

TOWN OF NEW WINDSOR

RESOLUTION NO. 11-04-2020

WHEREAS, THE Mayor and Council of the Town of New Windsor recognize that the widespread use of the internet and social media systems has changed the nature of communication; and

WHEREAS, the Town also recognizes that these new forms of discussion result in a need for a uniform policy with regard to their use; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF NEW WINDSOR, THAT THE FOLLOWING POLICY IS HEREBY ADOPTED:

TOWN OF NEW WINDSOR

SOCIAL MEDIA POLICY

The Town of New Windsor understands that the widespread use of the internet has changed the nature of communication, and believes that the use of social media can help inform the citizens of the Town and other interested individuals.

The Town of New Windsor recognizes that social media tools present both possibilities and challenges. They allow dialogue between the Town and the public in a timely and accessible format, but carry with them the risk of being a forum for inappropriate comments or activity. To guide the Town and its citizens in the use of these tools, the following Social Media Policy has been adopted.

Definitions:

Social Media: The various websites and activities that integrate technology, social interaction, and content creation. By way of example, but not limitation, some commonly used social media sites are Facebook®, Twitter®, MySpace™, YouTube®, Flickr®, LinkedIn®, and Instagram

Town Social Media Sites: A website or social media site established and maintained by the Town and over which the Town has control of all content posted thereon, except for advertisements and hyperlinks by the social media site's owners, vendors, or partners. Town social media sites shall supplement, not replace, the Town's required notices and standard means of communication.

Post: Information submitted by the Administrator including, but not limited to text, videos, photographs, graphic links, computer applications, etc.

Administrator: The individual or individuals designated by the Town of New Windsor to submit posts for official purposes and to review comments to assure compliance with this policy.

Comments: Visitor submitted statements, replying to a post or offering.

Operational Guidelines:

1. The purpose of the Town of New Windsor social media sites is to present matters of public interest to Town residents, businesses, visitors, and other interested parties. The Town social media sites are intended to be limited public forums; the Town reserves the right to impose viewpoint neutral limits on the topics to be discussed. All use of social media by the Town, its officials, and its employees shall be consistent with the applicable federal, state, and local laws, regulations and policies, including all information technology security policies. This policy shall be displayed to users of all Town social media sites or made available via hyperlink.

2. The Mayor and Council must approve the creation of any official Town social media site to serve the Town. Any Town site shall state that it is maintained by the Town and follows the Town's Social Media Policy, and shall include the name and/or official logo of the Town.

3. Social media shall be used for:

a. Disseminating time-sensitive information as quickly as possible (i.e., emergency information, meeting notices, public hearings, etc.);

b. Communicating and receiving feedback from Town residents and businesses:

c. Marketing and promoting the information about the Town to the widest possible audience.

4. The Administrator will be responsible to post items to social media. Visitors will have the ability to comment on posts; comments must comply with the requirements of this policy. The Administrator shall assure that all original documents and posts are retained in compliance with Town Records Retention Policy.

5. When possible, content posted to Town social media sites shall contain links directing visitors to the Town's official website, at NewWindsorMd.gov, for additional information, forms, documents, or online services.

6. The Town, at its sole discretion, reserves the right to delete submissions, as provided herein.

7. The Town's social media sites are subject to the Maryland Public Information Act. All posts and comments are open for public disclosure.

Guidelines for Visitors:

1. The Town welcomes you and your comments to the Town of New Windsor, Maryland Facebook page. The purpose of this site is to present matters of public interest in the Town to its many residents, businesses, and visitors. We encourage you to submit your questions, comments, and concerns about these matters. Please note that this is a moderated page; all comments will be reviewed for appropriate and relevant content. We recognize that the web is a 24/7 medium, and your comments are welcome at any time. However, given the need to manage our staff resources and your tax dollars, we will generally moderate comments between 9:00 A.M. and 3:00 P.M., Monday through Friday, excluding holidays.

2. Please stay on topic and show respect to those who will read your comments. The Town reserves the right to determine which comments are acceptable. The Town does not discriminate against any views, but has an obligation to all visitors to its social media sites. Comments containing any of the following shall not be allowed:

- a. Vulgar or profane language;
- b. Sexual content or links to sexual content;
- c. Statements which promote, foster, or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, national origin, genetics, status with regard to public assistance, physical or intellectual disability or sexual orientation;
- d. Personal attacks of any kind;
- e. Statements which encourage or advocate illegal activity;
- f. Statements which promote particular services, products, or specific candidates;
- g. Content that violates a legal ownership interest of any other party, such as a copyright or trademark;
- h. Statements which include personally identifiable medical information;
- i. Information that may compromise the safety and security of the public or public systems;

- j. Statements not topically related to the matter being commented on;
- k. Content that violates another person's right to privacy;
- l. Statements by or in support of a particular candidate for municipal office, including both incumbents and challengers.

3. The Town acknowledges that individuals with businesses which operate in the Town and nearby areas may benefit from posting on the Town Social Media site. The Town may allow occasional posts relating to such businesses, and reserves the right to limit or remove these posts at its sole discretion.

4. Comments or questions on social media do not serve as formal requests for Town service and responses have to be general. Any resident needing a specific response from the Town should contact Town Hall.

5. This site may not be used for the submission of any claim, demand, formal or informal complaint, or any other form of legal and/or administrative notice or process, or for the exhaustion of any legal or administrative remedy.

6. Communication via the internet, whether e-mail or social networking sites, is all a public record. Information provided in comments may be publicly available on Facebook and the privacy policies of Facebook apply. Please do not include personal details in your posts or comments. The Town of New Windsor disclaims any liability for any loss or damage resulting from any comments posted on this page.

7. Every member of the public accessing, browsing, or using any Town social media site accepts, without limit or qualification, the terms and conditions set forth herein. Content posted by a member of the public on any Town social media site is the opinion and responsibility of the individual posting such content; publication thereof does not imply endorsement of or agreement by, nor necessarily reflect the opinions or policies of the Town, the Mayor and Council, or any other municipal officer or employee. By virtue of posting content on Town social media site, the individual posting such content agrees that he or she has no expectation of privacy in the content provided.

Guidelines for Employees:

1. Social media sites allow employees to connect with others, both personally and professionally. These Guidelines are intended to promote the benefits of social media participation while minimizing the risk of personal or Town liability. Even when you are not formally representing the Town, you may be representing the Town to others by your affiliation as an employee.

2. Participating in social media does not change your responsibilities and obligations as an employee of the Town of New Windsor. The same principles and rules that apply to Town employees' activities in general also apply to online communications

so these Guidelines must be read in conjunction with other policies, including the Town of New Windsor Employee Handbook.

3. If the conversation relates to the Town of New Windsor, it is important that you do not misrepresent yourself. Anonymous profiles and/or postings lend themselves to more negative content. Best practice is always to be honest about who you are without giving out detailed personal information.

4. Discussions on social media sites of non-business matters should not occur during Town business hours nor with Town issued equipment, consistent with our other Town policies. While your entries on social media are your own, remember that such statements or actions may become widely distributed and hurt your credibility in your professional life and/or can violate a Town of New Windsor Employee Handbook policy.

5. Unless you are authorized to officially speak on behalf of the Town, you are required to state on your blog or any other social media site that the views expressed are yours, not the Town of New Windsor's. Using social media to disparage or embarrass the Town, its management, your co-workers, or yourself, is prohibited. Realize that people may likely form an opinion about the Town based on the conduct of its personnel.

6. Respect confidentiality and keep topics focused to matters of public record when speaking about the Town of New Windsor. Do not disclose non-public information or the personal information of others. Due to the nature of the digital medium, extra diligence is required in respecting intellectual property, financial disclosure, false advertising, and the like.

7. The following posts or comments are expressly prohibited:

- a. Defamatory, obscene, pornographic, or other offensive/illegal materials or links;
- b. Racist, sexist, and other disparaging language about any group or individual;
- c. Sexual comments about or directed to anyone;
- d. Political campaign materials or comments regarding a municipal election in the Town, other than factual information about elections posted by the Town, such as dates, places, names of candidates, etc.;
- e. Legal information, including any investigations, lawsuits, or other legal matters;
- f. Copyrighted information, including copyrighted publications, third party or Town logos, trademarks, and images, not under fair use or without prior written approval;

g. Proprietary Information, including any information considered confidential, such as business or strategic plans, management changes, and customer-related information;

h. Personal Information, including home phone numbers, addresses, passwords, and photographs or other personal information about our residents, visitors, or employees.

8. Violation of these Guidelines may result in discipline as detailed in the Town of New Windsor Employee Handbook.

Guidelines for Elected Officials:

Elected officials' use of the Town Social Media sites or their personal or professional social media can create risks, primarily relating to the Open Meetings and Public Information Acts. For that reason, all elected officials of the Town shall consider the following guidelines in their use of social media:

1. Discussion of public business on social media may violate the State Open Meetings Law. Town elected officials should refrain from discussion of public business with each other.

2. Any social media site used by elected officials to communicate with constituents shall include a link to the Town's official website for detailed information.

3. Any elected official who uses social media for campaigning for office shall establish separate social media for that purpose and shall not access that social media through Town technology.

Comments:

If you would like to learn about the Town of New Windsor, Maryland, please visit our website: www.NewWindsorMd.gov. If you have a specific question or concern, please contact the Town office at 410-635-6575 or info@NewWindsor.gov.

WITNESS my signature and the Seal of the Town of New Windsor, this 4th
day of November, 2020.

Introduced this 4th day of November, 2020.

ATTEST:

MAYOR AND COUNCIL OF THE
TOWN OF NEW WINDSOR

Donna Alban
Donna Alban, Clerk/Treasurer

Neal C. Roop
Neal C. Roop, Mayor

Effective November 4, 2020.

Approved as to form and
Legal sufficiency:

Michelle M. Ostrander
Michelle M. Ostrander
Town Attorney

