasonable efforts to ensure the accuracy of the information provided in this web site. However, due to the possibility of unauthorized access to this site, data transmission errors, changes to source material made since the last update to the site, or other human or mechanical errors, the information contained on this web site should not be deemed reliable for legal purposes. Please contact the Town Social Media Manager at webmaster@townofwindhamvt.com or (802) 874-4211 to verify the accuracy of the information.

Copyright Statement

Unless a copyright is indicated, information on the Town of Windham web site is in the public domain and may be reproduced, published or otherwise used with the Town of Windham's permission. We request only that the Town of Windham be cited as the source of the information and that any photo credits, graphics or byline be similarly credited to the photographer, author or Town of Windham as appropriate.

Privacy Statement

The protection of individual privacy is a concern to the Town of Windham. The Town of Windham has created this privacy statement in order to demonstrate its firm commitment to privacy. The following discloses our information gathering and dissemination practices for this site.

Information you provide to us

The Town of Windham does not keep any personal information about you or your visit to our Internet site unless you have specifically supplied it to us, i.e. if you may have supplied us with information as part of a request for information or for purposes of registering or obtaining a license or permit online. Similarly you

may have sent us an email or left us a message in some other electronic format. Any form of electronic communication will be treated in the same way as written forms of communication, and in many instances it will be considered public information available to the public upon request. To the extent allowed by law, the Town will make reasonable attempts to protect personal financial information from disclosure.

Other information about your visit to our site

Like most Internet sites, our web site reads some information from your computer that helps us analyze traffic patterns, perform routine maintenance, maintain site security, and to help you navigate through our site. Generally the information we collect is temporary and when you leave the site this information is deleted from our system. The only information the Town automatically collects and maintains is the following:

- total number of visitors to our site
- types of computer systems used to access our site
- web browser type and version
- date and time of access
- the web site you visited prior to coming to this web site
- information concerning a possible system security threats.

Occasionally the town may have a survey on the web site that only allows a visitor to vote once. In order to keep track of whether you have voted, a cookie (a simple text file) will be created and stored on your computer. This cookie is created on your computer by voting on the survey. It will not contain personally identifying information and will not compromise your privacy or security. The only information that is contained is the name of the survey and how you voted. This cookie will remain on your computer for the duration of the survey. The cookie has an expiration date. When that date occurs it will be deleted from your computer.

This privacy policy does not apply to web sites operated by third parties that you may access through a link from our web site.

The Way We Use Information:

We use the information you provide about yourself when requesting information only to provide that information to you. We do not share this information with outside parties except to the extent necessary to complete your request.

We use return email addresses to answer the email we receive. Such addresses are not used for any other purpose and are not shared with outside parties.

You can subscribe at our website if you would like to receive our newsletter. Information you submit on our website will not be used for this purpose unless you request to be subscribed.

We use non-identifying and aggregate information to better design our website. For example, we may tell a department that X number of individuals visited a certain area on our website, but we would not disclose anything that could be used to identify those individuals.

Finally, we never use or share the personally identifiable information provided to us online in ways unrelated to the ones described above without also providing you an opportunity to opt-out or otherwise

prohibit such unrelated uses.

Our Commitment To Data Security

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online.

Our Commitment To Children's Privacy

Protecting the privacy of the very young is especially important and for that reason, we never collect or maintain information at our website from those we actually know are under 13, and no part of our website is structured to attract anyone under 13.

How To Contact Us

Should you have any questions or concerns about this privacy policy, please call us at (802) 874-4211 or send us an email at webmaster@townofwindhamvt.com.

Linking Statement

Policy on Town of Windham Web Site Links

The purpose of the Town of Windham's web site is to provide information about Town government, services, and attractions. The Town's web site may provide links to web sites outside the Town's web site that also serve this purpose. The Town is not responsible for and does not endorse the information on any linked web site unless the Town's web site states otherwise.

The following criteria will be used to decide whether to grant requests for Town web site links. If a particular request does not fit any of the following criteria, the Webmaster or Town Social Media Manager will decide whether to approve the request. The Webmaster or Town Social Media Manager will approve the requested web site link if it serves the general purpose of the Town's web site.

The Town's web site *will* provide links to web sites for:

- Governmental (local and state)
- News items of town interest
- Organizations with some relationship to the Town (including but not limited to: organizations sponsoring town activities or programs, and organizations participating in town activities or programs)
- Generally recognized community organizations, i.e. WCO, WN&N and WRCP
- Local libraries
- Town and local churches
- Organizations providing information about art, cultural, and sporting activities in the town's area
- Hospitals and clinics
- Elementary School, Vermont colleges and universities

- Area maps
- New England 511 Road Conditions
- Organizations providing local services information
- Utilities (power and telecom)
- Area and Vermont newspapers, radio and TV

The Town's web site *will not* provide links to web sites for:

- Candidates for local, state, or federal offices
- Political organizations or other organizations advocating a position on a local, state, or federal issue
- Corporate or other for-profit organizations unless they fit any of the criteria stated above
- Individuals, individual business, or personal home pages

Addendum B:

Acknowledgement of Official Use by Authorized Town Officials

I, _____, acknowledge that:

A. I received a copy of the Town of Windham, Vermont’s Social Media Policy on

_____;
Date

B. I have been given an opportunity to ask questions about said policy and I have been provided with satisfactory information in response to my questions;

C. I understand the language used in this policy;

D. I acknowledge that the town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;

E. I acknowledge that I understand this policy and I agree that I will comply with all of its provisions.

Town Official’s Signature

Date

POLICY ADOPTED this _____ day of _____, 2017.

SIGNATURES of TOWN OF WINDHAM, VERMONT SELECTBOARD:

Frank Seawright _____

Kord Scott _____

Maureen Bell _____

Printable form for signature

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D. I acknowledge that the town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;

E. I acknowledge that I understand this policy and I agree that I will comply with all of its provisions.

Town Official’s Signature

Date