

RESOLUTION NO. 19-837

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MONTEREY, TENNESSEE, ADOPTING A SOCIAL MEDIA USE AND INTERNET POSTING POLICY FOR THE TOWN

WHEREAS, The prevalence of online social media has made personal expression on public or semipublic websites commonplace; and

WHEREAS, The free speech rights afforded by the United States and Tennessee Constitutions are of utmost importance to the Town of Monterey, its officials, employees and fire department volunteers; and

WHEREAS, The Town of Monterey has an interest in cultivating and maintaining a positive presence on the internet.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Monterey, Tennessee that the following is hereby approved and adopted:

SOCIAL MEDIA USE AND INTERNET POSTING POLICY

SECTION 1. APPLICABILITY

1.1. This policy applies to every employee, whether part-time, full-time, currently employed by the town in any capacity, and every member of the Town's volunteer fire department, who posts any material whether written, audio, video or otherwise on any website, blog or any other medium accessible via the internet.

1.2. For purposes of this policy, social media is content created by individuals using accessible and scalable technologies through the Internet. Examples included, but not limited to: Facebook, Twitter, Google, Skype, LinkedIn, Tumblr, Instagram, MySpace, YouTube, Snapchat, blogs, etc.

SECTION 2. CITY/TOWN OWNED OR CREATED SOCIAL MEDIA

2.1. The town maintains an online presence. An employee or fire department volunteer may not characterize him or herself as representing the Town, directly or indirectly, in any online posting unless the characterization is made pursuant to a written policy of the Town or at the direction of a supervisor.

2.2. All Town social media sites that are directly or indirectly represented to be an official site of the Town must be created pursuant to this policy and be approved by Board of Mayor and Aldermen or the board's designee.

2.3. The Town's primary and predominant Internet presence shall remain www.townofmontereytn.com and no other website, blog or social media site shall characterize itself as such.

2.4. The Mayor or Mayor's designee is responsible for the content and upkeep of any social media sites created pursuant to this policy.

2.5. Whenever possible a social media site shall link or otherwise refer visitors to the Town's main website.

2.6. In addition to this policy all social media sites shall comply with any and every other applicable Town policy including but not limited to:

- a. Public Records Policy
- b. Acceptable Internet Use Policy
- c. IT Security Policy
- d. Ethics Policy
- e. Records Retention Policy

2.7. A social media site is subject to Tennessee's Public Records Act (T.C.A. § 10-7-101, *et seq.*) and Open Meetings Act (T.C.A. § 8-44-101, *et seq.*) and no social media site shall be used to circumvent or otherwise violate these laws. Any information posted on the Town's social media sites may be a public record subject to public inspection. All lawful records requests for information contained on a social media site shall be fulfilled by the Mayor or the Mayor's designee and any employee or fire department volunteer whose assistance is necessary to fulfill the request. All of the Town's social media sites shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the Town's records retention schedule.

2.8. All of the Town's social media sites shall also contain a clear and conspicuous statement that the purpose of the site is to serve as a mechanism for communication between the Town and its constituents and that all postings are subject to review and deletion by the Town. The following content is not allowed and will be immediately removed and may subject the poster to banishment from all Town social media sites or other disciplinary action: Comments not topically related to the particular article being commented upon; Comments in support of or opposition to political campaigns or ballot measures; Profane 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; Sexual content or links to sexual content; Solicitations of commerce; Conduct or encouragement of illegal activity; Information that may tend to compromise the safety or security of the public or public systems; or Content that violates a legal ownership interest of any other party.

2.9. The Town will approach the use of social media tools, software, hardware and applications in a consistent, Town-wide manner. All new tools, software, hardware and applications must be approved by the Board of Mayor and Aldermen.

2.10. Administration of Town social media sites.

The Mayor or Mayor's designee will maintain a list of social media tools which are approved for use by Town departments and staff. The Mayor or Mayor's designee will maintain a list of all Town social media sites, including login and password information. Employees, fire department volunteers and officials will inform the Mayor or Mayor's designee of any new social media sites or administrative changes to existing sites. The Town must be able to immediately edit or remove content from social media sites.

2.11. For each social media tool approved for use by the Town, the following documentation will be developed and adopted: Operational and use guidelines; Standards and processes for managing accounts on social media sites; Town and departmental branding standards; Enterprise-wide design standards; and standards for the administration of social media sites.

SECTION 3. NON-CITY/TOWN SOCIAL MEDIA SITES

3.1. An employee or fire department volunteer may not characterize him or herself as representing the Town, directly or indirectly, in any online posting unless the characterization is made pursuant to a written policy of the Town or at the direction of a supervisor.

3.2. The use of a Town email address, job title, official Town name, seal or logo, shall be deemed an attempt to represent the Town in an official capacity. Other communications leading an average viewer to conclude that a posting was made in an official capacity shall also be deemed an attempt to represent the Town in an official capacity.

3.3. Subject to approval by the Board of Mayor and Aldermen, departments have the option of allowing employees or fire department volunteers to participate in existing social networking sites as part of their job duties. Subject to approval by the Board of Mayor and Aldermen department heads may allow or disallow employee fire department volunteers participation in any social media activities as part of their job duties and while on municipal work time.

3.4. Any postings on a non-town social media site made in an official capacity shall be subject to the Tennessee Public Records Act and the Tennessee Open Meetings Act.

3.5. An employee, fire department volunteer or official posting on a social media site shall take reasonable care not to disclose any confidential information in any posting.

3.6. When posting in a non-official capacity an employee, fire department volunteer or official shall take reasonable care not to identify themselves as an official or employee of the Town. When the identity of an employee, fire department volunteer or official posting on a non-town social media site is apparent, the employee, fire department volunteer or official shall clearly state that he or she is posting in a private capacity.

SECTION 4. VIOLATIONS

Any employee or fire department volunteer who violates this policy will be subject to corrective and/or disciplinary action, up to and including immediate termination of employment or any volunteer relationships with the Town.

This resolution will take effect immediately upon its passage, the public welfare requiring it.

APPROVED this ____ day of _____, 2019

Mayor