



TOWN OF SHALLOTTE

TOWN OF SHALLOTTE TECHNOLOGY/SOCIAL MEDIA POLICY

POLICY

All communication tools need to be used in ways that maximize transparency, maintain the security of the network, and are appropriately professional. Social media is no exception. The application of social media within the Town of Shallotte must be done following the guidelines and policies in the Personnel Policy. All communications may be considered for public records and consequently must be retained for a certain period of time in compliance with the public records law. These guidelines are intended to ensure that “best practices” are used for departments. Employees must ensure a distinct separation between personal and organizational views, and must not speak as a representative for the Town.

METHODS USED TO BREACH IT SECURITY

Current social media security risks include third-party spear phishing, social engineering, spoofing, and web applet attacks. Because of the relative vulnerability of social media sites to these security exploits, it is important to be cautious when using such sites. To prevent potential harm, employees should minimize the amount of information an attacker is likely to gain. Do not duplicate user ID’s and/or passwords across multiple sites.

RECORDS MANAGEMENT AND PRESERVATION

All communications through all means including, but not limited to, texting and email, may be considered a public record under NCGS, Chapter 132 and will be managed as such. All comments or posts made to a Town account or on a Town device are public and not private.

INTELLECTUAL PROPERTY OWNERSHIP

Employees may not use the Town of Shallotte resources to commercialize or publish a work without written approval or consent from the Town Manager.

DEFINITIONS

Social Media – For the purpose of this policy, social media will include websites, blogs, or other forms of social media or technology to include, but are not limited to, video or wiki postings, social networking sites such as Facebook, Instagram, or Twitter, chat rooms, YouTube, personal blogs, or other similar forms of online journals, diaries, or personal newsletters not affiliated with the Town of Shallotte.

TOWN COMMUNICATIONS

All Town communications including those utilizing any technology outlets or device should remain professional in nature and should always be conducted in accordance with the Town’s policies.

- Freedom of Expression: The constitutional right to freedom of expression applies to all employees of the Town, no matter the medium used. However, employees are responsible and accountable for all works and forms of expression exhibited during the performance of official Town duties. Employees should recognize the difference between freedom of expression as a general citizen and freedom of expression as a public employee of the Town.
- Ownership of Data and Information: All forms of data either stored on or transmitted to or from Town electronic devices are the property of the Town of Shallotte.
- Freedom from Harassment and Undesired Information: All employees have the right not to be harassed by computer or network usage by others.
- Right to Privacy: Each employee is responsible for respecting and valuing the rights of privacy for all and recognizing and respecting the diversity and opinions of others. Each employee must behave ethical and comply with all legal restrictions regarding the use of information that is the property of others.

PROHIBITED USE: VIEWING OR SAVING PORNOGRAPHY ON TOWN GOVERNMENT NETWORKS AND DEVICES

Whereas, the General Assembly enacted a new statute, N.C. Gen. Stat. § 143-805, in Session Law 2024-26, which requires local governments to adopt a policy prohibiting employees, elected officials, and appointees from viewing pornography on town government networks and devices; and

Whereas, the policy adopted by the board of aldermen must state the disciplinary action to be taken for a violation of the policy; and

Whereas, the Board of Aldermen find the policy must be incorporated into the town's personnel ordinance to require disciplinary action for violations.

Be it hereby resolved that The Town of Shallotte Technology/Social Media Policy is amended to comply with N.C. Gen. Stat. § 143-805 by adding a new subsection n, as set forth below:

(n) *Viewing or Saving Pornography Prohibited.*

(1) Definitions:

- (i) *Appointees* shall mean persons appointed by the board of commissioners to serve on any board, commission, committee, authority or similar body created by the board of commissioners or by statute.
- (ii) *Device* shall mean any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.
- (iii) *Network* shall mean any of the following, whether through owning, leasing, maintaining, or otherwise controlling: the interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment; internet service; and internet access.
- (iv) *Pornography* shall mean any material depicting sexual activity with *material* and *sexual activity* to mean as defined in G.S. 14-190.13.

(2) The viewing or saving of pornography by employees, elected officials, or appointees on or to any device owned, leased, maintained, or otherwise controlled by the town is prohibited.

- (3) Any employee, elected official, or appointee with pornography saved to a device owned, leased, maintained, or otherwise controlled by the town shall remove, delete, or uninstall the pornography no later than January 1, 2025.
- (4) Employees of the Town of Shallotte are prohibited from viewing pornography on any network of the town.
- (5) This subsection n shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:
- (i) Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.
 - (ii) Identifying potential security or cybersecurity threats.
 - (iii) Protecting human life.
 - (iv) Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.
 - (v) Participating in judicial or quasi-judicial proceedings.
- (6) Annually, no later than August 1 and in the format required by the State Chief Information Officer, Town Manager or his/her designee shall report information to the State Chief Information Officer on the number of incidences of unauthorized viewing or attempted viewing of pornography on the town's network; whether or not the unauthorized viewing was by an employee, elected official, or appointee of the town; and whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the town.
- (7) Any violation of this subsection n by an employee who is not an elected official or appointee shall constitute grounds for disciplinary action up to and including termination of employment. Any violation of this subsection n by an appointee shall constitute grounds for removal of the appointee from office.

ACKNOWLEDGMENT

Employees are required to sign a written acknowledgement that they have received, read, understand, and agree to comply with the Town of Shallotte Technology/Social Media Policy.