

# Mission Springs Water District Policy & Practice Manual

## Policy No. 2023-1 Social Media Policy

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### I. **PURPOSE**

The purpose of the Mission Springs Water District ("District") Social Media Policy ("Policy") is to disseminate factual and timely information by way of social media to community members about the District's mission, meetings, services, events, and activities. The District's intended use of its social media sites is solely to address matters of District business. The District has an overriding interest and expectation in deciding what is posted or communicated on behalf of the District on District-managed social media. Questions, comments, and concerns about District business are welcome and encouraged, but please note that the District's social media sites are not general public forums.

This Policy establishes guidelines for community members to interact with the District through District-managed social media sites (e.g., websites, Facebook, Twitter, YouTube, etc.) about District business. These guidelines also apply to District employees' and representatives' use of District-managed social media sites as described in this Policy to further the business of the District.

The District requests posts and comments on District social media sites be courteous, professional, and respectful. By posting, commenting on, or using District social media sites or platforms, you agree to abide by this Policy.

### II. **DEFINITIONS**

1. "Social media" means, but is not exclusive to, websites and internet-based applications where user-created content exists electronically. Examples of social media include but are not limited to Twitter, Facebook, LinkedIn, and Instagram.
2. "District social media site" means an internet site, page, location, or other means for the collection of digital information on a social media platform over which the District controls its postings, except for advertisements or hyperlinks by the social media platform's owners, vendors, or partners.
3. "District post" or "District postings" mean information, articles, pictures, videos, or any other form of communication posted by the District on a District social media site.
4. "Post" or "Postings" mean information, articles, pictures, videos, or any other form of communication posted by the District or a user on a District social media site.

### III. **GENERAL POLICY**

1. These guidelines will be displayed to users or made available by hyperlink on the District's website and social media sites.
2. The District reserves the right, in its sole and absolute discretion, to remove any District post and to terminate any District social media site at any time without notice.
3. All posts on the District's social media sites shall adhere to applicable federal, state, and local laws, regulations, and policies.
4. The District may remove any content or post that violates this Policy or any applicable law.
5. The District may remove any posts and/or comments on topics or issues unrelated to District business and not within the subject matter jurisdiction of the District.
6. The District reserves the right, at any time and without prior notice, to deny access to District social media sites to any individual that violates this Policy.
7. Repeat violators of this Policy may be subject to being banned from future posts on District social media sites.
8. Content on District social media sites is subject to the California Public Records Act. Any content or posts on a District social media site may be a public record subject to public disclosure or subject to discovery in litigation.
9. This Policy may be revised at any time with the District's sole and absolute discretion.
10. Use of social media sites by District employees that affect productivity or results in any cost, charge, or loss to the District is prohibited and may result in discipline.

### IV. **CONTENT MANAGEMENT**

1. **The District's social media sites**: District social media sites shall be managed and moderated by the District's Public Affairs Manager or his/her designee. The establishment of District social media sites requires prior approval by the District's General Manager or Public Affairs Manager. All comments or posts to the District's social media sites will be monitored.
2. **District-posted content**: All posts on behalf of the District on the District's social media sites shall be posted by the Public Affairs Manager or his/her designee. District posts on its social media sites will supplement and not replace the District's required notices and standard methods of communication. The District's official

website, [www.mswd.org](http://www.mswd.org), is and will remain the primary source of District-related notices, information, and news. Content posted on the District's social media sites will also be available on the District's website. The information posted by the District to District social media sites must:

- a. Directly pertain to District business or District-sponsored programs, services, and/or events.
  - b. Contain publicly available information that is not confidential or privileged from disclosure as defined by any local, state, or federal law or District policy.
  - c. Comply with all local, federal, and state laws, including the Brown Act.
  - d. Not include content that is contrary or detrimental to the District's mission.
  - e. Not contain messages that endorse, promote or oppose any religion or religious beliefs.
  - f. Not contain content that conducts or encourages illegal activity.
  - g. Not contain any personal information that would violate any legally protected right to privacy.
  - h. Not promote, endorse, or oppose any political groups, candidates, or ballot measures.
  - i. Not contain any profane, obscene, or pornographic language or content or links to such language or content.
  - j. Not contain content that promotes, fosters, or perpetrates discrimination based on race, color, creed, sex, gender, age, religion, national origin or ancestry, physical or mental disability, veteran status, parentage, marital status, status with regards to public assistance, medical condition, sexual identity, sexual orientation, or any other category protected by federal, state or local laws.
  - k. Not contain solicitations of commerce or advertisement of any private business, product, or commercial activity.
3. **Personal social media use**: District employees, officials, and members of the District's board of directors (aka "Directors") with personal social media accounts that post or comment on social media about official District business should:
- a. State their name;
  - b. Use a disclaimer such as: "The postings on this site are my own and don't reflect or represent the opinions of the District with which I am affiliated."
4. **Posts are public**: Employees and District representatives should know that posts about District issues that include or relate to employment complaints or human resources concerns may not be protected.

5. **Confidential information**: Posts by the Public Affairs Manager or his/her designee shall not directly or indirectly disclose District confidential, privileged, or proprietary information, nor shall they disclose confidential, private, or proprietary information about District customers, vendors, or suppliers.
6. **Media inquiries**: All media inquiries about District social media sites and posts shall be referred to the General Manager or Public Affairs Manager or their designee.
7. **Compliance with applicable laws**: Use of the District's social media sites shall be in compliance with all applicable laws, including the Ralph M. Brown Act ("Brown Act"). District Directors shall not repost, "like", retweet or in any way respond to or comment upon posts by other Directors where such posts relate to District business or matters within the District's subject matter jurisdiction as such activity may result in a violation of the Brown Act. District directors, in order to assure compliance with the Brown Act, should identify themselves as such when posting a comment on District social media sites. Directors should not use District social media sites to blog or engage in serial meetings, or otherwise discuss, deliberate or express opinions on any issues within the subject matter jurisdiction of the District, as doing so could result in a Brown Act violation.
8. **Discipline for violations**: District employees and officials are expected to demonstrate the highest standards of personal integrity, honesty, and conduct in all activities in order to inspire public confidence and trust in the District. District employees that post content in violation of this Policy may be subject to disciplinary action as outlined in Rule 30 of the MSWD Employee Handbook.
9. **Free speech**: Nothing in this Policy is intended to restrict or limit District employees' right to free speech or rights to engage in protected concerted activity under applicable law.
10. **Posts in private capacity**: District Director and employee activity on social media sites outside of work must not be attributable to the District or the employee's job function at the District. Examples include the following:
  - District employees and Directors should not use their work e-mail address to register for social media and other sites unless authorized by the District to do so and where the purpose is directly related to their job and/or official District duties.
  - District employees and Directors should not display the District's logos, emblems, or patches on personal social networking accounts.
  - District employees and Directors should not state or imply that they speak for the District, or for District officials unless expressly authorized by the District (Board or General Manager) to do so.
11. **Externally posted content**: Posts by members of the public (including comments, photos, and links) on District sites that are not true or that contain any of the

following are not permitted and, to the extent allowed by law, may be removed by the District from its social media sites:

- a. Profane, obscene or pornographic language or content or links to such language or content.
  - b. Solicitations of commerce, including but not limited to advertising of any business, product, or commercial activity.
  - c. Content that conducts or encourages illegal activity.
  - d. Information that is illegal to disseminate or that might compromise the safety or security of the public or public systems.
  - e. Content that violates another party's legal ownership interest, such as copyright or trademark.
  - f. Defamatory statements.
  - g. Threats of violence or injury to any person, property, or organization.
  - h. Content that violates any federal, state, or local law.
  - i. Content that promotes, fosters, or perpetuates discrimination based on race, color, creed, sex, gender, age, religion, national origin or ancestry, physical or mental disability, veteran status, parentage, marital status, status with regard to public assistance, medical condition, sexual identity, sexual orientation, or any other category protected by federal, state, or local laws.
  - j. Duplicate posts by the same commenter.
  - k. Comments that contain spam or include links to other sites.
12. **Disclaimer**: The District is not responsible for, and neither endorses nor opposes, the opinions or comments placed on District social media sites by visitors or third parties. The District further disclaims any and all responsibility or liability for any posts/content that cannot lawfully be removed or for posts/content that the District deems inappropriate for posting but which cannot be or are not removed expeditiously.
13. **No expectation of privacy**: Given that posts on MSWD's social media sites are publicly viewable and available, users, posters, and employees do not have a reasonable expectation of privacy in content posted to District social media sites.
14. **Intellectual property**: Use of the District's logo, trademarks, intellectual property, proprietary graphics, or photographs without the General Manager or Public Affairs Manager's written permission is strictly prohibited.
15. **Indemnity**: By posting content on an MSWD site, members of the public agree to indemnify and hold harmless the District, its officials, officers, directors, and employees, against any damages, losses, liabilities, judgments, causes of action, costs, or expenses (including reasonable attorneys' fees and costs) arising out of

any claim relating to any material user has posted on any District-managed social media.

16. **Terms of use policies**: All comments posted to District social media sites are also bound by the platform or host's specific use policy. The District reserves the right to report any violation of a social media host's use policy with the intent of taking appropriate and reasonable responsive action.

17. **Questions**: If you have any questions concerning the operation of a District's social media site, please contact the District at (760) 329-6448.

**V. CONCLUSION**

Social media is a 24/7 medium; however, the District's moderation capabilities are not. The District may not detect every inappropriate comment immediately and must rely on the maturity of social media participants and the community to ignore false, misleading, inappropriate, or harmful speech. The District disclaims any and all responsibility for any post/content the District has not expressly authorized.

Adopted:

\_\_\_\_\_, 2023

Approved By:

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