

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 11-2021

**A RESOLUTION TO ADOPT A SOCIAL MEDIA POLICY FOR THE EMPLOYEES
AND ELECTED OFFICIALS FOR THE TOWN OF PALMER LAKE**

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, the Town of Palmer Lake, Colorado, employees and elected officials may decide to engage in social media use; and

WHEREAS, the Town encourages communication, but recognizes that there are guidelines to consider for the protection of the Town, employees, and elected officials relating to the use of social media platforms; and

WHEREAS, the attached Social Media Policy is developed to address these guidelines in using any and all communication platforms of social media.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The Board of Trustees for the Town of Palmer Lake hereby adopts the Social Media Policy, attached here to as Exhibit A.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.


INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 28th DAY OF JANUARY 2021.

ATTEST:

TOWN OF PALMER LAKE, COLORADO



Dawn A. Collins
Town Administrator/Clerk

BY: 

William Bass
Mayor



SOCIAL MEDIA POLICY

ISSUE DATE:	January 2021	REVISION DATE:	
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I. PURPOSE

The Town of Palmer Lake has an overriding interest and expectation in deciding what is “announced” or “spoken” on behalf of the Town through the use of social media. This policy establishes guidelines for the establishment and use of social media by the Town for conveying information about the Town of Palmer Lake and its events and activities. This policy also establishes guidance for employees and officials acting in a personal capacity for the Town when using social media.

The Town’s intent is to create a “government speech forum” or a “limited forum” devoted exclusively to the Town’s postings to the public. Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws.

II. POLICY

a. Town Website

The Town of Palmer Lake’s website is the Town’s primary and predominant internet presence. All of the Town’s website content and social media sites that are posted by departments and offices will be subject to approval by Town Administrator or designee. **Social media use should complement rather than replace the Town’s primary website.** Only employees authorized by the Town Administrator are authorized to post content on the Town of Palmer Lake website.

b. Social Media Posting

The general position of the Town of Palmer Lake is to use social media that **promotes one-way communication from the Town to the public**, to fully disable or disallow commenting on the Town’s social media posts, and to make clear the social media platform is merely reserved for government speech to allow municipal officials to post notices and information.

As a public entity, the Town of Palmer Lake must abide by certain standards to serve all constituents in a civil and unbiased manner. Only officials authorized by the Mayor and employees authorized by the Town Administrator are authorized to post content on an authorized Town of Palmer Lake social media profile on behalf of the Town. Any social media profiles used by the Town, including any login information and passwords, are the property of the Town of Palmer Lake and not the property of an employee or other party. Any social media profile used by the Town must be capable of editing, removing, and archiving content from social media websites.

Authorized employees, as well as elected officials, representing the Town of Palmer Lake on social media must conduct themselves at all times as professional and dignified representatives of the Town and in accordance with all policies, directives, and professional expectations.

Employees and/or officials posting content on behalf of the Town of Palmer Lake must follow these guidelines:

- Communications must be consistent with the goals, branding, mission, vision, and values of the Town of Palmer Lake.
- Communications must be factual and accurate and not reflect opinions or biases.
- Communicate meaningful, respectful entries that are on topic while also recognizing that postings are widely accessible and not easily retractable.
- Communications must be written in plain business English with proper grammar and vocabulary and should avoid acronyms and jargon.
- Communications must comply with policy, directives, professional expectations, and respect for privacy, confidentiality, and applicable legal guidelines for external communication.
- Ensure that legal right exists to publish all materials, including photos and articles, and comply with all trademark, copyright, fair use, disclosure of processes and methodologies, confidentiality, and financial disclosure laws.
- If identifying yourself, maintain transparency by using your real name and job title, and by being clear about your role regarding the subject. Write and post only about your area of expertise. Remember that posting is your responsibility.
- Communications must never be for political purpose or in support of, or opposition to, political campaigns or ballot measures.
- Communications must never be for purposes of private business activity or commerce, or for personal motivation or sharing of personal opinion or commentary.
- Communications must not promote, foster, or perpetuate discrimination, harassment, or retaliation on the basis of race, creed, color, age, religion, gender, marital status, national origin, disability, or sexual orientation, or other protected status.
- Communications must not compromise the safety or security of the public, public systems, or public services.

Any photograph or other digital media ("photo") of a person's likeness that the Town uses in publication or posting shall require a Photo Release/Waiver Form from the individual(s) in the photo.

Authorized employees posting on behalf of the Town of Palmer Lake may not post content to the Town's social media profiles or engage in social media activities related to publishing the Town's business during personal time. All social media activity must be made as part of the employee's regular work activity.

An important part of social media use is restraint. While the Town of Palmer Lake desires to inform the community of the Town's business, the Town is not entering into a debate or discourse with those reading the social media profile. As such, "commenting," "liking," or

“non-liking” of a post or comment by any other person is not permitted except in the following limited circumstance(s):

- An authorized employee may respond to a comment when the employee is providing contact information to the commenter to seek or provide further information.
- An employee may respond to a comment or post to direct the poster to the Town website or to another platform post by the Town.

NOTE: The employee’s name and title should be made available in the responsive comment.

c. Reporting/Removal of Social Media Activity

A post, like, or comment by a member of the public on any Town social media profile is the opinion of the commentator or poster only. Publication of a user’s post, a like, or a comment does not imply endorsement of, or agreement by, the Town of Palmer Lake or reflect the opinions or policies of the Town. The Town of Palmer Lake assumes no liability for any comment, like, or post made by another person.

An authorized employee may, with the approval of the Mayor or Town Administrator, regulate comments or posts made by other persons on the Town’s social media profile as provided herein. The Town of Palmer Lake requires that authorized employees shall immediately notify the Town Administrator if there is any posted material that may violate this policy, violate the terms of use of the social media provider, is illegal, or that potentially infringes the copyrights or other rights of any person. The Town Administrator will investigate and address the potential violation. If the comment or post violates the terms of use established by the social media provider, then the authorized employee may notify the social media provider and report the post or comment. If a comment or post demonstrates or incites unlawful behavior, then the authorized employee may notify law enforcement authorities. If the comment or post contains any of the following content, the comment may be subject to removal or restriction by the Town of Palmer Lake:

- Obscene, threatening or violent content;
- Solicitation of commerce, including but not limited to, advertising of any non-Town related event, business or product for sale;
- Conduct in violation of any federal, state or local law;
- Content that promotes, fosters or perpetuates unlawful activity;
- Content that infringes upon the intellectual property rights of others;
- Content that is malicious or harmful software or malware.

The Town of Palmer Lake shall not deny access to the Town’s social media profile for any individual who violates the Town’s social media policy. The social media provider may, relying on their terms and conditions and their discretion, block a user or remove content in violation of the terms and conditions, and nothing herein restrains the social media provider from such actions.

d. Record Retention

The Town of Palmer Lake must retain all social media content published by the Town for the purpose of public records retention as may be required by applicable law. Records required to be maintained pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the record and is accessible. Any content removed by the Town based on these guidelines must be retained in accordance with the applicable retention schedule including the time, date and identity of the poster, when available.

e. Open Meetings Law Compliance

All conduct by officials serving on a governmental body must comply with the Colorado Sunshine Law. Officials should refrain from discussing business or action of the governmental body with one another using social media. Authorized employees publishing on the Town's social media profile should not engage officials serving on a governmental body when engaging in the Town's social media activity.

f. Employee Personal Conduct

Like other members of the community, employees may use social media profiles not belonging to the Town of Palmer Lake for the employee's personal social media purposes. Employees must recognize that most uses of personal social media are still part of the public domain regardless of privacy settings and are easily replicated and published.

An employee's personal social media profile or use must remain personal in nature and not be used to share the Town's official government positions or views. In addition, employees should never use their Town e-mail account, login, or passwords in conjunction with a personal social media profile. Regardless of whether an employee identifies on a personal social media account that the employee works for the Town of Palmer Lake, employment with the Town is public record and members of the public may associate the employee with the Town. As such, employees must exercise care when posting on social media, as personal views can be tied back to employment with the Town of Palmer Lake.

Employees and Town officials posting personal content on social media must follow these guidelines:

- When commenting or posting on matters pertaining to the Town of Palmer Lake, the employee or official must make clear to others that s/he is speaking as a private citizen and not as a representative of the Town.
- Pause and think before posting with the understanding that postings are widely accessible, not easily retractable, and easily shared and replicated.
- Personal activity must be consistent with the Town's policies, directives and expectations.
- Personal activity is the personal responsibility of the employee or official, including the consequences that flow from such activity.

Nothing in this policy is meant to prevent an employee or official from exercising his/her right to the following:

- Make a complaint of unlawful *discrimination* or other workplace misconduct through the proper processes;
- To engage in lawful protected activities; or
- To express a personal opinion on a matter of public concern which may be balanced against the interests of the Town of Palmer Lake.

g. Compliance with Policy

The Town of Palmer Lake reserves the right to monitor and analyze social media use to ensure compliance with policy, directives and expectations, to evaluate use, and to recommend and implement changes to use of social media, among other legitimate government interests. Failure to comply with this policy by any employee may result in disciplinary action up to and including termination of employment. Failure to comply with this policy by any public official may result in pursuit of any lawful action against any official in violation of policy.