

## **SOCIAL MEDIA POLICY**

### **I. Scope and Definitions.**

This Social Media Policy applies to all official City of Aurora (“City”) social media accounts, including those maintained by the various City departments, and governs the public’s usage of City social media, as well as usage by City employees as set forth herein.

“City” means the City of Aurora, which encompasses the Aurora Police Department, and all other departments, divisions, boards, commissions, and committees of the City.

“City Social Media Account” or “City Social Media Pages” shall mean any of the City of Aurora’s official and authorized online social media accounts that publish information for consumption by the public and allow for interaction with City residents, as specifically identified below.

“Content” shall mean any post, writing, comment, discussion, material, document, photograph, video, graphic, link, or other information that is created, posted, shared, distributed, or transmitted via social media.

“Employee” shall mean all City representatives, and anyone employed by the City. The term “Employee” encompasses City officers unless specifically omitted in the text.

“Social Media” shall mean any and all internet and mobile-based applications, websites and functions, other than email and whether or not owned or controlled by the City. These venues include social networking sites, forums, webblogs, online chat sites, and video-photo posting sites, or any other such similar output or format. Current examples include Facebook, Instagram, Twitter, and YouTube. This Policy shall also include any new emerging web-based platforms regarded as social media as part of this definition.

“Social Media Administrator” shall mean the City employee or employees expressly designated by the Mayor and/or City Council to monitor, manage, supervise, or control City Social Media Accounts as provided in this Policy.

“Social Media Network” shall mean a private social media platform such as Facebook, Instagram, and Twitter.

The City’s official Social Media Accounts are hereby identified on Exhibit “A” of this policy, of which may be amended from time to time without revising or affecting the policy as a whole.

### **II. Public Usage of City Social Media.**

#### **2.1 Purpose:**

The City of Aurora recognizes that social media platforms, such as Facebook, Instagram, and Twitter, are one of the most common forms of communication and often preferred method for the public to receive information and discuss events and developments

relevant to the City. Members of the public, including City residents, businesses, visitors, and media, rely on the City's social media accounts to stay informed about matters affecting the City. Through the use of social media, the City has the ability to publish news releases, highlight City-sponsored or related events, ordinances, and provide media coverage on topics relevant to City business. The City also has the ability to interact with members of the public through its social media accounts. As such, the City hereby adopts this Social Media Policy, which shall apply to all official City Social Media Accounts and establishes the parameters and guidelines for the public's use of, and the City's management of such accounts.

## **2.2 Social Media Parameters for Public Usage:**

- A. Limited Public Forum. The City's social media accounts are limited public forums as that term is defined by federal law. The City does not make its social media accounts available for general public discourse, but rather reserves and limits the topics that may be discussed on the social media accounts.
- B. Content Restrictions; Removal. Since the City's Social Media Accounts constitute a limited public forum, the City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. However, the City shall not remove any content based solely on the viewpoint expressed therein. Rather, content that is deemed not suitable for posting by the City's Social Media Administrator because it is not topically related to the particular subject being commented upon, or is deemed prohibited content based on the criteria defined below, is subject to removal by the City. However, to the extent any removed content constitutes a "public record" under state law, it shall be retained pursuant to the City's records retention schedule along with a description of the reason the specific content was deleted. Content posted to a City social media account that contains any of the following forms of prohibited content shall not be permitted and shall be subject to removal:
  - i. Comments not topically related to the particular post or content being commented upon.
  - ii. Slanderous, libelous, malicious, offensive, threatening, violent, profane, uncivil, or insulting language.
  - iii. Content that promotes, fosters, or perpetuates discrimination on the basis of a protected class, including race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation.
  - iv. Sexual content or links to sexual content.
  - v. Solicitations of commerce.
  - vi. Personally identifiable information, such as an address, phone number, social

security number or other sensitive information.

vii. Promotion or advertisement in favor of, or in opposition to, a political campaign, ballot measure, or political candidate.

viii. Content encouraging or inciting illegal activity.

ix. Information that may tend to compromise or interfere with, ongoing investigations of law enforcement, police tactics, or the safety or security of the public or public systems.

x. Distribution of copyrighted photographs, music, video, graphics, or other content without the express permission of the copyright holder.

C. Notice. Users and visitors to the City's social media accounts shall be notified that the intended purpose of the site is to serve as a mechanism for communication of City news, services and events. They shall also be notified that the social media account constitutes a limited public forum, and that this Social Media Policy, including the provisions on removal of content, applies. Part I of this Policy entitled "Public Usage Policy" shall be posted on the City's official website.

Emergencies. The City's social media accounts are for informational purposes only, and are not monitored by City staff twenty-four hours a day. Therefore, anyone wishing to report a crime or request emergency, police, or fire assistance should do so by dialing 9-1-1.

### **III. Administration of City Social Media Accounts.**

#### **3.1 Designation of Social Media Administrator:**

The City shall designate a Social Media Administrator, who shall be responsible for implementing this Policy and leading the City's social media efforts for official City business. The Social Media Administrator is responsible for overseeing and managing the City's presence and activity on social media, and shall further be responsible for reviewing and approving all activity on social media to ensure compliance with this Policy. The Social Media Administrator shall report to the Mayor's Office on his or her efforts to administer the City's social media accounts as requested.

#### **3.2 Creation of New Social Media Accounts:**

Each individual Department or Division within the City wishing to create its own social media account in order to post content specific to their Department or Division must first seek prior written approval from the Social Media Administrator before creating such an account. Additionally, prior written approval from the Social Media Administrator must be obtained before signing up for, or creating accounts with, any emerging social media platform. The Social Media Administrator must review all such requests and provide either approval or denial within ten (10) business days. All approved social media accounts must comply with all provisions of this Policy.

### **3.3 Existing Social Media Accounts:**

Within sixty (60) days of the adoption of this Policy, the Social Media Administrator shall review all existing social media accounts to determine their compliance with the requirements herein. The Social Media Administrator must take all steps necessary to cure, or caused to be cured, any compliance issues. The Social Media Administrator shall keep a current record of all existing Social Media Accounts., including all new ones created under Section 3.2.

### **3.4 Additional Duties of the Social Media Administrator:**

In addition to those duties and responsibilities identified elsewhere in this Policy, the Social Media Administrator shall:

- i. Ensure that all City Social Media Accounts are current, maintained, and in compliance with this Policy;
- ii. Determine and keep record of which City employees have authority to post on its Social Media Accounts;
- iii. Review all content posted to City Social Media Accounts to ensure the content is professional, relevant to City business, and complies with this Policy;
- iv. Review Content and develop a viewpoint neutral process for removal and retention of Content, where appropriate, that complies with all provisions of this Policy;
- v. Communicate regularly with the Mayor's Office to provide updates and reports on the status of the City's Media Accounts, including any issues that may arise;
- vi. Communicate regularly with the City Clerk and Law Department to ensure that the City's Social Media Accounts comply with local records laws, including the Illinois Local Records Act (50 ILCS 205/1, *et. seq.*); and
- vii. Determine a process or method for distributing this Policy to all City employees.

### **3.5 Review of Social Media Administrator Action:**

Any decision or action taken by the Social Media Administrator may be reviewed by the Mayor, or his or her designee, at which time the Mayor may overturn, revise, or concur with said action. The Mayor, or his designee, shall have the final decision-making authority with respect to issues involving City social media accounts, unless a petition for review by an administrative hearing officer has been filed in accordance with Section 10.1 of this Policy.

### **3.6 Deactivation of City Social Media Accounts:**

In the event the Social Media Administrator or Mayor determines that a City Social Media Account is no longer needed or is no longer serving its intended purpose, the account may be deactivated provided the following actions are taken prior thereto:

- a. Confirm all Content that constitutes public records has been appropriately preserved and maintained;
- b. Set a timeline for deactivation; and
- c. Consider whether the site or page name should be kept active in order to prevent misuse or fraudulent use of the site name in the future.

### **3.7 Use of City Social Media Accounts in Times of Disaster or Emergency**

In the event of a disaster or emergency, the Social Media Administrator must take all steps necessary to cooperate with the Mayor's Office or appropriate City personnel so that the City's Social Media Pages may be utilized to disseminate information to the public.

## **IV. Official City Social Media Accounts.**

### **4.1 Primary City Social Media Accounts:**

The official City Social Media Accounts shall be the primary tier of the City's social media presence. This tier includes any official City presence on social media sites. City employees, officers, and departments are encouraged to contribute content and ideas to the City's Social Media Accounts by contacting the Social Media Administrator who will review the proposed content and approve or deny the same.

### **4.2 Department or Division-Specific Social Media Accounts:**

Individual departments and divisions may seek to develop their own social media accounts which are specific to their subject matter or needs. Any such social media accounts must be approved by the Social Media Administrator in accordance with Section 3.2 of this Policy, and any such accounts already in existence as of the date of adoption of this Policy must be reviewed by the Social Media Administrator. Department or Division-Specific Social Media Accounts should be focused and limited in scope and topic to the subject matter of the department or division, and should complement rather than supplement the primary City Social Media Accounts. Each such department or division that maintains a City Social Media Account must develop a list of employees within the department or division who have the authority to access, control, and manage content on the Social Media Account. The list of employees with such authority must be provided to the Social Media Administrator and kept current and up to date at all times. Additionally, the Social Media Administrator must be assigned an additional administrator for each social media account and/or have access to the username and password for all social media accounts where an administrator cannot be assigned or is unavailable.

## **V. Boards, Agencies, Committees and Commissions.**

### **5.1 Compliance:**

All City Boards, Committees, Commissions and Agencies which maintain an approved Social Media Account must comply with this Policy, and the Chairperson or head of each such body shall ensure compliance in conjunction with the Social Media Administrator.

### **5.2 Boards, Agencies, Committees and Commissions-Specific Social Media Accounts:**

Individual Boards, Agencies, Committees and Commissions may seek to develop their own social media accounts which are specific to their subject matter or needs. Any such social media accounts

must be approved by the Social Media Administrator in accordance with Section 3.2 of this Policy, and any such accounts already in existence as of the date of adoption of this Policy must be reviewed by the Social Media Administrator. Boards, Agencies, Committees and Commissions-Specific accounts should be focused and limited in scope and topic to the subject matter of the body and should complement rather than supplement the primary City Social Media Accounts. Each such Board, Agency, Committee or Commission that maintains a City Social Media Account must develop a list of members of its body or members of City staff who have the authority to access, control, and manage content on the Social Media Account. The list of board members and/or staff with such authority must be provided to the Social Media Administrator and kept current and up to date at all times.

### **5.3 Compliance with the Open Meetings Act (5 ILCS 120/1, *et. seq.*):**

Any use of City Social Media Accounts, including those maintained by a City board, agency, committee or commission, and/or by elected or appointed officials of a public body must comply with the Open Meetings Act (5 ILCS 120/1, *et. seq.*), in that no discussion or interaction of a majority of a quorum of that body constituting a “meeting” as defined by the Act shall occur. Additionally, no content posted to any City Social Media Account may serve as the official notice or agenda required by the Act. Any questions regarding compliance with this Section or the Open Meetings Act shall be referred to the Law Department.

## **VI. Standards for City Social Media Accounts.**

### **6.1 Scope:**

The standards and requirements set forth in Section VI apply to all City Social Media Accounts, including all department, division, committee, commission, board, or agency- specific sites.

### **6.2 Purpose of City Social Media Accounts:**

Unless otherwise noted, all City Social Media Accounts are established for the purpose of communicating with the public, and relaying information that is relevant to the City of Aurora and its residents.

### **6.3 Limited Public Forum Designation:**

Unless otherwise noted, all City Social Media Accounts constitute limited public forums, in that they are open for limited discussion and interaction with and by the public to the extent that such discussion is relevant to the City of Aurora and the topic at hand. The Social Media Administrator may elect to allow for comments or discussion by members of the public to be posted to City Social Media Pages. Content posted to City Social Media Pages, including any such comments, questions, or discussion from members of the public must be relevant to the initial post or subject matter of the page.

### **6.4 Creation and General Format of Social Media Pages:**

City Social Media Accounts must be created using official City-issued email accounts or other contact information provided by Employee(s) who have authority to do so. City Social Media

Pages must contain the official City logo, or approved Department, Division, Committee, Board, or Commission logo, which identifies the page as either the official City Social Media Page, or a Social Media Page administered by a City department or division. All City Social Media Pages must contain contact information prominently displayed. Any links placed on City Social Media Pages must link only to a resource on the City's website; another City Social Media Page; a state, federal, or local government site; an educational website; an organization with an official partnership or business relationship with the City; or an official media source.

#### **6.5 Authority Required to Post, Edit, or Alter Content:**

Only those City Employees and agents with authority to post on the City's behalf, as determined by the Social Media Administrator, or the head of each department or division maintaining its own Social Media Account, may post, edit, or alter Content on the City's Social Media Accounts. Those with such authority must ensure their use of City Social Media Accounts complies with all provisions of this Policy, and are prohibited from sharing City Social Media Account passwords with, or providing access to, with any unauthorized employees, agents, or individuals. Passwords for City Social Media Accounts must be kept secure at all times. An Employee's authority to post, edit, or alter Content may be rescinded at any time by the Social Media Administrator or the head of each department or division maintaining its own Social Media Account.

#### **6.6 Approved Content:**

In order to protect the integrity of the City's Social Media Accounts, and in accordance with the law on limited public forums, only Content which is relevant to the City of Aurora and the subject matter or purpose of the Social Media Account is permitted. Accordingly, Content posted to a City Social Media Account that contains any of the following forms of prohibited Content shall not be permitted and shall be subject to removal, and may result in potential employee discipline imposed by the Human Resources Department:

- i. Comments not topically related to the particular post or content being commented upon.
- ii. Slanderous, libelous, malicious, offensive, threatening, violent, profane, uncivil, or insulting language.
- iii. Content that promotes, fosters, or perpetuates discrimination on the basis of a protected class, including race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation.
- iv. Sexual content or links to sexual content.
- v. Solicitations of commerce.
- vi. Personally identifiable information, such as an address, phone number, social security number or other sensitive information.

- vii. Promotion or advertisement in favor of, or in opposition to, a political campaign, ballot measure, or political candidate.
- viii. Content encouraging or inciting illegal activity.
- ix. Information that may tend to compromise or interfere with, ongoing investigations of law enforcement, police tactics, or the safety or security of the public or public systems.
- x. Distribution of copyrighted photographs, music, video, graphics, or other content without the express permission of the copyright holder.
- xi. Other Content deemed inappropriate by the Social Media Administrator or relevant Department or Division Head.

#### **6.7 Removal of Content by City:**

Based on the limited public forum designation set forth in Section 6.3 of this Policy, the City reserves the right to remove, in a viewpoint neutral manner, any unauthorized Content from its Social Media Accounts that does not conform with the requirements of this Policy. Content which contains obscene speech or speech inciting criminal conduct will not be permitted and may be subject to removal. Content will not be reviewed or removed based on viewpoint alone.

The Social Media Administrator, or his or her designee, is responsible for effectuating any such removal in a viewpoint neutral manner. Any removed content must still be retained by the Social Media Administrator, unless it meets the requirements for destruction set forth in Section 6.9 of this Policy. Accordingly, in order to retain removed content, the Social Media Administrator is responsible for developing a system or procedure for saving and maintaining any such Content that has been removed. Any questions regarding whether Content may or may not be removed and/or destroyed should be directed to the Law Department.

When the City removes Content of a person who is not an Employee, or someone authorized to act on the City's behalf, the Social Media Administrator must make an attempt to notify the person of the removal. The person may appeal the decision under the procedure set forth in Section 10.1 of this Policy.

#### **6.8 Removal of Content by Social Media Network:**

The City is not responsible for a Social Media Network's unilateral removal of Content. A Social Media Network may elect to remove Content from City Social Media Pages for violations of its own private policies and procedures for social media content and discussion.

#### **6.9 Retention or Destruction of Content:**

Content posted to City Social Media Accounts, whether by City employees, officials, and agents, or by members of the public in response to a post, including comments and discussion on any posting, may constitute a "public record" as defined by the Local Records Act (50 ILCS 205/1), so that it must be retained and not deleted, altered, or destroyed without approval from the Local

Records Commission through the City’s approved retention schedules. Therefore, even Content that is removed in accordance with Section 6.7 of this Policy must be retained in accordance with applicable retention schedules for such records.

Only the Social Media Administrator, or his or her designee, after consulting with the City Clerk and Law Department, is authorized to delete or destroy Content from City Social Media Accounts. Any questions regarding whether Content may be deleted, altered or destroyed should be directed to the City Clerk and Law Department.

#### **6.10 Open Records:**

State law governs whether Content on City Social Media Pages, including lists of subscribers and posted communications, constitutes a “public record” so as to make such Content subject to public disclosure under the Illinois Freedom of Information Act (5 ILCS 140/1, *et. seq.*; “FOIA”). The Social Media Administrator, or the appropriate department, division, board, commission, or committee of the City maintaining the account or site is responsible for working with the City’s FOIA Specialist and/or City Clerk in order to respond to FOIA requests for records on or involving social media.

#### **6.11 Open Meetings and Public Business:**

State law governs whether communications must be discussed in an open meeting or whether communications, even electronically, between members of a public body may constitute a “meeting.” Therefore, any use of City Social Media Accounts, including those maintained by a City board, agency, committee or commission, and/or by elected or appointed officials of a public body must comply with the Open Meetings Act (5 ILCS 120/1, *et. seq.*), in that no discussion or interaction of a majority of a quorum of that body constituting a “meeting” as defined by the Act shall occur. Additionally, no content posted to any City Social Media Account may serve as the official notice or agenda required by the Act. Any questions regarding compliance with this Section or the Open Meetings Act shall be referred to the Law Department.

#### **6.12 “Blocking” Users Prohibited:**

The City is prohibited from “blocking” users of Social Media Networks from accessing, viewing, or engaging in discussion on City Social Media Pages.

#### **6.13 Missing Persons Posts:**

Posts to City Social Media Pages regarding missing or endangered persons shall contain only such information as is necessary to alert the public to their missing or endangered status, as well as a general description of the individual in question and last known whereabouts. Unless authorized in writing by a parent or legal guardian, the City shall refrain from disclosing personal or private medical information, including medical diagnoses, from missing persons posts. Upon the location of a missing person, the relevant post shall be promptly removed and retained in accordance with this Policy.

#### **6.14 Required Disclosures to the Public:**

Each City Social Media Account must include a clear statement of the intent, purpose, and subject matter of the Page, as well as a statement articulating whether the Page accepts comments or discussion from members of the public, any restrictions that may apply which affect the nature of the limited public forum. The Social Media Account should clearly disclose that any Content posted to the Page may be subject to disclosure under the Illinois Freedom of Information Act (5 ILCS 140/1, *et. seq.*). In addition, each City Social Media Account shall contain the following statement to users:

#### **NOTICE OF USE POLICY**

“In order to better serve its residents, the City utilizes social media to provide residents with information that is relevant to the City. All Content posted to this site, including all comments submitted to the site (where applicable), are public, and may be subject to disclosure under the Illinois Freedom of Information Act (5 ILCS 140/1, *et. seq.*). Please be aware that anything you choose to post may survive deletion whether by you or others.

Additionally, please take note of the following parameters of this site:

1. Requests for emergency services should be directed to 9-1-1, not reported through this site.
2. Individual complaints, concerns, or service requests are not accepted through this site unless otherwise noted.
3. To protect your privacy and the privacy of others, please refrain from posting any sensitive personally identifiable information, such as social security numbers and home addresses. This site should not be considered “secure.”
4. If you have specific questions or concerns regarding a City activity, program, or other City-related matter, that you do not wish to share publicly on this site, please contact the Mayor’s Office of Community Affairs (MOCA).
5. Posts to this site may be removed in a viewpoint neutral manner pursuant to the City’s Social Media Policy and in accordance to all applicable laws. Please note that any removed content may still be preserved if it meets the definition of “public record” as defined by state law.
6. The City reserves the right to discontinue or close any of its Social Media Accounts at any time and for any reason.
7. Please note that any reference to a specific entity, business, product, organization, or service posted on this site is not an endorsement by the City but is rather intended to be informational in nature.
8. The City does not review, sponsor, or endorse any other website(s) linked to this site or to other City Social Media Accounts.
9. The views and opinions expressed on this site by members of the public do not constitute those of the City and are not endorsed by the City.
10. The City is not responsible for content that appears on external links.

11. The City is not responsible for, and does not guarantee, the authenticity, accuracy, appropriateness, or security of any link, external website, or its content.

Any questions regarding this site or the City's Social Media Accounts shall be directed to the Social Media Administrator, Clayton Muhammad, Chief Communication & Equity Officer.

By accessing this site, and posting and/or commenting, I acknowledge having been advised of an understanding the foregoing."

#### **6.15 Solicitation of Public Comment- Limited Public Forum:**

Where comments are solicited or allowed on a City Social Media Page, the following statement must be included:

"The purpose of this site is to discuss matters of public interest in and to the City of Aurora, as identified and raised by the City for discussion. We encourage you to submit comments that are relevant to the topic. This is a forum limited to the specific topics identified and raised by the City. Users who submit Content to this City social media page agree that they have read, understand, and agree to the following terms and conditions by virtue of such use:

#### **Terms of Use**

1. I am submitting content voluntarily and on my own behalf.
2. The content I post reflects my own original thoughts or work.
3. I understand that the City has the right to re-post or share any content, including photos or videos, that I submit on this or other City social media pages.
4. I understand that the City has the right to remove or archive Content as may be permitted by state law and in accordance with the City's social media policies.
5. I understand that any Content I provide or share may be considered a "public record" and therefore subject to retention and disclosure requirements under state law.
6. I understand and agree that the City's social media pages are not the proper channels to report crimes, file complaints, or submit requests under the Illinois Freedom of Information Act.
7. By posting and commenting on a City social media page, I acknowledge and accept these terms of use.

#### **6.16 Intellectual Property Rights and Confidential Information:**

Information or content that is proprietary, copyrighted, or otherwise considered intellectual property or protected by attorney-client privilege shall not be posted to City Social Media Pages. Any questions regarding whether information or content is subject to this provision shall be directed to the Social Media Administrator and/or the Law Department.

## **VII. Requirements for Employees' Official Use of City Social Media Accounts.**

### **7.1 Scope:**

This Section VII governs authorized City employees' and agents' official use of City Social Media Accounts during work hours or in their professional capacity.

### **7.2 Account Setup:**

The Social Media Administrator and Employees authorized as part of their official duties to post content, make comments, and send messages to the public on a City Social Media Account must set up the account in the City's name. Where applicable, the Social Media Administrator or authorized Employee must create a business account in his or her name, in order to facilitate transparency in communications. Social Media Accounts established for the City are the City-owned accounts and belong to the City.

### **7.3 Business Accounts:**

A Social Media Network that requires a user to create a business account in the user's name established by an Employee under this Policy, must:

- a. Contain the Employee's name;
- b. Be created using the Employee's City-issued email address;
- c. Be set up so that the page does not allow "wall posts" or "friending" the Employee who created the account;
- d. Be used solely for City business and not for the Employee's personal use; and
- e. The Employee must comply with all provisions of this Policy at all times, and must provide any information regarding the account to the City upon request.

### **7.4 Expectation of Privacy:**

There is no reasonable expectation of privacy associated with the creation or administration of a City Social Media Account established under this Policy. Authorized Employees who create and/or administer City Social Media Accounts may be required to share any and all information with the Social Media Administrator, or his or her designee upon request, including but not limited to: passwords, activity logs, data, and content shared or posted. The City will review and monitor all City Social Media Accounts at its discretion and without advance notice or consent of the Social Media Administrator or any other City Employee or agent.

### **7.5 Employee Separation:**

Upon an Employee's separation from employment with the City, or change in job duties, the City retains ownership of its Social Media Accounts. The separated Employee will no longer be authorized to manage or administer the City Social Media Account, and must comply with the Social Media Administrator to provide all necessary information before his or her separation commences.

### **7.6 Private Accounts or Pages Prohibited:**

The Social Media Administrator and Employees authorized to create and manage City Social Media Accounts are prohibited from creating or forming accounts, groups, or pages that are private or closed to the public without the express prior approval of the Mayor. If approved, any such account, group, or page may be subject to the Local Records Act, the Freedom of Information Act, and other applicable laws.

### **7.7 Standards for Employee Use of Social Media:**

Employees using City Social Media Accounts in their official capacity, in the scope of their employment, or while on duty, whether as the Social Media Administrator or person authorized to post, edit, or alter Content, must follow these guidelines:

- a. Content must be related to City business;
- b. Content must be factual and accurate;
- c. Employees may only post about the specific subject matter with which they have the authority to post, edit, or alter Content;
- d. Employees shall not engage in negative discourse or commentary with members of the public;
- e. Content shall not violate the City's privacy, confidentiality, or any applicable laws;
- f. Employees shall never comment on, or post, edit, or alter any Content that is related to any legal matters or litigation involving or affecting the City;
- g. Employees shall not express their personal opinions or positions regarding policies, practices, or business of the City;
- h. Employees must participate in City-sponsored social media training when offered; and
- i. Abide by all requirements of this Policy at all times.

### **7.8 Restrictions on Employee Usage of Social Media and Related Resources During Work Hours:**

- i. A non-exempt Employee may not work on City Social Media Accounts during off-duty hours unless specifically pre-approved in writing by his or her supervisor. All such time worked outside the Employee's normal work schedule must be reported and included in the Employee's regular work week. If an Employee is in a non-exempt position, any work in excess of forty (40) hours will be paid overtime either as compensatory time or as required by law and City policy.
- ii. City Social Media Accounts, as well as City resources, time, logos, social media tools, computers, and devices may not be used for personal profit, private gain or loss, business interests, or to participate in political activity.
- iii. An Employee's use of City resources, including the Internet and/or City Social Media Accounts is not private, and an Employee has no expectation of privacy during use. An

Employee's use of City Social Media Accounts and/or Internet may be investigated or monitored at any time by the City.

**7.9 Revocation of Authority to Post, Edit, or Alter Content; Discipline:**

Failure to abide by the guidelines and requirements of this Policy may result in an Employee's authority to post, edit, or alter Content to be revoked. Employees in violation of this Policy may also be subject to discipline, up to and including termination.

**7.10 Written Acknowledgement:**

All Employees must sign a written acknowledgement, in a form designated by the Social Media Administrator, that they have received, read, understand, and agree to comply with this Policy.

**VIII. Employee's Personal Use of Social Media.**

**8.1 Scope:**

This Section VIII applies to Employees' personal or non-official use of social media that is not related to official duties.

**8.2 Personal Social Media Accounts:**

An Employee's personal social media accounts should not be opened in the name of his or her professional title or position with the City. It is permissible to include reference to employment with the City in a description or biography of the Employee, however, the name of the account or page should not include the Employee's job title. An Employee shall not use his or her City-issued email address to set up a personal social media account.

**8.3 Personal Statements:**

An Employee posting on his or her personal social media account or other social media page or network must refrain from speaking or appearing to speak on behalf of the City. Employees are not authorized to speak on the City's behalf on personal social media accounts, blogs, pages, or networks.

**8.4 Use of Personal Social Media During Work Hours:**

Incidental and occasional access to personal social media sites during work hours may be permitted, as long as such usage does not interfere with an Employee's job duties or violate any City policy. Employees must follow the City's rules and guidelines on Internet usage at all times.

**8.5 Restrictions:**

An Employee's personal use of social media, either during work hours or non-work hours, that negatively affects or impacts the workplace could result in the Employee being coached or disciplined. Examples of such situations where this might occur include, but are not limited to:

- a. Cyber-bullying or harassment of or between co-workers;
- b. Release of the City's personal or confidential information;

- c. Unlawful activities;
- d. Misuse of City-owned social media;
- e. Inappropriate use of the City's name, logo, or the Employee's position or title;
- f. Use of City-owned equipment or City time for extensive personal social media use; or
- g. Violation of law or City policy.

Each such situation will be evaluated on a case-by-case basis and in accordance with all applicable laws and, if needed, in consultation with the Law Department.

## **IX. Violations of Policy.**

### **9.1 Violation of Policy by Employees:**

Violations of this Policy may be considered misconduct, and may result in discipline up to and including indefinite suspension or termination as authorized or permitted by law or policy.

### **9.2 Violation of Policy by Members of City Council, Boards, Commissions, Committees, or Agencies:**

Violations of this Policy by members of the City Council, its boards, commissions, committees, or agencies may be deemed acts of malfeasance and cause for sanctions including removal from office, where appropriate, and authorized or permitted by law or policy. In addition, the City may seek other appropriate relief including, but not limited to, damages or an injunction to enforce compliance.

## **X. Appeals Process.**

### **10.1 Public's Right to Appeal:**

A member of the public, who is not an Employee, may appeal any application of this Policy by submitting a written appeal to the Social Media Administrator within seven (7) business days of the incident being appealed. The appeal must identify the specific action or application of this Policy that is being appealed. Within seven (7) business days of receiving the appeal, the Social Media Administrator shall review the appeal and issue a decision. The Social Media Administrator's decision is subject to review by an administrative hearing officer in accordance with chapter 3 of this code by anyone submitting an appeal under this section. Petitions for review under chapter 3 must be filed with the City Clerk within seven (7) business days of the service of the Social Media Administrator's decision.

This Section may only apply to an Employee when the Employee is acting in his or her personal capacity as a private party and when exercising rights guaranteed by the United States Constitution.

### **10.2 Employee Remedy:**

An Employee acting in his or her official capacity or as a representative of the City should report any concerns regarding this Policy to his or her supervisor, the Director of Human Resources, or the Corporation Counsel.

**XI. Employee Training.**

Employees may be required to undergo training on this Policy, and must cooperate and attend all such trainings as directed.

**XII. Repeal of Prior Social Media Policy.**

This Policy hereby supersedes and replaces any and all prior social media policies previously adopted by the City.

**XIII. Severability.**

If any part of this Policy or the application thereof is found to be invalid or unconstitutional, such finding shall not affect the other provisions or application of this Policy that can still be given effect.

EFFECTIVE DATE. This Policy shall become effective immediately upon its approval by the Mayor on the \_\_\_\_\_ date of \_\_\_\_\_, 2022.

## Exhibit A

### \*Official Social Media Accounts

#### Facebook

City of Aurora  
APD  
AFD  
EMA  
Youth Services  
Aurora Poet Laureate  
Animal Control  
Phillips Park Zoo  
Aurora Airport  
Innovation Department  
Aurora Public Art

#### Instagram

City of Aurora  
APD

#### Twitter

City of Aurora  
APD  
AFD

#### TikTok

APD

\*This list of official City Social Media Accounts is subject to change or revision as new accounts are approved or closed by the Social Media Administrator.