

RESOLUTION NO. 133 -2011

**A RESOLUTION AMENDING THE KITSAP COUNTY PERSONNEL MANUAL
REGARDING SOCIAL MEDIA USE POLICY**

WHEREAS, the Kitsap County Personnel Manual was revised and re-enacted on September 11, 2000 by Resolution No. 161-2000;

WHEREAS, a need exists to amend further sections of the Personnel Manual to add new sections to implement policy changes, and

WHEREAS, changes to the Kitsap County Personnel Manual, Chapter 10 - Employee Relations, adding a new section, Section L- Social Media Use Policy and a new Appendix X of the Personnel Manual, attached to this resolution, are portrayed as follows:

- i. underline matter is new matter
- ii. ~~deleted matter is lined-out~~

a. Complete new sections are prefaced by the words NEW SECTION.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, that Chapter 10 - Employee Relations and the Appendix section of the Personnel Manual is revised as follows:

1. NEW SECTION:

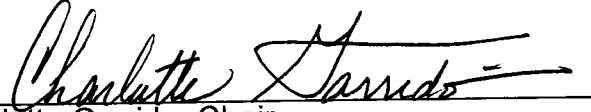
SECTION L-SOCIAL MEDIA USE POLICY (See Appendix X)

The Kitsap County Board of County Commissioners have adopted a policy for the use of Social Media. The policy applies to Kitsap County employees and contractors who create or contribute to social networks, blogs, wikis, or any other kind of social median on and off the kitsap.gov domain for work purposes. Employees and contractors using social media are subject to County policies, standards, and procedures including but not limited to non-discrimination, personal use of County resources, public records retention and disclosure, electronic communications, privacy and confidentiality, campaign activities and conduct unbecoming a County employee.

2. The Kitsap County Policy pertaining to Social Media Use attached hereto shall be effective August 22, 2011 and incorporated as Appendix X of the Personnel Manual.

DATED this 22nd day of August 2011.

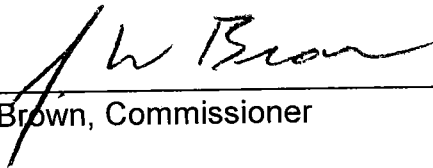
**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**



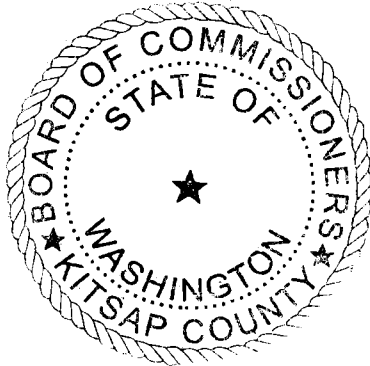
Charlotte Garrido, Chair



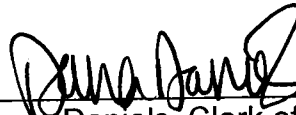
Robert Gelder, Commissioner



Josh Brown, Commissioner



ATTEST:



Dana Daniels, Clerk of the Board

KITSAP COUNTY SOCIAL MEDIA USE POLICY

1. PURPOSE

Social media can enhance communication, collaboration, information exchange, and transparency, streamline processes, and foster productivity. Kitsap County endorses the secure use of social media to enhance and support County program goals and objectives.

2. APPLICABILITY

This policy applies to Kitsap County employees and contractors who create or contribute to social networks, blogs, wikis, or any other kind of social media on and off the kitsap.gov domain for work purposes.

3. DEFINITIONS

Blog. A self-published diary or commentary on a particular topic that may allow visitors to post responses, redactions, or comments. The term is short for “Web log.”

Page. The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post. Content that an individual shares on a social media site or the act of publishing content on a site.

Profile. Information that a user provides about himself or herself on a social networking site.

Social Media. A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to social networking sites (Facebook, MySpace), microblogging sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

Social Networks. Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech. Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

Wikis. Web page(s) that can be edited collaboratively.

3. IMPLEMENTATION

Three steps are needed to authorize use of social media: (1) approval by the department head; (2) approval by Director, Information Services; and (3) where applicable, compliance with the County’s contract review procedures.¹

3.1 Department Considerations for Establishing and Maintaining Social Media

Presence. The decision to use social media is a business decision, not a technology-based decision. It is incumbent upon each department to weigh its mission, objectives, and capabilities, and potential benefits and risks, when considering use of specific social media tools, including the following:

- What goals or objectives will social media use achieve?
 - The social media site should include an introductory statement that specifies the purpose and scope of the department's presence on the website.
- Is the social media proposal designed for the target audience?
- What type of records or information will be used on the site, and will it be original or secondary?
- How will public records retention and public disclosure requirements be managed?
- Will any sensitive, confidential, or personal information be distributed in the media?
- Will the information be assessable to employees and customers on a nondiscriminatory basis?
 - Consider Title II of Americans with Disabilities Act as Amended and Section 508 of the federal Rehabilitation Act.
- Will the social media proposal affect employee productivity?
- Who will manage the tool and ensure that information is updated and accurate?
- Who will monitor social media pages and who is authorized to respond to posts?

3.2 Information Services Considerations. The Information Services Department will collaborate with the Department seeking to establish and maintain a social media site. Elements that Information Services will consider include the following:

- Does the proposal affect network bandwidth requirements?
- Are sufficient financial resources available to support appropriate access, backup, storage, and additional capacity if needed?
- What is the potential for exposure or leakage of sensitive or protected information such as copyrighted material, personally identifying information, or confidential information?
- Can content from social media sites be immediately edited or removed upon direction from the department head or elected official?
- Content posted to social media sites should link to the County's or department's official websites for in-depth information, forms, documents, or online services necessary to conduct business with the County.
- Content must be managed, stored, and retrieved to comply with public records laws and e-discovery laws and policies.
- Content posted to social media sites must be maintained in appropriate retention formats so that it can be maintained in accordance with record retention schedules.
- Page(s) must include the following notices:
 - A disclaimer of endorsement of advertising which may appear on third-party social media websites.
 - Opinions expressed by visitors to the page(s) do not reflect the opinions of Kitsap County.
 - Posted comments will be monitored and the County reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - Content posted or submitted for posting is subject to public disclosure.

- The following guidelines must be displayed to users or made available by hyperlink, and any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available:
 - Kitsap County social media site articles and comments containing any of the following forms of content shall not be allowed:
 - Comments not topically related to the particular social medium article being commented upon;
 - Comments in support of or opposition to political campaigns or ballot measures;
 - Profane language or content;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - Sexual content or links to sexual content;
 - Solicitations of commerce;
 - Conduct or encouragement of illegal activity;
 - Information that may tend to compromise the safety or security of the public or public systems; or
 - Content that violates a legal ownership interest of any other party.
 - The County reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

3.3 Contract Review. Typically a Terms of Service (TOS) is associated with the use of third-party media tools. If implementing social media entails opening an account with a third-party provider and agreeing to TOS (executing a contract via “click through” agreement), then agreeing to the TOS and associated use of third-party social media tools is effectively a contract between the County and the third-party and the County’s contract review procedures apply. In addition, if the TOS contradicts County policy, the County Administrator or Chair of the Board of County Commissioners should be made aware of it and a decision made about whether the use of such media is appropriate.

4. ACCEPTABLE AND PROHIBITED USE

4.1 Social networking will be used only for official Kitsap County business purposes.

4.1.1 Personnel representing the County via social media outlets must conduct themselves as representatives of the County. Accordingly, personnel shall adhere to standards of conduct that are consistent with public service and trust and conduct County business in a manner that contributes to the overall business integrity and organizational effectiveness of Kitsap County.²

4.1.2 Employees speaking on behalf of the County via social media outlets will identify themselves as a member of the County, by full name, title, agency, and contact information.

4.1.3 Any employee who observes or has knowledge of prohibited use of social networking technology should report it to a supervisor, the Personnel Division, or another appropriate supervisor/manager. Employees reporting such actions will be protected from retaliation.³

4.2 Social networking is subject to County policies. Departments and employees using social media are generally subject to County policies, standards, and procedures, including but not limited to the following:

4.2.1 Non-discrimination. The County prohibits any form of unlawful discrimination, including harassment, based on race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, or veteran status. This applies at any location that can reasonably be considered an extension of the workplace such as a customer location, an off-site business function, a social networking site, or any place where County business is being conducted or discussed.⁴

4.2.2 Private Use of County Resources. Employees are prohibited from using County time or equipment for personal or political purposes on any social networking site.⁵

4.2.3 Public Records Act. County social media sites are subject to State of Washington public records laws. Any content maintained in social media format that is related to County business, including a list of subscribers and posted communication, may be a public record. The department maintaining the site is responsible for responding completely and accurately to any request for public records on social media. Wherever possible, such sites must clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure, and users must be notified that requests for public records must be directed to the relevant departmental public disclosure officer.⁶

4.2.4 Records Retention Rules. Audit trails or any available reports used to log employee use of social networking sites remain the property of the County, and may be accessed or reviewed to monitor compliance with this policy, conduct investigations, or for other operational purposes. Washington state law and relevant County records retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a County server in an easily accessible format that preserves the integrity of the original record.⁷

4.2.5 Compliance with Copyright Laws. Employees are expected to understand and follow laws pertaining to the use and duplication of copyright-protected materials when conducting County business on social networking sites.

4.2.6 Teleworking or Alternative Worksites. Employees must comply with County standards for social networking when teleworking or working at an alternate worksite.⁸

4.2.7 Electronic Communications. While on social networking sites, employees must comply with standards for using electronic communications including Information Service's security policies and standards.⁹

4.2.8 Confidential Information. Employees may not divulge confidential, sensitive, proprietary, or personally identifiable information gained by reason of their employment with the County.¹⁰

4.2.9 Campaign Activities. Employees may not engage in political activities on social media sites or make any statements, speeches, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of the County without express authorization.¹¹

4.2.10 Privacy. Most technology usage is recorded and therefore available for review by both internal and external sources. Employees have no expectation of privacy in information stored on County computers or devices.¹²

4.2.11 Employees' use of social media sites for gathering information for business purposes must be approved by their manager or supervisor.

4.3 Risks. Improper or unlawful use of County technology resources is prohibited because of the potential risks to the County and the individual employee. These risks include, but are not limited to:

- loss of public trust in County services;
- service and performance interference;
- financial loss;
- unlawful activity;
- loss of network or operational integrity; and
- charges or other legal consequences related to sexual harassment, discrimination, or improper access to or dissemination of information.

4.4 Off-Duty, Personal Use of Social Media.

4.4.1 When using social media, employees should be mindful that their speech becomes part of the worldwide electronic domain. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the County's interest in the effective and efficient fulfillment of its responsibilities to the public. Thus, employees must not engage in off-duty conduct which harms the County's reputation, mission, or functions, renders the employee unable to perform his/her duties, results in other employees being unwilling or unable to work with the employee, or undermines the County's ability to direct the workforce.

4.5 Penalties. The violation of this Social Media Use Policy is regarded by Kitsap County as a serious offense and is subject to corrective or disciplinary action, up to and including termination, as appropriate.¹³

¹ See Chapter 3.56 Kitsap County Code.

² See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Sections C and F.

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- ³ See Chapter 3.68 Kitsap County Code; and Kitsap County Personnel Manual, Appendix O.
- ⁴ See Kitsap County Personnel Manual, Appendix I.
- ⁵ See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Sections C and F.
- ⁶ See Chapter 42.56 RCW; and Chapter 3.76 Kitsap County Code.
- ⁷ See Chapter 40.14 RCW (Preservation and Destruction of Public Records).
- ⁸ See Kitsap County Personnel Manual, Appendix K.
- ⁹ See Kitsap County Personnel Manual, Appendix F.
- ¹⁰ See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Section F.
- ¹¹ See Kitsap County Personnel Manual, Chapter 10, Sections F.5 and F.6.
- ¹² Id., at Appendix F.
- ¹³ See Kitsap County Personnel Manual, Chapter 12 and any applicable Collective Bargaining Agreement.