

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1358**

**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 Harrison, seconded by Director Blair, on the following roll call vote, to wit:

AYES: Directors Harrison, Blair, Vierheilig, and Armstrong
NOES: Director Gaddis
ABSENT:
CONFLICTS:

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


CRAIG ARMSTRONG
President, Board of Directors

ATTEST:


MICHAEL S. LEBRUN
General Manager and Secretary to the Board

APPROVED AS TO FORM:


MICHAEL W. SEITZ
District Legal Counsel

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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.

3.2 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.