Social Media Participation Policy
City Council

The term “social media” refers to forms of electronic communication through which users create online communities to share information, ideas, personal messages and other content. Some examples include, but are not limited to, Internet-based platforms such as Facebook, Twitter, Instagram and YouTube.

Many local governments use social media as a tool to communicate with citizens. Rather than waiting until a regularly scheduled council meeting to receive citizen input, city officials are able to instantly interact with them via social media. Although this technology greatly increases communication outreach and efficiency, some restrictions are required in order to comport with federal and state law.

Commenting on City Accounts

The City of Leander uses social media to send and receive messages about city information, services and related programs with community stakeholders, including employees, vendors, citizens, media and other members of the public.

1. Similar others who engage with the City on social media, as an elected official you should understand the City’s current guidelines for public participation, which are subject to change as new technology and tools emerge.

2. Public comments may be removed from City-administered social media accounts if they contain any one or more of the following:
   a. Vulgar, physically threatening or harassing language.
   b. Content that promotes, fosters, or perpetuates discrimination on the basis of race, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income or other protected status under applicable law.
   c. Inappropriate sexual content or similar links.
   d. Private or otherwise confidential information.
   e. Content that promotes illegal activity or encouragement of actions that may compromise public safety.
   f. Content that violates a legal ownership interest of any other party.
   g. Comments not topically related to the original article or post.
   h. Comments in support of or opposition to political candidates, campaigns or ballot measures during an election season.
i. Promoting or advertising a commercial transaction, organization or event that is not sponsored or in direct relationship with the City.

j. Organized political activity.

k. Information that may compromise the safety or security of the public or public systems.

Use of Personal Accounts

As a policy-making body, Council members are given more latitude than City employees to publicly express thoughts and opinions on local issues. However, as an elected official, you should be aware of additional risks related to your general participation on social media.

1. Open Meetings Act – Communications between a quorum of Council members about public business, no matter the forum or time, can constitute a “meeting” to which the Texas Open Meetings Act applies. If the Act applies to a discussion, an agenda must be posted 72 hours in advance, and the public must be allowed to attend.

   Therefore, you should consider the following when using personal social media accounts:

   a. Remove elected titles from profiles used to identify a personal social media account, and clearly state how constituents should communicate regarding public matters.

   b. Include an introductory statement in the profile or about section of your account that defines the purpose and topical scope of your page:

      “This account is intended for personal use only. The views, postings, positions or opinions expressed on this site are my own and do not represent those of the City of Leander. If you are a citizen of Leander and would like to discuss city business, please go to [official page] or contact me at [official email].”

   c. Redirect information to official government sources and avoid making posts related to your official duties or governmental bodies.

   d. Redirect political dialogue requests to an alternative means of communication (i.e. email, phone or other preferred social media account).

   e. Avoid commenting on local issues where other Council members are also participating in discussion.

   f. Avoid making posts and/or comments on behalf of the City and/or the City Council.

   g. Avoid making posts and/or comments in your official capacity as an elected official.

   h. Avoid making posts and/or comments regarding City business.
2. Public Information Act – State law clarifies the definition of “public information” as information that is written, produced, collected, assembled, or maintained in connection with the transaction of official business, which includes email, Internet posting, text message, instant message, and other electronic communication.

Therefore, you should consider the following:

a. Hide, rather than delete, clearly inappropriate public comments on your personal or official social media account, if possible. In some cases, these comments may still be subject to verification or public disclosure in the future. When in doubt, don't delete it.

b. Avoid responding to inappropriate comments or personal attacks on social media. If the commenter persists, redirect them to an alternate method of communication (i.e. email).

c. Be aware that a personal social media account, depending on its content, may still be subject to the Public Information Act.

3. First Amendment – More constituents are posting comments on elected officials’ personal pages to voice concerns on public issues. Once an elected official’s social media page is opened for political discussion, it is transformed into a public forum for speech and debate, instantly granting every user a First Amendment right to comment.

Therefore, you should consider the following:

a. Limit open-ended political and city business discussions from your personal social media accounts and redirect dialogue requests to an alternate channel.

b. When in doubt, don't block users. Especially those with whom you have previously engaged. If you must, consult with legal counsel first, and then document your actions and reasons for blocking.

**Use of Official Accounts**

If you choose to create a social media account to engage with constituents, a best practice is to keep this account distinct and separate from other personal accounts that you maintain.

Elected officials increasingly use social media for reelection purposes as well. However, mixing campaign and constituent communications from the same account could put you at risk for violating laws that prohibit using government resources for political purposes.

Therefore, you should consider the following:

1. Make it official – Your account profile, description and photo should clearly indicate your position as a member of the Leander City Council and your intent to use the account as a way of communicating with constituents.

2. Your account is a public forum – Your engagement with the public on social media as an elected official establishes your platform as a limited public forum, which affords users the right to comment on content you publish. It also means that any speech restrictions or
censorship is subject to strict scrutiny, and First Amendment activities generally may not be prohibited. So, when in doubt, don’t delete it.

3. Prohibited content is defined by City policy – For consistency, consider managing prohibited content on your accounts in the same way City-administered accounts are managed.

4. Campaign separately – Council members in office should not use City administered or funded social media accounts for electioneering. It’s equivalent to campaigning from the dais during a public meeting, which may violate state law.

5. Involve legal counsel – If you are unsure about publishing certain content, or feel you are justified in the removal of content, involve legal counsel before making a decision.

General Guidelines

1. **Be transparent** – Your honesty will be quickly noticed in the social media environment. If your private sector work could present a conflict of interest, be the first to point it out. And be clear about why you support, or don’t support, certain policies or programs.

2. **Be judicious** – Make sure your efforts to be transparent do not violate any applicable legal guidelines for external communication. Consult with legal counsel before sharing conversations that are meant to be private or internal to the City or any other public entities. What is published is widely accessible, not easily retractable, and will be around for a long time, so consider the content carefully. Also, be aware that the social media account and anything published on that social media account may be subject to the Public Information Act.

3. **Be knowledgeable** – Write in first-person and consider linking to your information sources. If you publish to a website outside of the City, consider using a clarifier such as: “These comments and opinions reflect my position as one member of Leander City Council.” If you have any questions about complying with brand, trademark, copyright, fair use, confidentiality, or financial disclosure laws, seek an opinion from legal counsel.

4. **Be perceptive** – In online social networks, the lines between public and private, personal and professional are often blurred. By identifying yourself as an elected official, you are creating perceptions about your expertise and the City. Be sure that all content associated with you is consistent with the City’s values and professional standards.

5. **Be conversational** – Talk to your readers like you would talk to people in professional situations. Avoid overly “composed” language. Bring in your own personality and say what is on your mind. Consider content that is open-ended and invites response. Encourage comments. Broaden the conversation by citing others who are commenting about the same topic and allow your content to be shared.

6. **Be excited** – The City is making important contributions to the community, state and nation, as well as to public dialogue on a broad range of issues. Our activities are focused on providing services and innovation that benefits citizens and stakeholders. Share what Leander is learning and doing, and open up social media channels to learn from others.
7. **Be valuable** – There is a lot of written content in the social media environment. The best way to reach an audience is to write about things that they value. Social communication from City leaders should help citizens, partners and families. It should be thought-provoking and build a sense of community. If it helps people improve knowledge or skills, build their businesses, do their jobs, solve problems, or understand the City better, then it adds value.

8. **Be responsible** – What you write is ultimately your responsibility. Pause. If you are about to publish something that makes you even the slightest bit uncomfortable, don’t publish. If you are still unsure, you might want to check with the Public Information Officer or legal counsel. Ultimately, what you publish is yours, but so is the responsibility and potential consequence.

9. **Mistakes happen** – If you make a mistake, admit it. Be upfront and quick with your correction. If you are posting to a blog, you could choose to modify an earlier post. Make it clear that you have done so.

**Records Retention**

1. Because of your position as an elected official, activity on your social media accounts may create public records. Any content (messages, posts, photographs, videos, etc.) created or received using a social media account may be considered a record.

   Therefore, you should consider the following:

   a. The City does not archive or manage Council member social media accounts. You are solely responsible for the retention and archival of content published to your individual accounts.

   b. When in doubt, don’t delete content without consulting with legal counsel first.

2. Social media content administered by City employees, and intended for public access and comments, will follow a minimum retention period of two years, as established by the Texas State Library and Archives Commission. This includes Council member comments posted on City accounts.

3. When applicable, the City will use a software-assisted social media capture tool to obtain and archive an authentic copy of monitored content. This includes Council member comments posted on City accounts.

**Definitions**

For the purposes of this policy, unless otherwise stated, the following definitions apply:

1. **Comment** – a message posted by site visitors, either in response to an existing topic or introducing a new topic. In general, the content of comments is controlled solely by the user, but often can be deleted, accepted or rejected prior to publishing by the site or page administrator.
2. Connections – Any deliberate links between a user and a social media channel or page, whether it is initiated by the individual or by the site moderator. Terms used by various sites to describe a connection include friend, fan, follower or subscriber.

3. Limited forum – a public forum created by the government voluntarily for expressive activity that may be restricted as to subject matter or class of speaker. Forum restrictions must be able to withstand strict judicial scrutiny of its effect on First Amendment rights.

4. Post – In relation to social media accounts or online activity, anything published in an online forum or social media account.

5. Social media – Internet based third-party platforms that facilitate interaction and engagement among individuals in a network or virtual community. Social media offers a participatory environment and includes user-generated content such as videos, photos, videos, blogs, and wikis.

Violation of Policy

This policy is not meant to circumvent or bypass any of the other processes, policies or laws that are applicable to the City Council. Social media activity and conduct by Council members should not only comply with these policy terms, but all other processes, policies and laws that may apply as well.

Policy Updates

The City Council reserves the right to update these terms of use at any time.