

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: OCTOBER 3, 2014

AGENDA ITEM

E-1

OCTOBER 8, 2014

APPROVE RESOLUTION ADOPTING SOCIAL MEDIA POLICY

ITEM

Consider a policy to guide District policy regarding the use of social media [RECOMMEND APPROVE RESOLUTION]

BACKGROUND

To improve communication with District customers, staff recommends utilizing 'social media' methods to augment more traditional communication methods. The U.S. Government defines social media as the various activities that integrate technology, social interaction, and content creation.

Through social media, individuals or groups can create, organize, edit or 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, microblogs, Really Simple Syndication (RSS) and more. Not all forms of social media may be appropriate for use by the District.

A draft Social Media Use Policy has been developed by staff in consultation with professional outreach/media consultant and District Counsel. (Exhibit A to the Draft Resolution). Additionally, staff guidelines and external use rules have been drafted (Attachment B).

FISCAL IMPACT

Budgeted legal and consulting fees along with staff time has been expended developing the draft resolution.

STRATEGIC PLAN

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

- 6.2 Utilize technology to maximize productivity and communications.
- 6.3 Provide excellent customer service.

Goal 7. COMMUNICATION. Use public outreach to communicate effectively with the public to obtain their input and build understanding and support for the District.

- 7.1 Develop and implement a complete outreach plan and timeline with specific goals and budget each year.
- 7.2 Maintain productive communication and relationships with key stakeholders, such as city, County, State and Federal legislators, service clubs, etc.

RECOMMENDATION

Consider draft Policy, Guidelines and Rules and provide comment. By motion and roll call vote approve Resolution adopting Social Media Use Policy.

ATTACHMENTS

- A. Draft Resolution
- B. Draft Employee Guidelines
- C. Draft User Rules

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ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-XXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY
SERVICES DISTRICT ESTABLISHING SOCIAL MEDIA USE POLICY**

WHEREAS, the Board of Directors of the Nipomo Community Services District recognizes the value in using social media and the District's website to broaden communication regarding District services and to facilitate greater customer engagement; and

WHEREAS, the Board of Directors of the Nipomo Community Services District desires that social media should be used prudently to facilitate accurate, timely, and appropriate public information; and

WHEREAS, the purpose of the District's Social Media Use Policy is to set forth the District's goals, policies, and procedures on social media sites and to guide and regulate employees who are responsible for maintaining the District's presence on social media; and

WHEREAS, the Board of Directors of the Nipomo Community Services District has determined that the adoption of the policy attached hereto is in the best interest of the customers and employees of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Nipomo Community Services District:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Social Media Use Policy in the form presented at this meeting attached hereto Exhibit "A" is hereby approved and adopted.

SECTION 3. The officers of the District are hereby directed to do and cause to be done any and all acts and things necessary or proper in order to effectuate the purposes of this resolution.

SECTION 4. This resolution shall take effect immediately.

Upon a motion by Director _____, seconded by Director _____, on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

CONFLICTS:

The foregoing resolution is hereby adopted this 8th day of October 2014.

CRAIG ARMSTRONG
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

MICHAEL S. LEBRUN
General Manager and Secretary to the Board

MICHAEL W. SEITZ
District Legal Counsel

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SOCIAL MEDIA POLICY
EXHIBIT"A"

PURPOSE. Nipomo Community Services District has a business need to augment traditional communication methods with the use of social media channels to further the District's missions and goals.

The District endorses the secure use of social media technology to enhance communication, collaboration and information exchange; streamline processes; and foster productivity improvements. However, their application must not compromise data confidentiality and integrity. The same standards of conduct, principles and guidelines that apply to District employees in the performance of their assigned duties apply to employee social media technology use. This document establishes District social media use policies, protocols and procedures intended to mitigate associated risks from use of this technology where possible.

APPLICABILITY. This policy applies to all District employees and approved volunteers, consultants, service providers and contractors performing business on behalf of the District

POLICY. Use of social media technology shall conform to the policies, protocols and procedures contained, or referenced, herein. All NCSD social media sites shall be managed consistent with the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.). Members of the Board of Directors shall not respond to any published postings, or use the District social media sites or any form of communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the District.

1.0 Definitions

1.1 SOCIAL MEDIA. The U.S. Government defines social media as the various activities that integrate technology, social interaction, and content creation. Through social media, individuals or groups can create, organize, edit or 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, microblogs, Really Simple Syndication (RSS) and more. Not all forms of social media may be appropriate.

1.2 OFFICIAL EMAIL ACCOUNT. Email account provided by District that is used for official District business.

1.3 APPROVED SOCIAL NETWORKING SITE. Approved social networking site refers to social networks that General Manager has assessed and approved for use.

1.4 POST. An administrator submitted message/blog in the form of, but may not be limited to, text, videos, photographs, graphics, links (hyperlinks), documents, computer applications, etc.

1.5 COMMENT. A user submitted response to an administrator post.

2.0 Responsibility

2.1 BOARD APPROVAL AND RESPONSIBILITY. Administrative Policy and Procedure No 1-8 Social Media Use Policy was approved by the District Board on October 8, 2014. The General Manager, or his designee, is responsible for facilitating the District's Social Media Policy in compliance with established Board rules and protocols. This includes responsibility to audit use of social media and enforce policy compliance.

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2.2 AUTHORIZED USERS. Access to social media networks from within the District's information technology infrastructure is limited to individuals performing official District business and are designated to do so. To ensure the appropriateness of content Designated Social Media User(s) are appointed by the General Manager with authority to use social media on behalf of the District.

2.2.1. Social media network usage shall be limited only to those with a clear business purpose to use the forum.

2.2.2. Appropriate usage levels shall be determined and granted, including identifying what sites the individual is approved to use, as well as defining capability to: publish, edit, comment or view only.

2.2.3. Authorized users shall review the District's social media policies and procedures and are required to acknowledge, in writing, their understanding and acceptance of their scope of responsibility.

2.3 USER BEHAVIOR. The same standards, principles and guidelines that apply to District employees in the performance of their assigned duties apply to employee social media technology use. Users must take care not to violate the Brown Act which requires that decisions of a Governing Board must take place in an open meeting. Likewise users should be aware that the contents of a social media page or a specific post are subject to the Public Records act.

2.3.1. Authorized social media spokespersons shall refrain from participating in social networking discussions related to District business matters in off-District time.

2.3.2. Violations of this policy shall be reviewed on a case-by-case basis and may result in appropriate disciplinary actions.

2.2.3. Employees using social media and the internet for personal use should remember that their comments may be linked with the District. If employees publish content on any social media site outside of the District and it has something to do with the work you do or subjects associated with the District, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the District's positions or opinions."

3.0 Procedures

3.1 DISTRICT SOCIAL MEDIA TECHNOLOGY USE MUST CONFORM TO THE LAW, POLICIES AND REGULATIONS. Use of social media technology shall conform to the policies, protocols and procedures contained, or referenced, herein: all applicable federal, state, county, and District laws, regulations and policies. This includes adherence to but may not be limited to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), California Public Records Act, First Amendment, Americans with Disabilities Act (ADA), Health Insurance Portability and Accountability Act (HIPAA), Hatch Act of 1939, privacy laws, and employment related laws.

3.5 APPROVED SOCIAL MEDIA NETWORKS. Designated social media users shall only utilize District approved social media networks for hosting official District social media sites approved by the General Manger.

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4.0 Authenticity Establishment

4.1. MAKING DISTRICT SITES IDENTIFIABLE. District social media sites shall be created and maintained with identifiable characteristics of an official District site that distinguishes them from non-professional or personal uses.

- 4.1.1. District social media network accounts shall be created using an official District email account.
- 4.1.2. Contact information should display an official District email address, include something about being the “official account”, and provide a link to the District website.
- 4.1.3. The name “Nipomo Community Services District” logo must be displayed.
- 4.1.4. Link (hyperlink) District Social Media User Responsibility Guideline must be displayed conspicuously on the District web site.

5.0 Site Content

5.1. RULES AND GUIDELINES FOR SITE CONTENT. Designated Social Media Users shall review site activity regularly for exploitation, misuse or activities that have the potential to place the District at risk.

5.2. COMPLY WITH PERSONNEL REGULATIONS. Social media content shall fully comply with all of the District’s Personnel Management Regulations.

5.3. CONSIDERED PUBLIC RECORDS. Contents posted on District social media sites may be considered public records subject to disclosure under California’s Public Record Act. PRA requests for the production of posts on a District social media site shall be referred to the District General Manager and Counsel for review and response.

5.4 CONTENT SUBJECT TO REMOVAL. The following forms of content posted by external and authorized users may be subject to removal if they contain:

- 5.4.1. Profane language or content;
- 5.4.2. Content that promotes, fosters or perpetuates discrimination of protected classes;
- 5.4.3. Sexual harassment content or pornographic content and language
- 5.4.3. Solicitation of commerce, including but not limited to, promotion or advertising of any kind, including a business, organization, event or product for sale. Nipomo Community Services District does not endorse any advertising found on Facebook.
- 5.4.4. Solicitations of commerce or advertisements including promotion or endorsement;
- 5.4.5. Comments in support of, or in opposition to any political issues, campaigns or ballot measures;
- 5.4.6. Conduct in violation of any federal, state or local law or encouragement of illegal activity;
- 5.4.7. Information that may tend to compromise the safety or security of the public or public systems;
- 5.4.8. Content intended to defame any person, group or organization;
- 5.4.9. Content that violates a legal ownership interest of any other party, such as trademark or copyright infringement;
- 5.4.10. Rude, defamatory or personal attacks, as well as false, vicious or malicious statements;

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5.4.11. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;

5.4.12. Violent or threatening content;

5.4.13. Disclosure of confidential, sensitive or proprietary information;

5.4.14. Comments which include personally identifiable information, such as an address, phone number, social security number or other sensitive information.

5.4.15. Advocating for alteration of hours, wages, and terms and conditions of employment (applies to District employees only).

5.4.16. Unacceptable content and repeat individual violators shall be removed. Contact District General Manager and Counsel on any legal issues. See § 6.0 concerning content management and deletion.

5.4.17. The General Manager shall have preventative measure in place against potential destructive technical incidents.

5.4.18. The District website shall remain the primary and predominant source for Internet information.

6.0 Records Management

6.1. ACCESSIBILITY. All content is to be fully accessible to any person requesting documents from the social media site.

6.2. SAVING CONTENT BEFORE REMOVING. Content deemed inappropriate per § 5.0 or technically destructive per § 7.0 shall be promptly documented (screenshot/printout), saved pursuant to policies and procedures regarding record retention, and then be removed immediately. Contact District Manager then Counsel on any legal issues.

6.3. REMOVING THOSE WHO POST INAPPROPRIATELY. Individuals (e.g., friends, fans or followers) who continue to post inappropriate content shall be removed.

6.4 MAINTAINING SITE AND USER RECORDS. The District shall maintain a record of social media sites created for District use, including, but may not be limited to:

6.4.1. A file containing the name of the social media network, account id, password, registered email address, date established, account and agreed to the sites terms of use agreement and/or policy.

6.4.2. A record of the sites usage agreement at the time the site was created and any updated versions.

6.4.3. A list of authorized site content authors and editors.

7.0. Network Security

7.1. SECURITY CONTROLS. The District shall have security controls in place to protect District information and technology assets against potential destructive technical incidents.

7.1.1. Perceived or known compromises to the District's internal network shall be promptly reported to the General Manager. Computers, laptops and mobile devices used to administer social media sites shall have up-to-date software to protect against destructive technical incidents, including but may not be limited to, cyber, virus and spyware/adware attacks.

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ATTACHMENT B

Nipomo Community Services District (NCSD)

Social Media Usage Guidelines for Staff

Steps in Evaluating and Responding to Posts

1. Ask yourself, what type of post is it: negative, positive, neutral or other?
2. See below for guidance and respond
3. Additional reminders
 - DISCLOSE your affiliation with the District
 - CITE YOUR SOURCE: Provide a mention and or link to the original source, law, regulation, policy, other social media, etc.
 - ONLY INVEST WHAT IT IS WORTH. Don't spend more time than the response is worth
 - TONE. Conversational but thoughtful. Reflect positively on the District.

Strategy for Listening and Responding

1. We listen in a few core ways to feel reasonably comfortable that we'll see it if we are mentioned. Listening is useful for us, but we don't obsess over it.

Responding to Negative Comments

DON'T BE AFRAID OF NEGATIVE COMMENTS. The whole point of social media is to open a venue for dialogue. As a result, social media will generate positive comments, but also inappropriate, negative, profane, and off-topic posts. All posts are an opportunity for your agency to listen and offer a timely, thoughtful, response for all participants to see. Clarify misinformation in even, accurate tones and allow your readers to judge any negative comments for what they are. Your openness will earn you trust among many. The public expects an open dialogue and censoring or removing content may not be legal. Follow policies carefully so you know how and when to post, respond and remove.

Could you turn a complaint into a customer service opportunity?

IF YES Recognize and respond to their complaint. Consider rectifying the situation by providing a reasonable solution. Consider an apology. You should probably respond! Who will respond? What types of things do you say?

Does the post contain misinformation, erroneous facts?

IF YES CLARIFY. Respond by providing factual information.

Is the comment a rant, sarcastic, satirical, or joking in nature?

If yes, MONITOR. Avoid responding to specific posts, monitor the site for relative information and comments.

Will it damage your community?

IF YES consider taking it down. See § 5.0 Site Content and § 6.0 Records Management. See below for response language.

Does the post contain vulgarity, purposely inflammatory language or violate policy?

IF YES Consider taking it down. See § 5.0 Site Content and § 6.0 Records Management. See below for response language.

Are they likely to keep posting objectionable things simply because you're responding?

IF YES CONSIDER NOT RESPONDING. If none of the above were true, but they're likely to keep posting, it's almost certainly better not to respond.

The following can be used to warn individuals about inappropriate content:

"Your recent post is in violation of Nipomo Community Services District Policy and Procedure No. 1-8: Social Media Use and has been removed. Refrain from posting inappropriate content in the future. If you do not refrain from posting such content, we will regretfully have to block you from further posts. Thank you for understanding."

The following can be used to warn individuals who have violated the policy more than once:

"Your recent post is in violation of Nipomo Community Services District Policy and Procedure No.1-8 Social Media Use. As this is a repeat violation, we have to block you from further posts. Thank you for understanding."

How to Respond to Positive and Neutral Comments

You can concur with the post and share the District's view, thank them, or let it stand

Should You ...?	Not reply	Post a quick reply	Pull other people in for their insight or signoff	Other
If someone you don't know posts				
A Question for you		Post a quick reply		
A quick comment about your organization	Not Reply			
A thoughtful or detailed comment about your organization		Post a quick reply		
Other types of content:				
If a core supporter posts				
A Question for you			Pull Others In	
A quick comment about your organization		Post a quick reply		
A thoughtful or detailed comment about your organization			Pull Others In	
Other types of content:				
If _____ posts				
A Question for you				
A quick comment about your organization				
A thoughtful or detailed comment about your organization				
Other types of content:				

When Can You Post	Never	With permission from those referenced	Always. This is not an issue	Other
Photos or videos where individuals aren't identifiable?			Always. Not an Issue	
Photos or videos with clearly identifiable customers or other people you work with?		With permission of those referenced		
Photos or videos with clearly identifiable supporters or constituents?		With permission of those referenced		
Photos or videos with clearly identifiable children?	Never			
The full names of your clients or colleagues?	Never			
Information about the services you've provided to a customer	Never			
Someone's name associated with a photo or video (i.e. "tagging" them)?		With permission of those referenced		
A location associated with a photo or video?			Always. Not an Issue	
Other:				

What You Can Post	Always ok	Never ok	Ok in these circumstances	Other
Posting as the organization on the organizations page account				
Posting personal info (not related to mission) on the organization's site		Never		
Announcing major life events of staff (such as birthdays, weddings, awards)			Limited and with permission of individual	
Personal opinion (unsigned)		Not encouraged. See 2.2.3		
Personal opinion (signed)		Only if official message of the District. See 2.2.3		
Posting as staff member on the organizations page/account				
Official organizational response	Always OK			
Personal opinion		Never. See 2.2.3		
Personal informational tidbits		Never. See 2.2.3		
Posting as individual on personal page account				
Personal opinion about organization		Not encouraged. See 2.2.3		
Announcements about formal events or resources		Not encouraged. See 2.2.3		
Comments about informal or internal happenings		Not encouraged. See 2.2.3		
Connect with clients or other organizational constituents		Not encouraged. See 2.2.3		

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ATTACHMENT C

Nipomo Community Services District (NCSD) Social Media User Responsibilities and Guidelines

Why the NSCD Social Media Page? This page provides an opportunity to share with the community information about District actions, operations, programs and events.

We encourage you to take part in the conversation: So, share what you know, ask about what you don't. Tell us what you want to know more about.

As a public entity, NCSD must serve its constituents in a civil and unbiased manner. Therefore:

1. No statements that are abusive or libelous, and no personal attacks.
2. No uncivil or vulgar language.
3. If you do not follow the rules your comments may be removed.
4. Please stay on the topics presented and forgive people their spelling errors

These rules and practices are designed to raise the discussion, not limit it. [Click here for our complete Terms of Use.](#)

Got questions? Call our customer service staff at 805-929-1133 or Email to info@ncsd.ca.gov

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[These are the complete 'Terms of Use' if you click above]

RULES REGARDING POSTING OF COMMENTS

General:

All District social media sites are subject to the California Public Records Act (Cal. Gov. Code § 6250 et seq.). Any content maintained in a social media format that is related to District business, including posted communications, and communications submitted for posting, may be public records subject to public disclosure.

All articles, comments and other content posted or submitted for posting as well as personal identifying information for users and visitors to the site, may be subject to public disclosure. Public disclosure requests must be directed to the District office, attention to the General Manager.

The District reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law.

Acceptable Content:

Comments that directly pertain to Nipomo Community Services District or related to subjects already posted on the site. Promotion of non-profit community events related to the District or its services.

Unacceptable Content:

Comments or postings containing any of the following shall not be permitted on Nipomo Community Services District social media sites and are subject to unilateral removal and/or restriction without prior notice:

- Profane language or content;
- Content that promotes, fosters or perpetuates discrimination of protected classes;
- Sexual harassment content or pornographic content and language
- Solicitation of commerce, including but not limited to, promotion or advertising of any kind, including a business, organization, event or product for sale. Nipomo Community Services District does not endorse any advertising found on the host site (ie. Facebook, Twitter, etc..)
- Solicitations of commerce or advertisements including promotion or endorsement;
- Comments in support of, or in opposition to any political issues, campaigns or ballot measures;
- Conduct in violation of any federal, state or local law or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Content intended to defame any person, group or organization;
- Content that violates a legal ownership interest of any other party, such as trademark or copyright infringement;
- Rude, defamatory or personal attacks, as well as false, vicious or malicious statements;
- Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
- Violent or threatening content;
- Disclosure of confidential, sensitive or proprietary information;
- Comments which include personally identifiable information, such as an address, phone number, social security number or other sensitive information.
- Advocating for alteration of hours, wages, and terms and conditions of employment (applies to District employees only).
- Unacceptable content and repeat individual violators shall be removed. Contact District General Manager with any questions or concerns.
- The District website shall remain the primary and predominant source for Internet information.

Status and Context of Comments

Comments by external parties or advertising on Nipomo Community Services District social media page are not official public testimony concerning any project or program. An opinion expressed on the Nipomo Community Services District social media page is posted for general discussion only and is not a substitute for a formal statement in a public hearing process.

NCSO does not necessarily agree with content posted by its media site fans. No comments on any District social media page constitute a binding representation, agreement or an endorsement on the part of NCSO.

NCSO reserves the right to deny access to its social media sites for any individual, who violates the District's Rules and Policies at any time and without prior notice.

Information posted on NCSO social media sites or in any other way provided to NCSO may become public records available to others.

All comments posted to any NCSO social media site are bound by the site host's Statement of Rights and Responsibilities, in the case of Facebook, the site is located at <http://www.facebook.com/terms.php>.