



ADMINISTRATIVE DIRECTIVE

Title: Social Media Use
Issuing Department: Town Manager's Office
Effective Date: April 6, 2022
Approved: Terry Rozema, Town Manager
Type of Action: Revision

1.0 PURPOSE

- 1.1 The Town of Marana is committed to enhancing the traditional communication methods with its various constituents using social media. This commitment primarily stems from public expectations, the capabilities of current technology, and the rapid growth of social media by other local, state, and federal government entities, all of which serve as an indication that social media can be used effectively to enhance communications between local government and the public.
- 1.2 Social networking in government serves two primary functions: to communicate and deliver information directly to residents to inform the public about government matters, and when appropriate in a designated or limited public forum, to facilitate resident involvement, interaction, and feedback on specific issues involving the government's business.
- 1.3 This directive is adopted to provide guidance and information for the Town's use of social media, including but not limited to, web and mobile cell phone applications, blogs, photo and video sharing sites, micro-blogging, social networking sites, and wikis. This policy is not intended to address any one particular form of social media, but social media in general, as advances in technology will occur and new tools for sharing information will emerge. While the Town's website www.maranaaz.gov is the Town's primary internet presence, the Town recognizes that, when used appropriately, social media may be useful in furthering the goals and missions of the Town in informing and interacting with the public.
- 1.4 Other laws, ordinances and policies may also apply to the use of social media and this policy should not be interpreted to conflict with any of those laws, ordinances and policies, including requirements under the Americans with Disabilities Act.

2.0 DEPARTMENTS AFFECTED

All Town of Marana departments and employees

3.0 REFERENCES

- 3.1 A.R.S. §§ 39-121 *et seq*: Public records law
- 3.2 A.R.S. §§ 38-431 *et seq*: Open meeting law
- 3.3 Town of Marana Personnel Policies and Procedures, Policy 5-4: Use of communications systems and equipment
- 3.4 Town of Marana Administrative Directive: Confidential Information
- 3.5 Town of Marana Administrative Directive: Brand Management
- 3.6 Town of Marana Administrative Directive: External Links on Town Website

4.0 DEFINITIONS

- 4.1 Confidential information: Information disclosed to an individual employee or known to that employee as a consequence of the employee's employment at the Town, and not generally known outside the Town, or information that is made confidential by law or policy.
 - 4.1.1 Examples of "confidential information" include but are not limited to, social security numbers; payroll and personnel records; health information; credit card information; passwords and other information related to Town network access and security; financial statements; budget documents; and tax information. Individual departments, divisions, or programs may have additional types or kinds of information that are considered "confidential information" and are covered by this directive.
 - 4.1.2 "Confidential information" includes information in any form or format, including written documents or records and electronic data.
- 4.2 Content: Any posts, writings, material, documents, photographs, graphics, or other information that is created, posted, shared, distributed, or transmitted via social media.
- 4.3 Digital identity: Information about a user of a social media site that differentiates that user from others.
- 4.4 Public record: Any document or piece of information, regardless of its physical or digital format, created or received by the Town in the course of normal business operations. Public records provide evidence of organizational processes, policies, functions, decisions, or any other government activity that uses public funds. Public records may include, but are not limited to, paper records, email correspondence, and entries made in any town database program.
- 4.5 Social media: Internet and mobile-based applications, websites and functions, other than email, with a focus on immediacy, interactivity, user participation, and information sharing. These venues include social networking sites, forums, weblogs (blogs, vlogs, microblogs), online chat sites, and video/photo posting sites, or any other similar output or format. Current examples include Facebook, Instagram, Twitter, and YouTube. This directives also applies to emerging new web-based platforms generally regarded as social media or having many of the same functions as those listed.
- 4.6 Social media account: Any account established on social media.

- 4.7 Social Media Administrator: The Town employee designated by the Town Manager to monitor, manage, supervise or control the Town social media sites as provided in this directive.
- 4.8 Town social media sites/accounts: Those pages, sections, or posting locations in social media websites established, managed or maintained by an employee of the Town authorized to do so as part of the employee's duties.

5.0 POLICIES AND PROCEDURES

5.1 General

- 5.1.1 All Town social media sites must clearly indicate that the social media site is maintained by the Town and must have appropriate Town contact information prominently displayed.
- 5.1.2 The Town's social media sites are not intended to operate as traditional open public forums. When the Town opens the site for public comment, it does not intend to open the site for any and all purposes, but for limited discussion of only those topics specified by the Town on that site. In some instances, sites may be non-public forums, that is, not open to public comment at all, and in other instances, sites may be designated limited public forums and their purpose is only to advance the business purposes of the Town on those specific topics.
- 5.1.3 Unless otherwise specifically noted, when the Town establishes a Town social media account it does so to communicate to the public and to inform and relay official Town content.
- 5.1.4 The Town regulates the social media sites that it maintains because posts on Town social media sites appear to carry the approval of the Town. Unauthorized posts on those sites can confuse the public regarding whether the Town endorses the post or if a specific post forms a position of the Town and whether it is the Town's official position.
- 5.1.5 The Town shall include on its online engagement webpage a clear statement of the intent, purpose and subject matter of each Town social media site, as well as a statement clearly articulating whether each Town social media site accepts comments and if so, any restrictions that might affect the nature of the forum as either limited or traditional. In addition, the Town will link to that information in each of its social media bios.
 - 5.1.5.1 The Required Notice and Use Policy, attached to this directive as Attachment A, includes the disclosures required by section 5.1.2 and must either be included on every Town social media site if space permits, or be linked to in each Town social media bio.
 - 5.1.5.2 In addition, for any Town social media site that solicits or invites comments or posts from the public, the Terms of Use, attached to this directive as Attachment B, must either be included on the site if space permits, or be linked to in the social media bio.

5.2 Town Social Media Sites

- 5.2.1 The official Town social media site(s) is the primary tier of the Town's social media presence. This tier includes any official Town presence on a social media site. Town employees, officers and departments are encouraged to contribute content and ideas to this site by contacting the Social Media Administrator.
- 5.2.2 General departmental pages and associated content should be included and managed within the official Town social media site.
- 5.2.3 A department may seek to develop its own site or account or platform specific to its needs. Department-specific social media sites should be focused and limited in scope and topic, and should complement rather than supplant the official Town social media site or existing web resources.
- 5.2.4 A department seeking its own social media site shall submit a request in writing to the Social Media Administrator, with the following information:
 - 5.2.4.1 How or in what respect there is a clear benefit of specific stakeholder outreach that is not already met by the Town's official social media site;
 - 5.2.4.2 How the department has developed an effective strategy to develop and maintain its own site; and
 - 5.2.4.3 How the content contained on the department's social media site will be captured and retained in accordance with applicable public record laws.
- 5.2.5 The Social Media Administrator is the coordinating authority for review and monitoring and enforcement of any approved Town social media sites. The Town Manager shall be the final decision-making authority for the approval or denial of any social media sites and the use of such sites by the Town.

5.3 Employee Requirements Related to Town Social Media Sites

- 5.3.1 Employees using Town social media sites in their official capacity, in the scope of their employment, or while on duty, whether as an administrator or as a responder to a posting, must follow these guidelines:
 - 5.3.1.1 Unless posting or responding as the site administrator, employees must be clear about their role regarding the subject and the extent of the employee's authority to speak for the Town.
 - 5.3.1.2 Employees should only write and post about their area(s) of expertise, especially as related to the Town and daily assignment(s).
 - 5.3.1.3 Postings must be factual and accurate. If a mistake is made, a correction must be posted as soon as possible.
 - 5.3.1.4 Employees should reply to comments in a timely manner, when a response is appropriate. When disagreeing with others' opinions or providing comments, employees' comments must be meaningful, respectful, and relevant to the topic.
 - 5.3.1.5 Employees must not comment on legal matters, litigation, or on any parties with whom the Town is in litigation without the specific approval of the Legal Department.

- 5.3.1.6 Employees must refrain from expressing personal opinions or positions regarding policies, programs, or practices of other public agencies, political organizations, private companies, or non-profit groups.
- 5.3.2 Employees responsible for setting up or maintaining Town social media sites must use their Town issued email accounts in order to conduct municipal social media operations in a manner that is cybersecurity prudent and more password secure. By operating social media platforms using only public emails, the Town's Technology Services Department is able to better control accounts if a rapid change must be made.
- 5.3.3 An employee has no reasonable expectation of privacy associated with the administration of or posting on a Town social media site or an account established under this policy. An employee's use of Town social media sites or accounts may be investigated and monitored at any time.
- 5.3.4 Upon employee termination, retirement, or other form of separation from the Town or upon a change in job duties, account ownership remains the Town's and the employee must take all necessary steps to protect the Town's interest in the site or account.
- 5.3.5 Any employee who improperly uses administrative rights to a Town social media site may be disciplined up to and including termination.
- 5.3.6 Town employees must not form groups/pages that are private or closed to the public without the express approval of the Social Media Administrator, as set forth in section 5.5 below.
- 5.3.7 Non-exempt employees must not work on Town or departmental social media sites/accounts during off-duty hours unless specifically pre-approved to do so in writing by the employee's supervisor. All such time worked outside the employee's normal work schedule must be reported and included in the employee's regular work week.
- 5.3.8 Employees must not use Town social media tools for personal profit, private gain or loss, or business interests, or to participate in political activity.
- 5.4 Removal of posts. Because the Town does not operate its social media sites as traditional open public forums, the Social Media Administrator is authorized to remove, in a viewpoint neutral manner, unauthorized content or links posted on the sites that do not conform with the requirements of this directive.
 - 5.4.1 When the Town decides to remove content of a person who is not an employee and who was not acting on behalf of the Town, the Social Media Administrator must attempt to contact the person promptly to notify him or her of the action. When the Town removes content because it is a potential security breach or may contain a virus, the notice under this section is not required.
 - 5.4.2 Any non-Town employee, or an employee acting in the employee's personal capacity as described in section 5.4.3 below, aggrieved by a decision to remove a post may request to have the Town reconsider the decision by providing the Social Media Administrator with a written request stating the reason(s) why the person believes the post should not be removed. The Social Media Administrator or other appropriate

official must render a written decision on the request, including the basis for the decision, within three business days (excluding official Town holidays) of receipt of the request. The decision of the Social Media Administrator or other appropriate official shall be the final administrative decision of the Town.

- 5.4.3 The rights of notice and review created in this section do not apply to an employee when the employee is acting in an official capacity or as a representative of the Town. The rights of notice and review created in this section may apply when an employee is acting in the employee's personal capacity as a private party and when exercising the rights accorded a person under the Constitution and the laws of the United States.
- 5.5 Restricted Access Platforms. Restricted access sites or subsites may only be created for internal use (i.e., to allow employees to communicate among themselves) and only after approval by the Social Media Administrator. When using platforms that limit access, the Social Media Administrator must identify an appropriate platform for use, establish the guidelines for access, and monitor access for compliance. Restricted access sites may be subject to records retention laws, public records statutes, and other applicable law.
- 5.6 Brand Management. Design elements (logos, background, images) should be appropriate to the subject matter and consistent with the Town of Marana Administrative Directive: Brand Management.
- 5.6.1 Departments may use a departmental logo in their social media site. Where appropriate for a particular site, social media pages will include the Town's logo. Page names should be descriptive of the department/division using the site.
- 5.6.2 Departmental accounts that require biographies or other user specific information will read "Town of Marana, Department name" and contain a link to the department's website. Where possible, departmental user names should begin with an identifier that establishes that the account is a Town account.
- 5.7 Links. Links placed on Town social media sites must comply with the policies set forth in Town of Marana Administrative Directive: External Links on Town Website. The Town reserves the sole discretion to remove an external link from the Town's social media sites at any time.
- 5.8 Confidential or proprietary information. Information that is proprietary or copyrighted, or is intellectual property, attorney-client privileged information, information subject to state or federal privacy laws, confidential information, or other information not subject to disclosure under the Arizona public records law must not be posted on Town social media sites.
- 5.8.1 Any questions concerning this standard should be directed to the employee's supervisor, the Social Media Administrator, or the Legal Department.
- 5.8.2 The Social Media Administrator must take appropriate action upon notification by an owner of copyrighted material or other intellectual property who believes the owner's rights are infringed upon.
- 5.9 Security Risks. Applications (such as streaming video, music, photos, and subscriptions to RSS feeds) that may be useful to a Town social media site's mission can cause clutter and security risks. An application should only be used to serve a Town purpose and add

to the user experience, and only if it comes from a trusted source. An application may be removed at any time without notice if it causes a security breach or contains or is suspected of containing a virus.

5.10 Privacy. Where social media sites are hosted by third parties, they are governed by those third parties' privacy policies. The Town has no control over third parties' privacy policies or modifications to such policies. Additionally, the Town social media sites are governed by federal, state, and other laws that establish privacy rights.

5.11 Data Ownership and Copyright Policy

5.11.1 The Town retains the rights to all text, photographs, graphics of any kind, and other content produced by the Town and found on Town social media sites.

5.11.2 All social media communications or messages composed, sent, or received on Town equipment in an official capacity are the property of the Town.

5.11.3 The Town maintains the sole property rights to any image, video or audio captured while a Town employee is representing the Town in any capacity even if disseminated over Town social media sites, whether the dissemination is authorized or unauthorized, unless a release of those property rights has been specifically granted.

5.12 Records Retention

5.12.1 Employees who administer Town social media sites must ensure that the sites meet the requirements of law regarding record retention, disposal and retention schedules.

5.12.2 Departments maintaining Town social media sites or using social media tools must preserve records as required by law for the required retention period in a format that preserves the integrity of the original record and is easily accessible.

5.12.3 The Social Media Administrator, or any employee may only destroy, transfer, or otherwise dispose of records in accordance with records disposition schedules.

5.12.4 Questions regarding records retention should be directed to the Town Clerk's Office or the Legal Department.

5.12.5 The Town will archive content in accordance with the Arizona public records law. Any content that is removed may also be considered a public record and may be archived as required by law to the extent possible using then current reasonable options.

5.13 Public Records. State law governs whether content in Town social media sites is a public record.

5.13.1 The Social Media Administrator, or the department maintaining the account or site is responsible for working with the Town Clerk's Office in responding completely and accurately under the requirements of state law to any public records requests for information on social media.

5.13.2 Town social media sites must provide notice to users that their use of Town social media sites may be subject to public records requests and that their identifying

- information and posts to Town social media sites must be disclosed to the extent required by law.
- 5.13.3 An employee who removes, deletes or redacts content from Town social media sites may be destroying a public record if such record is not properly archived and made available for public inspection.
- 5.14 Open Meetings and Public Business. State law governs whether communications must be discussed in an open meeting and whether and when communications constitute a meeting. Any communications about public business may be regulated by Arizona’s open meeting law.
- 5.14.1 Employees and members of any council, board, committee, commission or agency must not use Town social media sites to discuss matters that can only be discussed in an open meeting under the open meeting law.
- 5.14.2 A member of a public body who “likes,” comments, shares, tweets, or otherwise engages in another member’s content on social media may be communicating Town business and the state law may apply.
- 5.15 Transferring Ownership, Administrative Rights and Responsibilities for a Social Media Site Account. When the Social Media Administrator or another employee needs to make a change to the administrators responsible for a Town social media account, the following actions shall occur:
- 5.15.1 The Social Media Administrator shall be notified of the change before the change needs to occur.
- 5.15.2 The new administrator shall be given all administrative rights to the social media site/account and the previous administrator’s digital identity.
- 5.15.3 Administrative rights for the departing administrator must be revoked immediately when the administrator separates from employment or is transferred to a different role.
- 5.16 Employee Obligations and Restrictions in Personal Use of Social Media The Town respects its employees’ private rights to post and maintain personal websites, blogs, and social media pages and to use and enjoy social media on their own personal devices during non-work hours. This directive provides guidelines for Town employees when they communicate on social media sites as private citizens to ensure that employees do not violate rules of employment designed to protect and maintain the stability and integrity of the workplace, and to ensure that employees comply with laws related to ethics, public records, and open meetings, among other compelling governmental interests.
- 5.16.1 Employees are prohibited from using Town computers/laptops to access social media sites unless directly related to performing job duties.
- 5.16.2 Employees must not tie or connect personal or private business venture social media account names with the Town. For example, “TownofMaranaCop” or “MaranaTownProsecutor” are not appropriate personal account names.

- 5.16.3 If commenting on Town business in their personal capacity, employees must use a disclaimer, which establishes that their comments represent their own opinions and do not necessarily represent the views and opinions of the Town.
- 5.16.4 Where confusion or doubt is likely to arise regarding the personal nature of social media activities, an employee must include a clear and conspicuous disclaimer clarifying that the social media communications reflect only the employee's personal views and do not necessarily represent the views of the Town or the employee's department.
- 5.16.5 Employees must not use their Town email account or password in conjunction with a personal social media site.
- 5.16.6 Employees shall not make intentional or negligent disclosures of non-public information, unless the disclosure is authorized by law. Unauthorized disclosures can include, but are not limited to, the unauthorized dissemination of confidential, proprietary or privileged information.
- 5.16.7 When a person can be identified as a Town employee, the Town expects its employees to be truthful, courteous, and respectful toward supervisors, co-workers, residents, customers, and other persons or entities associated with or doing business with the Town. This section and its limitations apply when the actions of the employee adversely affect the employee's work, job duties, ability to function in the employee's position, or creates a hostile work environment.
- 5.16.8 Employees must not use the Town logo or other Town identifiers on their personal sites without prior authorization.

6.0 RESPONSIBILITIES

- 6.1 The Town Manager shall designate an employee to act as Social Media Administrator.
- 6.2 The Social Media Administrator is responsible for developing and administering the Town social media sites/accounts and the use of those sites and must:
 - 6.2.1 Develop and administer the Town's presence on a social media site that is the Town's official social media site/account.
 - 6.2.2 Review all requests to establish additional department-specific Town social media sites and recommend approval or denial to the Town Manager.
 - 6.2.3 Review social media sites that have already been established to ensure that they are in compliance with this directive. The Social Media Administrator will confer with the Town Manager regarding the continued use of those preexisting sites within 90 days of the effective date of this directive. If the Town Manager does not approve the continued use of those preexisting sites, those sites must be immediately taken down and their use discontinued.
 - 6.2.4 Ensure the Town social media sites are regularly maintained and kept current.
 - 6.2.5 Review information posted to the Town social media sites by Town employees to ensure the content is appropriate, professional, and consistent with the Town's policies and the purpose for which the site exists. Frequent review of sites that

- provide opportunity for comment or other interaction is essential and the Social Media Administrator must establish a schedule for the regular review of each site.
- 6.2.6 Communicate regularly with the Town Clerk's Office and the Legal Department to ensure that the site complies with any applicable public records laws.
 - 6.2.7 Use any available data capturing applications to track user trends and activity to ensure the most effective use of social media outlets.
- 6.3 Town employees and officers are responsible for ensuring that all use and contributions to the content of the Town's social media sites adhere to the standards of conduct and requirements as outlined in this directive, and that their personal use adheres to the standards of conduct as regulated by this directive.

7.0 ATTACHMENTS

7.1 Attachment A – Required Notice and Use Policy

7.2 Attachment B – Terms of Use

Attachment A

REQUIRED NOTICE AND USE POLICY

In order to better serve its residents, the Town of Marana uses user engagement tools and websites, including social media channels, to provide residents with information in more places and more ways than were traditionally available.

All content of this site and all comments submitted to this site are public and are subject to disclosure pursuant to Arizona's public records law. Please be aware that anything you post may survive deletion whether by you or others.

- Requests for emergency services should be directed to 9-1-1 not through this site. Individual complaints, concerns, or service requests will not be addressed via social media unless the Town specifically identifies the site for that purpose.
- To protect your privacy and the privacy of others, please do not include sensitive personally identifiable information, such as social security numbers. The Town hosted tools and websites should not be considered secure.
- If you have specific questions regarding a Town activity or program that involves details you do not wish to share publicly, please contact the specific Town department responsible for that activity or program. Town contact information is listed at <https://www.maranaaz.gov/contact>.
- Posts to this site may be removed in a viewpoint neutral manner pursuant to the Town's Social Media Use Administrative Directive, subject to the right of appeal as described in the directive. Posts that are removed may still be preserved as a public record.
- The Town reserves the right to discontinue any or all Town social media sites at any time.
- Practical and legal considerations may sometimes constrain, prevent, or prohibit discussion by the Town of certain topics, including, but not limited to litigation, pending investigations, and other topics through various media including social media.
- Following or "friending" persons or organizations is not an endorsement by the Town and is only intended as a means of communication.
- Any references or links to a specific entity, product, service or organization posted by individuals on the Town social media sites should not be considered an endorsement by the Town or its departments, employees, officers, or agents.
- Some Town social media sites have links to other web sites. These external web addresses contain information created, published, maintained or otherwise posted by institutions or organizations independent of the Town of Marana. The Town of Marana does not endorse, approve, certify or control these external web addresses and does not guarantee the accuracy, completeness, efficacy, timeliness, or correct sequencing of information located at such addresses. Use of any information obtained from such addresses is voluntary, and reliance on it should only be undertaken after an independent review of its accuracy, completeness, efficacy and timeliness.

- Investors determining whether to invest or continue to invest in the Town's debt offerings should not rely on information posted on the Town's social media sites in making their decisions to invest or not to invest; information regarding the Town's financial position is posted at www.maranaaz.gov.

Any questions should be directed to the Town's Social Media Administrator.

By accessing this site, posting, or commenting I acknowledge having been advised of and understanding the foregoing.

Attachment B

TERMS OF USE

The purpose of this site is to discuss matters of public interest in and to the Town of Marana as identified and raised by the Town for discussion. We encourage you to submit comments that are on topic, but please address your comments to the specific topic(s) discussed. This is a forum limited to the specific topics identified and raised by the Town. Users who submit content to this Town social media site agree they have read, understand, and agree to the following terms and conditions by virtue of such use:

1. I am submitting content voluntarily and on my own behalf.
2. The content I post reflects my own original thoughts or work.
3. I understand that the Town has the right to re-post or share any content, photos, or videos that I submit on this or other Town social media sites.
4. I have read and understand the Town's Social Media Use Administrative Directive, including the right of the Town to remove or archive content as described in the Town's directive and as may be allowed by law.
5. I understand that any content I provide may be considered a "public record" under state law.
6. I understand and agree that unless specifically identified as a resource for receiving requests for information under the state public records laws, Town social media sites are not proper vehicles for making requests for public information or public records under state law and any such requests must be made to the appropriate custodian of the records.
7. I understand and agree that my and others' comments are subject to archiving and that my comments and others' comments are subject to removal in whole or in part from this site if the comments contain:
 - Comments not directly on the topic raised for discussion
 - Obscene, indecent, or profane language, or pornographic images
 - Direct threats
 - Content that promotes discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, ethnicity, age, disability, or gender identity
 - The solicitation, promotion or endorsement of specific commercial services, products, or entities
 - Links to any site or content posted by automatic software programs (i.e. "bots")
 - The promotion or encouragement of illegal activity
 - Personally identifiable information or sensitive personal information that if released violates federal or state law
 - The promotion or endorsement of a political campaign or candidate

- Information that compromises the public safety or security of the public or security systems
 - Information that directly interferes or compromises ongoing investigations, public safety tactics, or the safety of public safety officers
 - Confidential or exempt information in violation of state or federal law, or
 - Content that appears to violate the intellectual property right of the Town or a third party under federal or state law.
8. I also understand that the views and comments expressed on this site only reflect those of the comment's author, and do not necessarily reflect the official views of the Town, its departments, employees, officers, or agents.
9. Waiver of Liability. Because various laws exist that create liability for various actions, including without limitation defamation, invasion of privacy, false light, breach of contract, procurement violations, violations of due process, and many potential areas of exposure for which the Town accepts no responsibility based on the actions of others or for creating this social media site, I, for myself and my successors and assigns, release and hold harmless and agree to indemnify the Town, including its officers and employees, from any and all actions, claims, liabilities and damages of whatever kind and nature arising out of or in connection with my use of the Town social media site.

By posting or commenting I acknowledge that I understand and accept these terms of use.

REVISION HISTORY

	<i>DESCRIPTION OF CHANGE</i>	<i>DATE</i>
OR	Original Release	10/6/2009 (Resolution 2009-180)
REV	Revision	3/15/2011 (Resolution No. 2011-36)
REV	Revision (Comprehensive Rewrite of Entire AD; now applies only to employees, not appointed or elected officials)	4/6/2022

Caution: A copy of this Administrative Directive is an uncontrolled document. It is your responsibility to ensure you are using the current version. The electronic version is the only acceptable and controlled Administrative Directive.