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**VILLAGE BOARD MEETING**

**From:** Chad Pelishek, Village Manager

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**VILLAGE OF HARRISON**

**Meeting Date:** 4/29/2025

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**Title:** Approval of a Social Networking Policy for the Village of Harrison.

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**Issue:** Does the Village Board wish to approve the Social Networking Policy for the Village of Harrison?

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**Background and Additional Information:**

Trustee Baldwin requested a future agenda item related to a Social Media Policy at a previous meeting.

Village staff worked with CVMIC and the Village Attorney to draft the social media policy. Currently the Village has limited social media platforms with only two different people managing the platforms. More important is that this policy educates employees that work for the Village to cognizant of their personal posts in relation to their village employment.

The policy was generated based on a article in the League magazine about a Supreme Court ruling on Lindke v. Freed case. The Village Manager asked the Village Attorney if he was aware of Social Media Policies covering both staff and elected officials. The Village Attorney's response:

*The best advice I could give any elected official would be to not use a personal account (of any kind whether email, social media, or otherwise) to conduct official governmental business.*

*In the Lindke v. Freed case, the governmental official at issue was a City Manager. This is typically a hired (unelected) position. Accordingly, I would characterize the City Manager as an employee.*

*Employees can be fired, suspended, or otherwise disciplined if they violate a policy. For the most part, elected officials cannot. This is why elected officials' conduct is more often controlled by rules of ethics rather than policies.*

*But even with a rule of ethics (presumably to prohibit an elected official from posting official govern business from their own accounts) can be problematic. Who would enforce? What would the penalties be?*

*In the past, the Village Attorney handled this sort of issue by providing advice. Specifically, the Village Attorney advised Board members that they can be personally sued if they use their personal accounts in a way that implies, they are doing business on behalf of the governmental entity. And any privacy expectations that they might have concerning their own personal accounts may be shortsighted if a court finds there has been a violation of any law.*

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**Budget Impacts:** None

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**Recommended Action:** Motion to approve the Social Policy.

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**Attachments:**  
Social Media Policy