



- City Council
- City-Wide
- Department

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Social Media Policy

I. Purpose

Because many residents and other stakeholders use social media for news and communications, the City of Edina has developed its own social media accounts, which help inform the public about its work and mission.

The City has an important interest in ensuring the accuracy and consistency of information associated with its social media accounts. Respecting the First Amendment to the U.S. Constitution, the rights outlined in our State constitution and the right to freedom of speech, this policy defines how City staff uses social media to communicate and establishes guidelines for the public's use of the City's social media accounts that balance all these values.

II. Policy

Under its Communications Department, the City of Edina will determine, at its discretion, how its social media resources will be designed, implemented and managed as part of its overall communications and marketing strategy. City-related social media accounts may be modified or removed at any time and without notice as further described in this document.

We believe that honest, civil and productive discussions provide the best environment for residents to understand the work of their government and participate in constructive engagement. That's why we ask users to consider that our social media accounts may be viewed by children and other impressionable people. Users should avoid profanity, personal attacks, bullying or use of incorrect information.

III. Scope

This policy applies to any existing or proposed social media accounts. This policy also covers the private use of the City's social media accounts by all City representatives, including its employees and agents, Council Members, appointed board or commission members and all public safety volunteers to the extent it affects the City.

IV. Definitions

Social Media – "Social media" means content (text, images, audio, links or video) created or shared by the City and communicated on its online accounts. The platforms on which we have

created these accounts allow sharing, commenting and other engagement. Examples of social media accounts the City may use are Facebook, X, Instagram, YouTube, Nextdoor and LinkedIn.

Comments – “Comments” include any content (text, images, audio, links or video) posted to one of the City’s social media accounts by a user.

User – “User” means a member of the public who views or interacts with one or more of the City’s social media accounts.

V. General Conditions & Rules of Use

Account Creation – All official City of Edina social media accounts and their account types must be approved by the City’s Communications Director.

Administrative Access – When given administrative access to the City’s social media, employees and agents will act in a professional manner and adhere to all City policies. City employees who wish to comment on other social media accounts or blogs in an official capacity must do so in accordance with the City’s Media Contact Policy.

The Communications Department maintains usernames and passwords for all City social media sites so that staff can post to any and all of them during an emergency and remove inappropriate content and ensure records retention. Changes to passwords or other credentials that use a general login must be reported to the Communications Department within 24 hours of the action.

Branding – Social media websites are to be consistently branded in order to communicate a clear association with the City. Branding should include, but is not limited to, the inclusion of the City and/or enterprise facility logo and, where possible, the official brand colors. The naming and contact conventions used for social media websites should be City of Edina-specific. All approved social media websites will be linked with an official City website.

Monitoring – The City’s social media accounts are not monitored 24/7 and no one should use the City’s accounts to seek emergency services. Anyone in need of emergency help should call 911.

Members of the City’s Communications Department and Parks & Recreation Marketing Analyst and Digital Marketing Coordinator oversee and monitor all the City’s social media accounts during business hours. Department Directors and Facility Managers or their designees are required to regularly monitor their social media sites.

The City does not guarantee staff will respond to comments or messages sent on its social media accounts. To provide the best possible customer service, staff will strive to answer questions posed on social media during business hours, within one business day.

City staff with administrative rights will not edit any posted comments. See VI.2. for guidelines for removing content.

Complaints about specific actions of City employees outside of the Police Department posted as social media comments or through direct messages will be promptly forwarded to the appropriate Department Director and the Human Resources Department for review. For complaints about Police personnel, staff will respond with a link to the Police Department's complaint form.

Removal of Posts – Generally, the only posts that will be removed after the fact are those of missing persons posted on or shared from public safety accounts. Once a person has been found, the post will be removed within one business week.

Archiving – To adhere to current records retention requirements, the Communications Department will archive content from each of the City's social media accounts.

Accessibility – Social media content should aim to comply with WCAG 2.1 II for ADA Title II compliance. Among other requirements, alternative text for images must always be included. Videos should have captions that not only include dialogue, but identify who is speaking and make note of any sound effects or other significant audio. Color contrast on graphics must meet any requirements.

VI. Content Moderation

Limited Public Forum – The City's social media accounts are created and maintained as limited public forums under federal case law pertaining to the First Amendment to the U.S Constitution. The City invites members of the public to view and, where possible, provide comments or other engagement on its social media accounts. However, the law permits the City to hide and/or delete comments that are not protected speech under the First Amendment and relevant federal case law. The City will not hide or delete comments solely because such comments are critical of the organization, its officials or its employees.

Prohibited Content – Relevant First Amendment case law permits the City to hide or delete certain comments on its social media accounts. The following comments may be hidden or deleted:

- a. Comments directly advocating violence or illegal activity.
- b. Comments containing direct criminal threats as defined by local, state or federal law.
- c. Comments containing obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive; appeals to prurient interest; and lacks serious literary, artistic, political or scientific value.

d. Comments that directly promote or advocate for the City to illegally discriminate based on race, age, religion, gender, national origin, disability, sexual orientation, veteran status or any other legally protected class if such comments violate local, state or federal law.

e. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, app or browser.

f. Duplicate comments posted repeatedly within a short period of time.

g. Comments containing actual defamation against a person, either as determined by a court or comments that are patently defamatory by easily discovered facts. When a public figure is the target, the user must act with actual malice for the comment to be defamatory.

h. Comments that contain images or other content that violate the intellectual property or copyright rights of someone else, if the owner of that property notifies staff that the property was included in a comment on the City's social media account(s).

i. Comments that contain a hyperlink to any website other than those we control. This will be done without regard to the viewpoint of the comment containing such a link.

Retention – When a comment containing any of the above content is posted to one of the City's social media accounts and staff hides or deletes the comment, a copy or electronic record of that content must be retained pursuant to the City's records retention policy.

Right of Appeal – If staff hides or deletes a user comment pursuant to these terms and conditions, that user has the right to appeal that decision by sending an email or letter to the Communications Director within five business days of the action.

Upon receipt of an appeal, the City Attorney will determine whether the comment at issue contained content protected by the First Amendment. If the appeal is successful, the comment may (if possible) be restored for public view, or the user may be permitted to repost the comment. Upon a determination that the comment was not protected by the First Amendment, the user will be notified that the appeal was denied. The return correspondence, sent within a reasonable amount of time, will provide the user with a brief legal explanation for the action taken.

Blocking or Banning a User – When the City determines that a user has violated these terms and conditions on three or more occasions within a 12-month rolling period, staff may block or ban the offending user from the social media account where the violations occurred. If the City blocks or bans a user, staff will reasonably attempt to notify the user and describe the violation.

If the appeal is successful and the user has not violated this policy three times within a rolling 12-month period, the City will unblock or unban the user from the social media account. If the appeal is not successful, the decision will stand.

VII. Data Ownership

All social media communications or messages composed, sent or received on City equipment in an official capacity are the property of the City and will be subject to the Minnesota Government Data Practices Act. This law classifies certain information as available to the public upon request. The City of Edina also maintains the sole property rights to any image, video or audio captured while a City employee is representing the City in any capacity.

If, consistent with the test set forward by the U.S. Supreme Court in *Lindke v. Freed*, it is determined that a social media account maintained in the name of one of the City's government officials is a government account, such accounts will be maintained consistent with this policy.