

TOWN OF LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Town Council of Town of Loxahatchee Groves

FROM: Francine Ramaglia, Town Manager

DATE: September 3, 2024

SUBJECT: Approval of Resolution No. 2024-63 - Social Media Policy for Elected Officials, committee members and other appointed officials

Background:

In light of the recent Supreme Court decision in *Lindke v. Freed*, we have developed a social media policy for elected officials, committee members and other appointed officials of the Town. This policy aims to provide clear guidelines on the use of social media for both personal and governmental purposes, ensuring compliance with the latest legal standards and promoting transparency and accountability.

The *Lindke v. Freed* case established a two-part test to determine when a public official's conduct on social media constitutes state action. This decision underscores the importance of distinguishing between personal and official use of social media and ensuring that officials do not engage in viewpoint discrimination.

The social media policy outlined in *Resolution No. 2024-63* provides guidance on how to

1. manage personal v. official accounts appropriately.
2. prevent viewpoint discrimination
3. comply with Florida's public records laws

We believe this policy provides the necessary guidance to elected officials in the use of social media, ensuring compliance with the most recent case law and promoting transparency and accountability.

The Town's Human Resources Manual includes the social media policy for employees that aligns with the principles and protocols set forth in the accompanying policy for elected officials, committee members and other appointed officials of the Town.

Recommendations:

Staff recommends approval of *Resolution No. 2024-63* adopting a social media policy for elected officials, committee members and other appointed officials of the Town.