

TRUCKEE TAHOE AIRPORT DISTRICT POLICY INSTRUCTION

PI NUMBER: ~~2145~~

Effective May 27, 2015

~~Amended/Revised: August~~

~~24~~September 28, 2022

SUBJECT: GUIDELINES FOR USE OF SOCIAL MEDIA BY DISTRICT OFFICIALS

PURPOSE: These guidelines pertain to the use of social media sites by elected or appointed officials serving the Truckee Tahoe Airport District (“the District”). The District recognizes that social media sites are a common and important platform for elected officials to engage with constituents and the community. However, personal social media pages and websites of elected and appointed officials can raise First Amendment and public records issues, and on-line discussions between such officials can potentially run afoul of the Brown Act, the California Elections Code, the Political Reform Act, and other federal, state and/or local laws. This policy is intended to mitigate against potential risks from the personal use of social media by its elected or appointed representatives.

DEFINITIONS:

“Social media sites” refers to websites designed to allow users to share and store information, photographs, and other user-generated content. Social media uses many technologies and platforms, including social networking, blogs, wikis, photo and video sharing, and more.

“District social media page” means a page on a social media site which the District establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors or partners.

“Post” or “Comment” means information, articles, pictures, videos, hyperlinks or any other form of content or communication posted on any District social media page.

~~What does it mean to “Like” something? Clicking Like below a post on Facebook is an easy way to let people know that you enjoy it without leaving a comment. Just like a comment, the fact that you liked the post is visible below it. For example, if you click Like below a video: People who can see the video will be able to see that you liked it, a story will be posted on your Timeline that you liked your friend's video and the person who posted the video will get a notification that you liked it.~~

~~“Friend” means the Friends option in your audience selector lets you share things with your friends on Facebook. If anyone else is tagged in a post, it becomes Friends (+) because the audience expands to include the tagged person and their friends.~~

Commented [1]: Seems too focused on facebook

GENERAL POLICY:

Any elected or appointed official who chooses to utilize social media is bound by the terms of this policy, as well as any other applicable policies, including but not limited to the ~~District's Employee Social Media policy, the~~ District's Use of Social Media by the District policy, the District's No Harassment policy, and the District's Acceptable Use of Electronic Communications policy. Likewise, personal social media pages should be maintained and monitored consistent with the host site's terms of use.

Elected and appointed officials are reminded and cautioned that information posted on a social media site is not private and may be used as evidence in administrative or legal proceedings. In addition, officials should also be aware that their private social media sites may be transformed into public forums where members of the public may have First Amendment rights. Courts look at a variety of factors to determine whether a private site has become a public one, and that may include whether the elected official is using their official District title, engaging in discussions with third-parties about District business, or transacting District business on the site.

Personal social media pages of elected and appointed officials shall be created and maintained using a personal email account, not an official District email address. Personal social media pages of elected and appointed officials should include a disclaimer that any content posted on that page is not an official record of the District, and that any views on the site are solely the views of the poster, and do not necessarily reflect the views of the District.

~~Elected and appointed officials shall not use personal social media pages to engage with each other online to discuss official District business. Because commenting on or "liking" posts of comments of other elected or appointed officials can implicate public records issues and/or potentially violate the Brown Act, such activity is discouraged by the District. Elected and appointed officials should not solicit online contacts or "friends" or followers on social media gained through duties as District officials.~~

Elected and appointed officials should refrain from sharing information relating to the conduct of District business on their personal social media sites until it is public information~~should not use personal social media sites to gain, post, or disseminate information about official District business, operations, policies or any other confidential information related to the District, including personal information concerning District employees. During an emergency, elected and appointed officials should make sure to only share confirmed information on personal social media sites to avoid confusion and refer constituents to the official District website or District social media sites for up-to-date information.~~

District social media sites shall be managed consistent with the Brown Act (California Government Code Section 54950 et seq.). Elected and appointed officials should refrain from "liking" "sharing", "retweeting", or otherwise participating in any published postings, or use the site or any form of electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss,

Commented [2]: I don't think this would apply. It seems like this policy supersedes that one.

~~deliberate, or express opinions on any issue within the subject matter jurisdiction of the body without complying with the Brown Act.~~

~~In accordance with the Brown Act, elected and appointed officials may engage in separate conversations or communications on their personal social media sites to answer questions, provide information to the public, or solicit information from the public regarding District business. However, officials shall not do either of the following on social media: (a) Discuss District business with a majority of members of the same legislative body; or (b) Respond directly to another member's communication, comment or post if the two are on the same legislative body of the District and the topic concerns District business. This includes communicating through digital icons (i.e., an emoji). (Gov. Code. § 54952.2(B)(3), as may be amended.~~

~~In the event that a personal social media page is deemed to be a public record. Elected and appointed officials shall cooperate with District staff to ensure the District complies with all applicable law, including the Public Records Act.~~

~~Personal social media pages of elected and appointed officials should not contain hyperlinks to the District's official website or Facebook page. Likewise, documents or other content obtained through the elected or appointed official's position with the District shall not be posted on any personal social media page. Elected and appointed officials should not reference their personal social media pages at public District meetings or in any official District documents. Similarly, District provided computers or mobile electronic communications devices should not be used to access personal social media pages.~~

~~Elected and appointed officials of the District are permitted to "Like" the District's Facebook page, but shall not post or respond to any posts, comments or publications on the District's Facebook page, or use the District's Facebook page to blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the board of directors or executive committee(s), or for any political purpose.~~

~~**John B. Jones Jr., Kathryn Rohlf – Board President**~~