

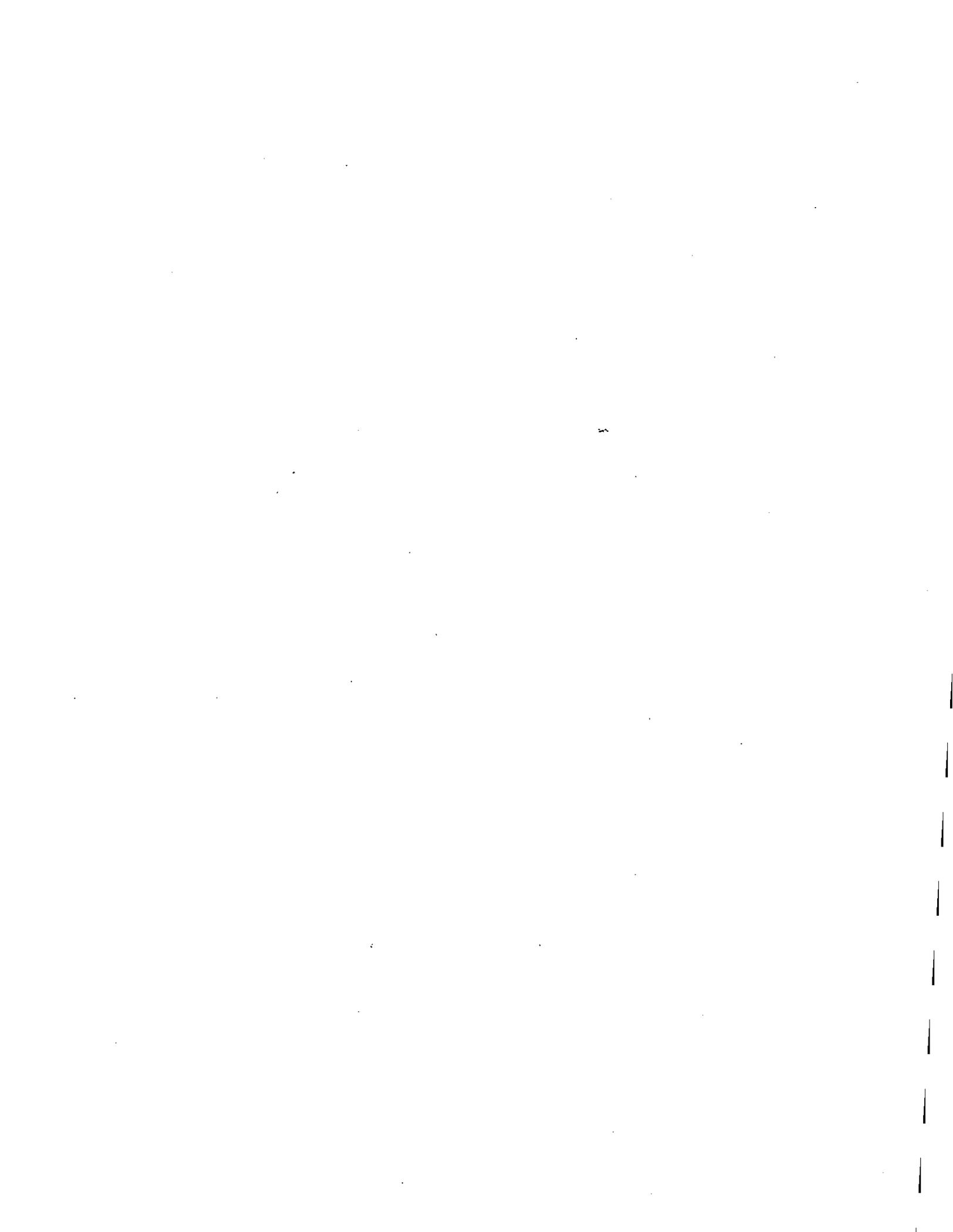
# WORKSHOP

## Workshop on Leon County Policies and Procedures Regarding Social Media/Networking

March 15, 2011  
12:00 – 1:00 p.m.

**Leon County Board of County Commissioner Chambers  
Leon County Courthouse 5<sup>th</sup> Floor**

This document distributed: March 8, 2011





**Board of County Commissioners**  
**Leon County, Florida**  
www.leoncountyfl.gov

**Workshop**  
**Executive Summary**

March 15, 2011

**Title:**

Workshop on Leon County Policies and Procedures Regarding Social Media/Networking

**Staff:**

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**Issue Briefing:**

This workshop provides an overview of the use of social media/networking by employees, County Departments, Divisions, and Programs, and elected officials. Additionally, the workshop will present guidelines to the provision and retention of information that constitutes a public record under the Florida Statutes and will address Sunshine Law requirements. The workshop also will provide proposed changes to County policies to address the use of ever-evolving social media/networking technologies.

**Fiscal Impact:**

This item has a fiscal impact of approximately \$4,800 for the initial implementation of an archiving solution for social media/networking which will be covered with existing MIS budget. Long-term costs for future alternative solutions that provide more robust archiving functionality for social media/networking will be addressed in upcoming budget processes.

**Staff Recommendation:**

- Option #1: Accept staff report and presentations on Proposed Leon County Policies and Procedures Regarding Social Media/Networking.
- Option #2: Accept Staff Recommendations 1 through 9 as presented in the Workshop Materials.

## Report and Discussion

### **Background:**

With the explosion of social media/networking technologies, such as Facebook, Twitter, and YouTube, new communication vehicles are gaining momentum with the masses, no matter an individual's age, gender, or profession. Significantly increased ease of access and cost-effective, if not free, tools have assisted in the exponential growth of new online communities with an appetite for instantaneous updates and greater access to information resources. Social media/networking is now a dominant force of communication and is here to stay.

On January 28, 2010, the County Attorney's Office provided a memorandum, which offered background information and guidance to the Board of County Commissioners on these matters, addressing the rapidly increasing new information technologies and potential significant impacts as they relate to Public Records and Sunshine Laws (Attachment # 1).

Understanding the need to keep citizens aware of recent news and updates for County government and focusing on the Board's priority of continually increasing citizen input, at the December 14, 2010 Board meeting, staff requested and the Board authorized a workshop regarding the use of social media to be conducted on February 22, 2011. Due to a few unresolved legal and technological issues that staff needed to address and were important for the Board's consideration in the development of policy, the workshop was rescheduled to March 15, 2011.

As a result of this rapidly increasing use of social media/networking, organizations are realizing another means for communication and interaction with their consumers/constituents. As Leon County departments, divisions, programs, and elected officials express growing interest in using social media/networking for enhanced citizen outreach and interaction, staff has developed proposed policies and guidelines to help guide the effective and legally consistent use of this ever-evolving technology for three targeted areas:

1. Employee personal and official use
2. County Department, Divisions, and Programs official use, and
3. Elected Officials' official use

### **Analysis:**

The analysis section defines social media/networking and the benefits and concerns for organizations using this technology. Anticipated benefits for Leon County government will be reviewed along with the concerns of using social media/networking. Implications to public records and Sunshine Laws will be addressed and proposed guidelines will be offered to mitigate concerns. A recommended implementation plan for the use of social media/networking is offered along with proposed changes to the County's existing policies and procedures to incorporate social media/networking and any future digital communication technologies.

### **Definition**

Social media/networking refers to Internet-based technologies that enable individuals to communicate through the sharing of content, interacting and collaborating through bi-directional applications or messaging, and developing communities around common interests. Content can be in the form of text, pictures, videos, audio, and chatting. Communities are developed by association which can revolve around personal relationships, work, special interests, news, and content sharing via photos and videos. Examples of social media/networking include, but are not limited to:

- Social Networking – Facebook, Foursquare, and MySpace
- Video Sharing – YouTube
- Photo Sharing – Flickr
- Microblogging – Twitter, Nixle, Instant Messaging Services
- Business Networking – LinkedIn
- Webcam Chatting – Skype
- Reference and Social Networking – Google and Yahoo Groups
- Technology Networking – Slashdot.org
- Miscellaneous and “Cool” Content – Stumbleupon.com
- News – Clipmarks.com, Newsvine

In the technical industry these applications are known as Web 2.0 and have a high adoption rate with consumers/constituents, especially since the explosive use of smart phones. Currently, Facebook has over 550 million active users, which would make it the third largest “community” in the world. Although that “community” began with younger consumers/constituents, its sustained growth has included a far broader range of demographics from young to old. Twitter, now offered in seven languages, hosts approximately 200 million accounts and is reportedly adding over 300,000 new users every day. Twitter set an all-time record for tweets during the final minutes of Super Bowl XLV, recording 4,064 tweets in a single second. Social media is displacing traditional e-channels such as e-mail and has become an integral part of consumers/constituents lives.

### **Benefits**

Organizations have recognized that social media/networking can provide access to this “community” for expanded market research or product promotion with minimal effort or advertising. Use of the “like”, “friend”, and “follow” features enable an organization to understand what is trending and to easily access a growing network of consumers. Tremendous impacts from the use of social media/networking for businesses and organizations have translated to increased revenues, market share, and customer bases as well as impacts to political processes.

Select groups or individuals can be targeted with specialized discounts and information and indirectly to their contacts/friends/followers. A personal touch can build brand loyalty and commitment along with access to the friends, followers, and contacts of the customer. Building strong social networks can help an organization’s reputation by exposure and positive acknowledgement of services, products, and information. It is obvious that social

media/networking has become an inexpensive “add-on” to existing channels of communication through the Internet and has had a major impact.

For governmental organizations, social media/networking can become another platform for public information and education, as well as transparency. A cursory review of Florida counties and cities has found several government entities already using components of social media/networking (Attachment #2).

The following Florida counties and cities use Facebook for one-way communication or simple postings (no back and forth discussion) as a means of disseminating information via press releases, event updates, and meeting notices:

- Alachua County
- Lake County
- Sarasota County
- Pinellas County
- Hillsborough County
- Osceola County, and
- City of St. Petersburg

The following Florida counties and cities are allowing two-way communication (where comments and posts are made in reply) with Facebook to engage citizen comments and responses to postings:

- Manatee County
- Miami-Dade County
- Orange County
- Duval County
- City of Tallahassee
- City of Orlando, and
- City of Gainesville

Twitter is being used by the following Florida counties and cities:

- Alachua County
- Escambia County
- Lake County
- Osceola County
- Sarasota County
- Orange County
- Pinellas County
- Hillsborough
- Miami-Dade County
- City of Tallahassee
- City of St. Petersburg
- City of Orlando
- City of Gainesville, and
- City of Tampa

Although it appears that these governmental organizations are using Twitter for one-way communication (information dissemination), Leon County staff recognizes that Twitter, by nature of the application, is a two-way communication application, allowing for replies to comments/posts. This means that even though a governmental agency might desire to only use Twitter as a means of disseminating information via press releases, event updates, and meeting notices, the ability exists for a “follower” of the governmental agency to submit content directly to or respond with content directly to the agency’s Twitter account.

YouTube is being more readily used by some larger Florida counties and cities, where governmental television stations and broadcast video production capabilities also exist, such as the following:

- Sarasota County
- Orange County
- Pinellas County
- Hillsborough County
- Miami-Dade County
- City of Tallahassee
- City of St. Petersburg
- City of Orlando, and
- City of Ft. Lauderdale

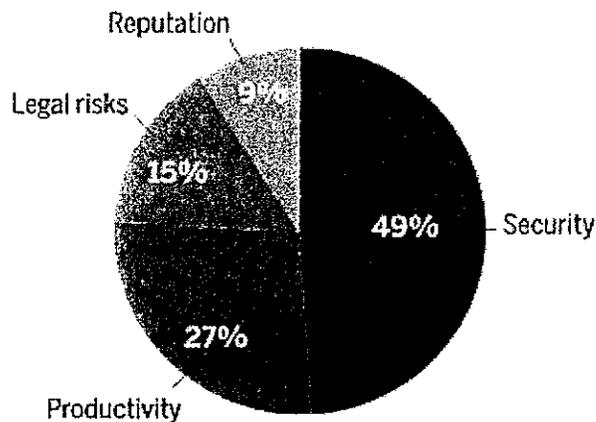
Leon County government currently uses Facebook through means of a Facebook page (“fans” only), not a Facebook account (no “friends”), for one-way communication only as a means of disseminating formal information that is generated from news advisories, press releases, event updates, meeting notices, and emergency management alerts. Leon County government also uses Twitter (@LeonCounty) as a means of disseminating formal information that is generated from news advisories, press releases, event updates, meeting notices, and emergency management alerts. Since staff recognizes that Twitter is a two-way communication component, the Public Information Office has a manual process in place to electronically capture outgoing posts and informational replies in compliance with Florida’s Public Records law. Additionally, the Office of Sustainability has used YouTube as a video distribution platform for informational and educational purposes.

Another example of governmental use of social media is the City of Baltimore’s accounts on Facebook and Twitter and videos on YouTube as a means of communicating with their citizens ([www.baltimorecity.gov](http://www.baltimorecity.gov)). The State of Vermont uses Facebook to build a positive brand image as well as ensuring its content is showing up in social media search engines. The Internal Revenue Service is using YouTube videos for informational and educational purposes as well as Twitter and smart phone applications for citizens to check on their tax refund status. There are many more examples of government agencies adopting social media/networking for enhancing constituent communications. As Boynton Beach’s Director of Public Affairs and Vice President of the Florida Government Communicators Association Wayne Segal said, “I see blogging and all social media as a way to extend our reach to people who might not get their news from more traditional sources, and I look on it as a way to be more interactive with our residents.” Social media/networking is an act of engagement that can be used for better government.

### **Concerns**

Despite the evidence of tremendous benefits in social media/networking, there are concerns and impacts for organizations using this technology, especially those in the public sector. A recent survey by SC Magazine for IT Security Professionals found the primary concerns about social media/networking or Web 2.0 to be security, decreased productivity, legal risks, and reputation.

### Primary concern about Web 2.0



More than \$1.1 billion was lost by organizations surveyed due to security incidents caused by Web 2.0 technologies.

Source: McAfee, Web 2.0: A Complex Balancing Act

Security issues include the spread of malware, cyber-hijacking, theft or misuse of personal and financial information, damaging an organization's or product's reputation, causing network performance issues, and/or violating privacy policies such as HIPPA. With access to an account's contacts, the ability to spread damage or damaging content is effortless and far reaching. IT departments are challenged with the increasing number of employee's personal devices such as smart phones and tablet PCs and maintaining appropriate security measures for the organization's infrastructure.

Productivity and reputation concerns are understandable as it is obvious many employees are already involved in the "community" through Facebook, Twitter, and other such media. If an organization allows access during working hours, how is that access controlled? How are employees monitored for improper or excessive personal use? How will an organization know if an employee is releasing sensitive information or is smearing the organization or its management or other fellow employees? Damage from an incident can be costly and irrevocable.

Maintenance of another communication channel is a potential concern for organizations as they balance resources. It is important that content and messages are accurate, current, and consistent. Processes and approvals will need to be in place to assure appropriate content management. Resources for reviewing and responding to any consumer/constituent comments will need to be defined. Plans for recourse on negative, inappropriate, or foul comments will need to be developed. In fact, organizations will need to decide if two-way communication will be accommodated at all. As those strategic decisions are made, organizations will need to understand the purpose, benefits, and cautions related to two-way communication.

The survey found 15% of the organizations were concerned about legal risks. When considering public sector organizations, those legal risks are magnified when there is a requirement for compliance to public records and any Sunshine Laws, and a concern in creating a public forum. To ensure compliance with public records laws, organizations would need to employ solutions to

archive communications either electronically or manually. Currently, social media archiving solutions are limited in their ability to accurately and comprehensively archive incoming and outgoing posts. Existing digital solutions provide time-related snapshots of a Facebook page or a Twitter blog; however, when content is deleted or changed or is being produced in large amounts, transactions may not be captured completely or at all. It is anticipated that current archiving solutions for social media/networking will mature to provide transactional archiving in the future. With the limited functionality available at this time, digital archiving will additionally require other manual, time-consuming methods of capture in the meantime for the sake of addressing public records requirements. It should also be noted that social media vehicles such as Facebook and Twitter are third-party platforms that provide services which are ever-evolving with changing features, policies, and terms of agreements where user organizations lack direct control. Therefore, user organizations are in a constant position of reaction as changes occur.

### **Legal Compliance**

Violation of Florida's Sunshine Law likely will occur when elected officials "friend" each other and/or discuss government business that they would be addressing at official meetings. If elected officials "friend" each other, challenges exist to stay in compliance with Sunshine Law with social media/networking as the nature of the technology is to encourage engagement of ideas. Developing the strategic purpose for the use of social media/networking by the elected official will help guide use that will be effective and comply with Public Records and Sunshine Laws.

In consultation with the Leon County Attorney's Office to review this new social media/networking technology in light of public records and Florida's Sunshine Laws and the potential creation of a public forum, the County Attorney's Office writes:

A County Website or official County use of a Social Media/Networking site, that provides for two-way communications, including communications between County officials and members of the public, albeit not a traditional forum where people congregate to exchange ideas, is nonetheless a "site" where people can meet to exchange ideas through the use of the internet, and therefore will most certainly implicate First Amendment related issues.

On its most basic level, the First Amendment's right to freedom of speech means a person can express an opinion without fear of censorship by the government, even if that opinion is an unpopular one. The government cannot regulate the content of speech, unless it is justified by a compelling state interest, and only when it does so through the use of the least intrusive means possible. The United States Supreme Court developed the Public Forum Doctrine as a means of addressing the extent to which the government can control individual expression in places owned by the public in common. The purpose of the Public Forum Doctrine is an attempt to balance individual expressive rights with the rights of government to preserve a publicly owned space for its intended governmental use and purpose. In *Perry Educ. Ass'n v. Perry Educators' Ass'n*, 460 U.S. 37 (1983), the Court identified three types of fora in the Public Forum Doctrine: a public forum, a non public forum and a limited public forum. A traditional or quintessential public forum is a space which has "immemorially been held in trust for the use of the public and, time out of mind, [has] been used for purposes of

assembly, communicating thoughts between citizens, and discussing public questions”. *Id* at 45. In a traditional public forum, the government has limited ability to control the expression of speech that is entitled to First Amendment protection and content-based restrictions will usually be held unconstitutional.

A nonpublic forum is public property, which has a governmental function other than the open and unfettered exchange of ideas. In general, a public school building and all classrooms within it are nonpublic fora. Such spaces in the schools were created for the purpose of delivering curriculum, not particularly for independent free expression by disconnected members of the community. Like private property owners, governmental agencies have the power to preserve property under its control for the use to which it was lawfully dedicated. Although governmental buildings are publicly owned buildings, they are not usually public fora. They are nonpublic fora until the government agency decides to let it be used by members of the public for purposes other than its intended governmental purpose. For example, the Leon County Courthouse is a publicly owned facility which is not open to the public for the “unfettered exchange of ideas” but rather is strictly used for its intended governmental purpose.

A governmental agency may decide from time to time to permit members of the community to use a public facility under its control for the purpose of free expression of ideas. Once the government opens a forum voluntarily (i.e. property that the government is not required to open to the public for expressive purposes, but which has been designated by the government as a public forum) it is subject to the same limitations as applied to a traditional or quintessential public forum. When a governmental agency voluntarily converts its nonpublic forum into a public or limited public forum, it usually cannot control constitutionally protected speech that occurs therein, unless it can show a compelling governmental interest in controlling the speech and there is no less intrusive means of meeting the governmental interest.

Providing for the official County use of a Social Media/Networking site, including permitting two way communications, will most likely create a designated public forum. In a designated public fora setting, the government is prohibited from discriminating based upon the content of the speech or the viewpoint of the speaker. Once created, access must be given to all points of view and the government generally cannot limit speech based on content. In its most practical sense, that means that once the government permits the posting of speech or expression on its Web site or official County use of a Social Media/Networking site, the government is then prohibited from blocking or removing such expression based upon the viewpoints expressed therein, absent speech that may cause a breach of the peace, cause violence or obscene speech.

Notwithstanding the County Attorney’s comments, it has been observed that other Florida governments have adopted the use of social media/networking and use a disclaimer that allows the local government to remove content. Industry standards recommend placing a disclaimer on the social media account that outlines the purpose of the communications and whether comments

will be accepted. Should comments be accepted, the disclaimer should declare any rights to monitor and eliminate any inappropriate comments that are violent, obscene, or profane. Additionally, solicitations, advertisements, or endorsements of any financial, commercial, or non-governmental agency may be deleted. Also a disclaimer should contain a statement that all communications and lists of friends are subject to public records. Although some Florida counties and cities provide a disclaimer, the Leon County Attorney's Office warns that a disclaimer does not mitigate legal concerns regarding a public forum and does not authorize the County to remove content posted by citizens. Copies of existing disclaimers used by sampled Florida counties and cities are included in Attachment #3.

### **Implications for Leon County Regarding Public Records**

As with paper documents, emails, faxes and the like, electronic forms of communication must also be considered to be public records under Florida Statutes, Chapter 119. Any of the social media communications which are transmitted, or those which are received, will need to be treated as public record and stored sufficiently so that they may be obtained if a request for review of such public records is received. Furthermore, as with emails received on a public official or elected officials' home computer, communications which are received regarding Leon County business or the duties and responsibilities of the elected official or staff are likewise public records under the definitions in Chapter 119. Thus, communications which are received by County Commissioners or other staff who have personal social media sites will need to take care to capture and save any communications received on the social media sites which relate to County issues. Since the creator of the social media site will become the records custodian for such purposes, the public official will need to save and make available at the time of a public records request such communications.

There are also Sunshine Law implications over the use of Facebook pages, whether the local government's page or another page. Specifically, § 286.011, Florida Statutes, requires that: (1) meetings of public board or commissions must be open to the public, (2) reasonable notice of such meetings must be given in advance, and (3) minutes of the meetings must be taken promptly and recorded. For example, with emails, the Attorney General's Office has found (AGO No. 89-39) that private discussions via email between Board members about Board business is prohibited under the Sunshine Law. Similarly, as in Attorney General's Opinion 08-07, the Attorney General's Office has concluded that the use of a website blog or message board to solicit comments from other members of the Board of Commissioners by their responses on issues that would become before the Board triggers the requirements of the Florida Sunshine Law.

The Attorney General has thus warned that "while there would not appear to be a prohibition against a Board of Commission member posting comments on a (local government) Facebook page, members of the Board of Commission must not engage in an exchange or discussion of matters that foreseeably will come before the Board or Commission for official action." (AGO 09-19). Thus, engaging in an exchange of ideas or discussion on a Facebook page or on a Twitter site could become a violation of the Florida Sunshine Law. The Attorney General in AGO 01-21 also stated that "although the preparation and distribution of individual city counsel members' "position statements" was technically, in and of itself, not a violation of the Sunshine Law; but, to the extent that the position statement is a response (or is construed to be such a response), to another member's statement, it violates the Sunshine Law."

In the meantime, appropriate procedures will need to be in place to ensure records are available for review and that they follow the appropriate retention schedule as managed by the Department of State.

This will require careful consideration of how social media such as Facebook or Twitter posts/responses are captured. As mentioned earlier, there are some electronic archiving solutions available. However, these solutions are in their infancy and do not offer absolute transactional archiving which could miss capturing posts/responses because of changes and deletions or frequency. The use of existing available archiving solutions will still require manual review and interaction to insure posts/responses are electronically captured or physically printed for future access in response to public records requests. Additionally, the former Attorney General's Office recommends that a disclosure statement be placed on any Facebook page or Twitter account to explain that content and lists of "friends" or "followers" could become public record.

### **Benefits for Leon County**

These new digital communication channels for social media/networking are additional vehicles for the County that can be coupled with our existing traditional mediums to inform and educate citizens in a timely, accurate, and direct manner. In these financially challenging times, it is recognized that it is more important than ever for Leon County to stay connected with its citizens, wherever or however they receive information, in order to stay effective and relevant. Although Leon County has an extensive web presence with its current website, more benefits can be garnered with the addition of social media/networking by engaging with citizens, augmenting transparency about government activities and accomplishments, providing another channel for instant alerts regarding urgent matters, providing a personal touch to individual interests, providing another venue for enhanced services, and continually strengthening the County's position as a proactive government. Already, County programs are beginning to see value-added opportunities with social media/networking that can increase or improve involvement with citizens, patrons, and volunteers. Recent requests for enhancements to Leon County's website include the Volunteer Center's interest in using social media/networking to encourage and solicit volunteers. The Library seeks to use social media/networking in its upcoming online Summer Reading Program to allow participants to build a community to share reviews of the program's books. Leon County Tourism Development, also known as Visit Tallahassee, is already linking the [VisitTallahassee.com](http://VisitTallahassee.com) website to Facebook and Foursquare allowing followers to become fans of the site so that they can be alerted to updates and "check-in" while enjoying the many sights and activities in Florida's Capital City. Adding social media tools to the Sustainability website will provide direct access to those citizens and interested parties already in online communities who are interested in sustainable matters. Another potential use has been expressed by some Commissioners to solicit input from citizens for ideas on improving services and the quality of life in Leon County.

### **Considerations for Implementation**

It is recommended that the County take a phased implementation approach for using social media/networking for the three types of user groups in Leon County: 1) employees, 2) County Departments, Divisions, and Programs, and 3) County Commissioners. Guidelines will address employee users on personal as well as official use of social media/networking. The County Departments, Divisions, and Programs will be required to follow procedures for planning and implementing their social media/networking use as established with the Public Information

Office and MIS within the County's website framework. County Commissioners will require guidelines on official engagements. The County Administrator will be responsible for the development of guidelines for social media/networking and future modifications. Existing guidelines from major governments in Florida (Attachment #4) will be considered in the development of Leon County's guidelines which will be available and implemented upon the ratification of this workshop's outcomes.

**1. Employees:** The County recognizes that many of its employees are already personally involved in the "community" through Facebook, Twitter, and other such media. Policies will need to be updated regarding employee conduct and productivity to insure that confidential and protected information is not exposed, that the County's reputation is not maligned, and that employee productivity is not impacted. Additionally, employees will be encouraged to not "friend" or "follow" supervisors and management and vice versa so as not to diminish professional boundaries.

**2. County Departments, Divisions, and Program Areas:** Use of social media/networking is to be vetted with the Public Information Office and MIS. Once the purpose and scope of the use is established and approved, set up for official County social media accounts will be executed by the Public Information Office and MIS. Also, appropriate disclosures will be placed on the associated social media account.

One-way communication will be established with postings coordinated with web postings with the assistance of the Public Information Office and MIS. Specific pages for County departments, divisions, and program areas will be set up under the framework established by the Public Information Office and MIS. Compliance with public records access will be handled by sending all posts/comments as a copy to the email system. The email archiving system will be used to respond to public records requests.

The Public Information Office, MIS, and the respective Department, Division, or Program then will determine how the accounts will be maintained. A common challenge is the refreshing of timely and accurate content so the account will not become inconsistent or obsolete. How will messages be made consistent? Whose responsibility and work load will this become? Currently, Leon County has more than 40 employees who have the task as their program's Web Steward to manage the content of their program's pages on the County's website. It is proposed to add social media/networking maintenance duties to these web stewards. The addition of social media/networking and all associated engagement and monitoring will require new resources as this medium is more dynamic and will require additional training and increase workloads for web stewards.

Two-way communication is not recommended at this time because of the inability to guarantee full capture of all communications for public records requirements. Currently, staff is not aware of a technical solution that can guarantee all transactions will be captured consistently and accurately.

Appropriate disclosures will be placed on the associated social media account. A draft disclosure is:

*Visitors to this digital platform are advised that the information contained within is believed to be accurate. However, no claims, promises or guarantees about the accuracy, completeness, or adequacy of the information are made. Visitors are encouraged to review the official version of all documents upon which they plan to rely.*

*Florida has a very broad public records law. As a result, any written communication created or received by Leon County officials and employees will be made available to the public and media, upon request, unless otherwise exempt. If you do not want your post, comment and subsequent identifying information released in response to a public records request, do not post/comment. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to a County official or site.*

*The County reserves the right to remove any comments that may cause a breach of the peace, cause violence or obscene speech.*

**3. County Commissioners:** For County Commissioners, it is proposed that initial use of social media/networking is one-way communication (information dissemination) where District information is posted and maintained by the Commission District Aides. Set up for official County social media accounts will be executed by the Public Information Office and MIS. County Commissioners and/or their aides will be responsible for monitoring and archiving all digital communications.

Should Commissioners decide to use social media/networking for their office in a two-way communications fashion, the County Attorney's Office recommends a daily procedural capture by Commissioners and/or their aides of any and all incoming and outgoing electronic communication for the purpose of public records access. It should be noted that the procedural capture will entail a manual copying and pasting of any and all outgoing posts and incoming replies. This manual process could be very labor intensive in the case of a highly active subject matter. Commission aides will continue to receive technical support from MIS as needed. Also noted is that two-communication creates a public forum and removal of postings/comments from citizens and subscribers is not allowed as described in the previous section called Legal Compliance except should the comments cause a breach of the peace, cause violence or obscene speech.

Commissioners with personal social media/networking sites need to understand that their online activity may violate Florida's Sunshine Law, involve public records requirements, and/or create a public forum, as described in previous pages under the Sections Legal Compliance and Implication for Leon County Regarding Public Records.

### **Conclusion and Recommendations**

County Administration in consultation with the County Attorney's Office and in coordination with the Public Information Office and MIS has been strategically and deliberately developing the guidance and action plan on how to use social media/networking as well as future digital communications to improve interaction with citizens. As these technologies are evolving, staff will continue exploring technical solutions for archiving two-way communication and

monitoring how to update County processes and procedures to take advantage of the new communication technologies to improve the organization, while remaining in compliance with regulations regarding public records and Florida Sunshine Law. An upcoming planned website redesign and development project will assist in introducing and implementing some of the social media/networking items discussed as well as upcoming media training opportunities for leadership staff which can further serve as an additional platform to discuss this ever-evolving world of technology and the associated policies in depth. A list of frequently asked questions is attached to assist in further discussion (Attachment #5).

The following recommendations take into account considerations for the use of social media/networking and address updating and aligning existing policies and procedures in regards to the proposed use of social media/networking.

1. Authorize staff to amend the County Website policy (Policy 05-06) (Attachment #6) to incorporate the use of social media/networking as an extension of the County's Website.
  - a. Revisions update the policy to include social media/networking and digital communications with the stipulation that use does not create a public forum, which means one-way communication.
  - b. Continues the process that the Public Information Office and MIS will set up the official County social media accounts on behalf of the County Departments, Divisions, and Program Areas.
  - c. Continues the requirement for compliance with public records law and retention schedules.
  - d. Authorize the County Administrator to be responsible for the development and maintenance of guidelines for social media/networking and provide those guidelines upon ratification of this workshop's outcome.
2. Authorize staff to amend the Public Records Law, Email and Social Media/Networking (Policy 96-4) (Attachment #7) – This is a major revision of the policy to include social media/networking and new and future technologies with the term digital communications. It also addresses email archiving – its purpose and retention requirements. Procedures for responding to public records requests are updated.
3. Authorize staff to amend existing policies in regard to employee conduct in the use of social media/networking.
  - a. E-mail/Internet Use (Policy 01-01) (Attachment #8) – The revision adds the terms social media/networking and County Computer System to expand the scope of the policy as it relates to permissible and prohibited uses. Additional changes develop procedures for direct monitoring and computer related searches.
  - b. Personnel Policies and Procedures, Section 2.15 Employee Conduct (Attachment #9) – The revision adds social media/networking policy to the Employee Conduct Section to describe how employees are to use social media/networking officially and personally as it relates to their position with the County.
  - c. Personnel Policies and Procedures, Section III, 3.03.2 Recruitment, Selection and Appointment (Attachment #10) – The revision adds a reference statement on Page III.4 to the following policy, Policy 03-11.

- d. Background Investigations (Policy 03-11) (Attachment #11) – The revision declares that only the HR Division can conduct background checks and others may not do so through resources on the Internet or via social media/networking.

4. Authorize the use of a disclosure to be placed on social media accounts such as:  
*Visitors to this digital platform are advised that the information contained within is believed to be accurate. However, no claims, promises or guarantees about the accuracy, completeness, or adequacy of the information are made. Visitors are encouraged to review the official version of all documents upon which they plan to rely.*

*Florida has a very broad public records law. As a result, any written communication created or received by Leon County officials and employees will be made available to the public and media, upon request, unless otherwise exempt. If you do not want your post, comment and subsequent identifying information released in response to a public records request, do not post/comment. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to a County official or site.*

*The County reserves the right to remove any comments that may cause a breach of the peace, cause violence or obscene speech.*

5. Authorize the County Administrator to have the updated policies be reviewed by all employees during their evaluation process and documented in the electronic evaluation system. New employees are to be briefed on these policies as part of their orientation with the County.
6. Recommend that County Commissioners use social media/networking in only a one-way communication (information dissemination) at this time.
7. Recommend, if County Commissioners choose to use social media/networking in a two-way communication fashion, a daily procedural capture by Commissioners and/or their aides of any and all incoming and outgoing electronic communication for the purpose of public records access.
8. Recommend, if County Commissioners choose to maintain personal social media/networking sites, they will need to take care to capture and save any communications received on the social media sites which relate to County issues so to stay in compliance with Florida's public records requirements. Since the creator of the social media site will become the records custodian for such purposes, the public official will need to save and make available at the time of a public records request such communications.

9. Recommend that County Commissioners not “friend” each other and/or discuss government business that they would be addressing at official meetings so to not violate the Florida’s Sunshine Law.

**Options:**

1. Accept staff report and presentations on Proposed Leon County Policies and Procedures Regarding Social Media/Networking.
2. Accept Staff Recommendations 1 through 9 as presented in the Workshop Materials.
3. Board Direction.

**Recommendation:**

Options # 1 and 2

**Attachments:**

1. Memorandum of January 28, 2010.
2. Table of Sampling of Social Media Use by Florida Counties and Cities as of 2/11
3. Examples of Disclosures Used by Some Florida Counties and Cities as of 2/11
4. Examples of Social Media Guidelines or Policies
5. Frequently Asked Questions
6. Proposed Revised Policy No. 05-06, County Website
7. Proposed Revised Policy No. 96-4, Public Records Law, Email
8. Proposed Revised Policy No. 01-01, E-mail/Internet Use
9. Proposed Revised Personnel Policies and Procedures, Addition of Section 2.15, Employee Conduct
10. Proposed Revised Personnel Policies and Procedures, Section III, 3.03.2
11. Proposed Revised Policy No. 03-11, Background Investigations

PA/VSL/AR/HT/JB/PC/PK



# BOARD OF COUNTY COMMISSIONERS

## INTER-OFFICE MEMORANDUM

To: Honorable Chairman and Members of the Board of County Commissioners

From: Herbert W. A. Thiele, Esq.  
County Attorney

Date: January 28, 2010

Subject: Information Management Technology and Compliance with Florida's Public Records and Sunshine Laws

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With the significantly increased usage of new information technologies such as Facebook and Twitter, the County Attorney's Office thought it important to remind you of some significant impacts that there might be to such usage as part of your public duties and activities as it relates to Chapter 119 (Public Records) and §286.011 (Sunshine Law) of the Florida Statutes.

While it is clear that Florida's sunshine laws and public records law were enacted in a prior era when there were no such communication tools available (essentially everything was done in a paper product), and that the state, through the Attorney General's Office, is currently engaged in research concerning the impacts of the new technology, caution in its usage by Commissioners and staff should be taken because of potential implications of violations of these public records and sunshine laws. In fact, the Florida Attorney General's Office released an Attorney General's Opinion (09-19) dealing with the creation with municipal Facebook pages and the implications that this would have under the public records and sunshine laws. As you know, Facebook is a social networking website under which users create profiles, interact with one another in a real-time, and are able to build networks of "friends."

Section §119.011(12), Florida Statutes defines "public records" to include "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." In AGO 09-19, the Attorney General opined that a local government could create a Facebook page if it finds that there is a valid municipal purpose. However, the opinion goes on to say, in relying upon the Florida Supreme Court's interpretation of a public record encompassing all material made or received by an agency in connection with official business and used to perpetuate, communicate, or formalize knowledge, that indeed information on a local government's Facebook page would most likely constitute a public record under the law, but such determination would need to be made based upon the information posted on the site.

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As for the "friends" that are a part of the site, whether or not the content of their postings and their pages are deemed public records would also be a determination based upon whether or not the information contained therein was made or received by an agency in connection with official business. Due to the likelihood that such information would be deemed a public record, the Attorney General suggested posting a warning on a local government's Facebook page regarding the implication of public records law on the material posted and shared by such "friends."

The public records law also imposes a duty of disclosure and retention upon every person who has custody of a public record. Custody has been described as having "supervision and control over the document or having legal responsibility for its care, keeping or guardianship" (AGO 08-07). Maintaining such a Facebook site, and then indicating that the local government is aware of and has approved the content, places responsibility on the local government to ensure the records are maintained in accordance with the public records law as well as the retention schedule that is required.

However, the general retention schedule approved by the State at the present time does not specifically treat the retention periods for such new technology. There is still an interesting and unknown question about the ability of a local government to retain the content of a Facebook site. Obviously, Leon County and other local governments do not have ownership, control or affiliation with this site and there has not been any case law or research which would indicate if a local government can even technologically and financially store such information.

There are also sunshine law implications over the use of Facebook pages, whether the local government's page or another page. Specifically, §286.011, Florida Statutes, requires that: (1) meetings of public board or commissions must be open to the public, (2) reasonable notice of such meetings must be given in advance, and (3) minutes of the meeting must be taken promptly and recorded. For example, with emails, the Attorney General's Office has found (AGO No. 89-39) that private discussions via email between Board members about Board business is prohibited under the Sunshine Law. Similarly, as in Attorney General's Opinion 08-07, the Attorney General's Office has concluded that the use of a website blog or message board to solicit comments from other members of the Board of Commissioners by their responses on issues that would come before the Board triggers the requirements of the Florida Sunshine Law.

The Attorney General has thus warned that "while there would not appear to be a prohibition against a Board or Commission member posting comments on a (local government) Facebook page, members of the Board of Commission must not engage in an exchange or discussion of matters that foreseeably will come before the Board or Commission for official action." (AGO 09-19). Thus, engaging in an exchange of ideas or discussion on a Facebook page or on a Twitter site could become a violation of the Florida Sunshine Laws. The Attorney General in AGO 01-21 also stated that "although the preparation and distribution of individual city council members' "position statements" was technically, in and of itself, not a violation of the Sunshine Law; but, to the extent that the position statement is a response (or is construed to be such a response), to another member's statement, it violates the Sunshine Law."

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Obviously the technological advances in communications have far exceeded the scope and specific regulations that are set forth in the Florida Statutes, any interpretations by Florida's Courts, or the Florida Attorney Generals' Office. Therefore, the Leon County Attorney's Office would recommend that Commissioners and staff be very careful in their use of either a Facebook page by the County or other Facebook pages that involve similar interactive communication technology. It is clear that the exchange of opinions or discussions between Commissioners on material that may foreseeably come before the Commission via email or other electronic technologies is to be avoided because such contact could be deemed a violation of the Florida Sunshine Law which carries serious penalties.

We have attached hereto for your review and possible direction to the County Attorney's Office, a technology policy which has been adopted by Escambia County relative to similar matters. Should you be interested in pursuing such a policy as drafted by the Leon County Attorney's Office, please provide such direction at an upcoming Commission meeting.

In the interim, should you have any further questions or need additional information, please contact the County Attorney's Office.

HWAT:eal  
Attachment

cc: Parvez Alam, County Administrator  
Vincent Long, Deputy County Administrator  
Alan Rosenzweig, Assistant County Administrator  
Jon Brown, Public Information Officer



Board of County Commissioners  
Escambia County, Florida

Title: County Commissioners' Technology Policy  
Date Adopted:  
Effective Date:  
Reference:  
Policy Superseded:

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A. Purpose:

The purpose of this policy is to establish rules for how the County Commissioners use technology to communicate to ensure they conduct themselves in a responsible, professional, ethical and efficient manner, with an eye towards the public's perception of their elected officials and how they conduct business. Improvements and evolutions in technology are occurring so rapidly that it is difficult for the laws and rules that govern County business and elected officials to keep pace. The Florida Sunshine Law and Public Records Law pose special challenges to the County Commissioners who should follow not just the letter of those laws, but also their intent. It is vital to the credibility of Escambia County government that the public perceive their Commissioners are respectful of those laws and of the citizens they govern.

B. Policy:

1. Applicability: This policy is intended as an additional layer of control over the County Commissioners' use of technological resources, regardless of the ownership of those resources. This policy is intended to supplement any existing policy, rule or law that applies to the County Commissioners or to County-owned resources.
2. Board Meetings: Commissioners shall not use cell phones, PDAs, Blackberrys, laptops, netbooks or similar devices, regardless of ownership of the device, during any County Commission meeting, including workshops. Commissioners are encouraged to turn off, silence, turn to vibrate or abandon all such devices during meetings. In the event of a perceived emergency, a Commissioner may use these devices but shall leave the Chambers or room where the meeting is held during use.

commissioner has already posted on that specific article or issue. A copy of any such posting shall be retained by the County.

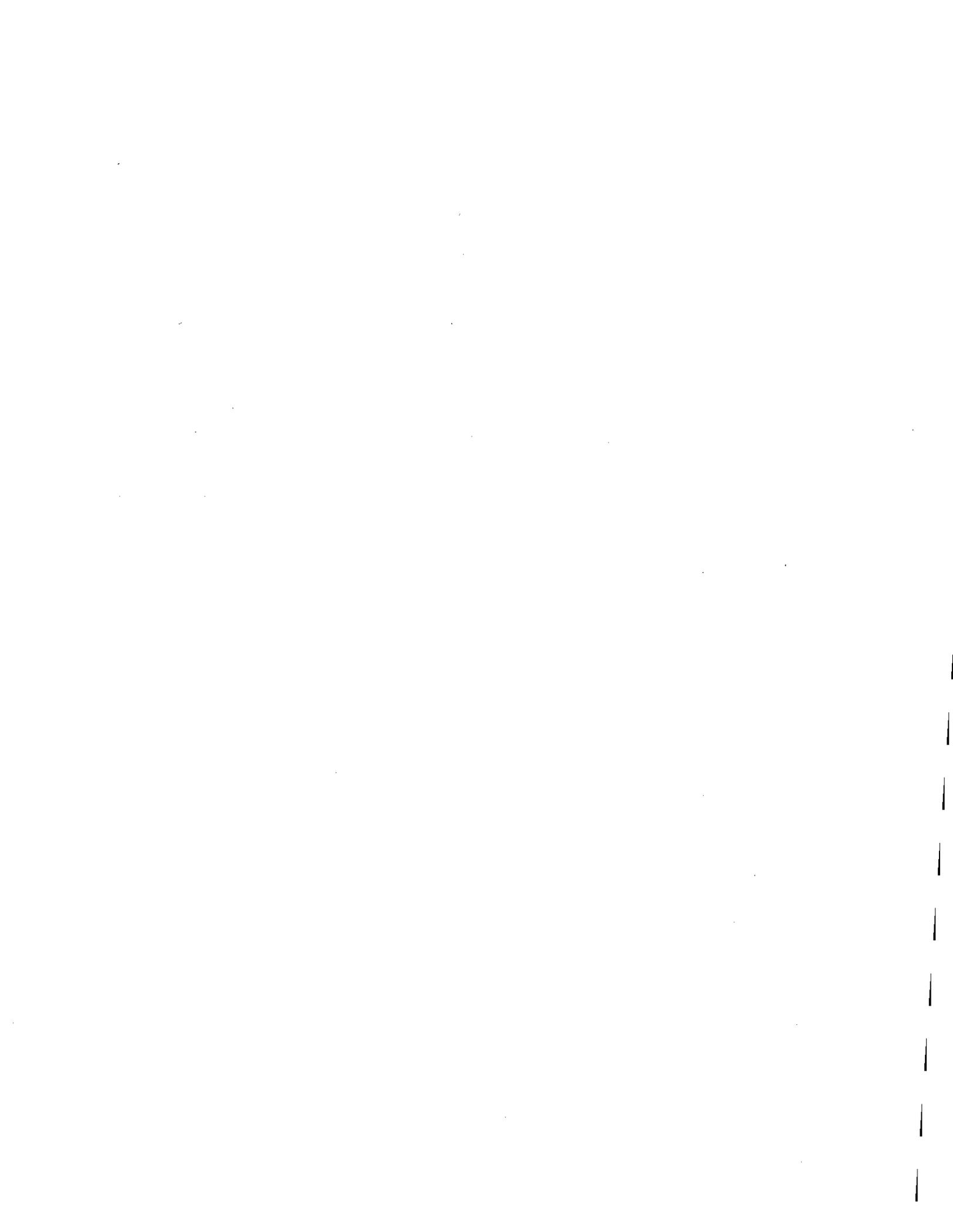
6. **Other County Policies:** Commissioners are responsible for compliance with all other applicable County policies.

C. **Enforcement:**

A majority of the County Commission may take any available enforcement action against a fellow Commissioner found to be in violation of this policy. Additionally, the County shall not be responsible for any costs resulting from a Commissioner's failure to follow this policy. Such costs are to include, but not be limited to, text messaging charges and attorney's fees, unless specifically allowed by State law. All other applicable laws, rules and policies may have other enforcement mechanisms that could apply. County Commissioners are responsible for compliance with the Sunshine Law and Public Records' Law at all times during their term.

D. **Future Amendments:**

The Board shall revisit this policy on a regular basis in order to consider amendments due to relevant court decisions, Attorney General's Opinions, Legislative actions or desires of the Board.



**SAMPLING OF SOCIAL MEDIA USE BY FLORIDA COUNTIES AND CITIES AS OF 2/2011**

COUNTY	FACEBOOK	DISCLAIMER	TWITTER	TYPE OF COMMUNICATION	YOUTUBE	ELECTRONIC SUBSCRIPTIONS	VIDEO ON DEMAND	RSS FEEDS	OTHER
Leon						X	X		
<b>COMPARISON COUNTIES</b>									
Alachua	X	X	X	One way communication			X		
Escambia			X	One way communication			X	X	
Lake	X	X	X	One way communication		X	X	X	
Osceola	X		X	One way communication			X	X	
Marion						X	X		
St. Lucie						X	X		
Manatee	X	X		Two way communication			X	X	
<b>OTHER COUNTIES</b>									
Volusia						X	X		
Sarasota	X	X	X	One way communication	X		X	X	Introduced a Wiki for ordinances and policies
Martin							X		
Orange	X		X	One way communication	X		X	X	iTunes
Duval	X		Nixle	Mayor is Two Way and the COJ is one way			X		Flickr
Pinellas	X		X	One way communication	X		X	X	eTown Hall Blog
Hillsborough	X		X	One way communication	X		X	X	
Miami - Dade	X	X	X	Two way communication	X		X	X	Mobile apps for iPhone and other smart phones
<b>CITIES</b>									
Tallahassee	X	X	X	Two way communication	X	X	X	X	
St. Petersburg	X	X	X	One way communication	X	X	X	X	
Orlando	X	X	X	Two way communication	X	X	X	X	
Gainesville	X		X	Two way communication	X		X	X	Flickr
Ft. Lauderdale					X	X			
Tampa	X		X	Two way communication	X	X	X	X	
Pensacola						X	X		



## DISCLAIMERS USED BY VARIOUS FLORIDA COUNTY AND CITY JURISDICTIONS ON THEIR SOCIAL MEDIA/NETWORKING SITES

### **Manatee County**

Comments posted to this Web site will be monitored and we reserve the right to edit for obscenities. This page is not intended as place to display free advertising

### **Lake County**

Comments made are not considered official communications with Lake County Government, and will not be responded to. To contact Lake County Government, e-mail [webmaster@lakecountyfl.gov](mailto:webmaster@lakecountyfl.gov). All content is subject to Florida Public Records Law.

### **Miami-Dade County**

This page is a non-political information service provided to users interested in learning about or commenting on government programs and services. We welcome your comments on the topics we post. We reserve the right to remove off topic comments.

### **Sarasota County**

The comments provided by the County's Facebook Friends are theirs alone, and do not reflect the opinions of Sarasota County Government or any official or employee thereof. Sarasota County Government is not responsible for the accuracy, completeness or usefulness of any of the information supplied by its Facebook Friends or for the content of any "off-site" Web sites or pages referenced from this site.

References herein to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by Sarasota County Government, its officials or employees.

The Sarasota County Library System reserves the right to monitor content before it is posted and to remove any postings that it deems to be in violation of anti-obscenity laws

Privacy: Any email or other type of posting on this Facebook page may be subject to the Florida Public Records Law unless otherwise exempted or not covered.

Security Notice: Information from this server resides on a computer system funded by Sarasota County Government. The use of this system may be monitored for computer security purposes. Any unauthorized access to this system is prohibited and is subject to criminal and civil penalties under Federal Laws including but not limited to Public Laws 83-703 and 99-474.

### **Alachua County**

All posts and comments to posts are subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the comment. Alachua County does not respond to comments. For more information, call the Alachua County Communications Office at 352-374-5204.

### **City of Tallahassee (Gaines St. Facebook Page)**

Please be aware that when engaging with the City of Tallahassee through social media, you are agreeing to adhere to the terms of use as follows: While this is an open forum, please keep your comments clean and appropriate. Inappropriate comments are subject to deletion by the administrator of this account. If you don't comply with the posting guidelines, an administrator will contact you and your message will be removed. If you post inappropriate content a second time, an administrator will contact you and you will be blocked from posting any more information to the

site. This forum is not monitored at all times. Do NOT use this forum to report emergency situations or time-sensitive issues. Please keep the following guidelines in mind when posting: -- We do not allow graphic, obscene or explicit comments or submissions nor do we allow comments that are abusive, threatening, hateful or intended to defame anyone or any organization or comments that suggest or encourage illegal activity. -- 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, gender identity or sexual orientation will not be tolerated. -- Content posted by persons whose profile picture or avatar, username or e-mail address contains any of the aforementioned prohibited conduct will not be tolerated. -- Content should be related to the subject matter of the social media site where it is posted. -- We do not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, we do not allow attempts to defame or defraud any person or financial, commercial or governmental agency. -- We do not allow information intended to compromise the safety or security of the public or public systems. -- You participate at your own risk, taking personal responsibility for your comments, your username and any information provided. -- All comments are subject to public records law. -- The appearance of external links on this site does not constitute official endorsement on behalf of the City of Tallahassee.

### **City of Tallahassee (Parks and Recreation Facebook Page)**

While this is an open forum, it is also a family friendly one, so please keep your comments clean and appropriate. Inappropriate comments are subject to deletion by the administrator of this page. If you do not comply with the posting guidelines, an administrator will contact you and your message will be removed. If you post inappropriate content a second time, an administrator will contact you and you will be blocked from posting any more information to the site.

Please keep the following guidelines in mind when posting:

- We do not allow graphic, obscene or explicit comments or submissions nor do we allow comments that are abusive, hateful or intended to defame anyone or any organization. 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 will not be tolerated.
- We do not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, we do not allow attempts to defame or defraud any financial, commercial or non-governmental agency.
- We do not allow information intended to compromise the safety or security of the public or public systems.
- We do not allow comments that suggest or encourage illegal activity.
- You participate at your own risk, taking personal responsibility for your comments, your username and any information provided.
- All comments are subject to public disclosure laws.
- We reserve the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

### **City of Orlando**

Comments posted to this Web site will be monitored and we reserve the right to edit for obscenities. Please see our our Disclaimer Note for more information.

#### **Disclaimer**

Visitors to this website are advised that the information contained within is believed to be accurate. However, no claims, promises or guarantees about the accuracy, completeness, or adequacy of the information are made. Visitors are encouraged to review the official version of all documents upon which they plan to rely.

Florida has a very broad public records law. As a result, any written communication created or received by City of Orlando officials and employees will be made available to the public and media, upon request, unless otherwise exempt. If you do not want your post, comment and subsequent identifying information released in response to a public-records request, do not post. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to a City office or site.

The purpose of this site is to disseminate information on specific City of Orlando topics and it is not a public forum. Comments posted to this website will be monitored, and we reserve the right to edit or remove obscenities, off-topic comments, and personal attacks. Please refer to our social media guidelines for more information.





**LAKE COUNTY**  
**FLORIDA**  
**BOARD OF COUNTY COMMISSIONERS**  
*County Procedure*

Title: **SOCIAL NETWORKING**

Number: LC-50

Approved: 06/14/2010

Originator: Information  
Technology

Review:

**I. PURPOSE AND SCOPE**

Social networking has encouraged new ways to communicate and share information, and is being used regularly by millions of people. In order to broaden the County's audience and reach out to those interested in hearing the latest initiatives and news from Lake County government, the County will be expanding communications to target the online community using social network outlets where appropriate.

**II. DEFINITIONS**

- A. **Blog**  
A blog is a type of Web site, usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video.
- B. **Facebook and MySpace**  
Free-access social networking Web sites that users can join to connect and interact with other people or organizations.
- C. **Social Network Service**  
A social network service, such as Facebook, focuses on building online communities of people who share interests and/or activities, or who are interested in exploring the interests and activities of others. Most social network services are Web based and provide a variety of ways for users to interact.
- D. **Twitter**  
Twitter is a social networking and micro-blogging service that enables users to send and read other user's updates, known as "tweets." Tweets are text postings which are displayed on the user's profile page and delivered to other users who have subscribed to them (known as followers). Tweets can also be sent and received with cell phones, which may incur phone service provider fees.
- E. **YouTube Web Video**  
YouTube is a free video-sharing Web site on which users can upload, share and view videos.

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### III. PROCEDURES

#### A. **General Information**

- All requests for creation of any social networking accounts must be made to the Department of Information Technology, Information Outreach Division. Departments must complete and submit an application using the Social Networking Request Form located on the intranet <http://bccnet.co.lake.fl.us/forms>.
- The Information Outreach Division will maintain an encrypted record of all login credentials for all County social networking accounts.
- The County's social networking presence should only be used to market Lake County programs and information. The Information Outreach Division will provide training to County social network account administrators on what constitutes appropriate use of the account and how to copy and maintain responses to ensure public records are maintained.
- Only authorized Lake County employees responsible for oversight of the social media account are allowed to post information on approved County social networking sites.
- When appropriate, information posted on social networking sites such as Facebook, Twitter, YouTube and MySpace should also be made available on the County's Web site. This is to ensure that people who are not yet using these technologies will have access to this same information through the County's Web site.
- Content posted to any social network account should follow the same e-mail etiquette guidelines found in section E, number 18 of the Computer Acceptable Use Procedure (LC-42).

#### B. **Public Records**

- Any e-mail correspondence sent or received from County social networking accounts may be considered public record, and therefore subject to the State of Florida's Public Record Laws.
- E-mail addresses used in the set-up of a County maintained social networking account must use a County e-mail address set up specifically for the social media type **NOT a personal e-mail address**. This ensures that all e-mail correspondence is automatically archived through the county e-mail system. If you need assistance with obtaining an e-mail account, contact the County's e-mail administrator.
- Each social media account must have the following public records notice clearly stated on the landing page of the social networking Web page: "Public comments

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made on this page are not considered official communications with Lake County Government, and will not be responded to. To contact Lake County Government, send your questions or comments to [webmaster@lakecountyfl.gov](mailto:webmaster@lakecountyfl.gov). All content on this page is subject to Florida Public Records Laws."

**C. Facebook & MySpace**

- It is the responsibility of MySpace and Facebook account administrators to maintain a record of all postings and save these records for the appropriate state mandated retention times.
- Privacy settings for Facebook and MySpace sites should be set up for viewing by the general public.
- Facebook accounts should be setup to block users from posting to the wall or other areas.
- The contact e-mail for any Facebook and MySpace sites must be a County e-mail address, not a personal e-mail address.

**D. Twitter**

- Tweet alerts shall be used and configured for each Twitter account to forward a record of tweets each day to the county e-mail system for e-mail archival purposes.
- Lake County will maintain a single Twitter account for the purpose of sharing timely information with citizens about County government, and for emergency communications. Departments, divisions or individual staff members will not be allowed to establish individual Twitter accounts representing any part of Lake County Government unless authorized by the Department of Information Technology.
- The Information Outreach Division will be the only staff with access to post tweets for the main Lake County Government account. Other departmental staff may be designated to maintain additional Twitter accounts once approved by the Department of Information Technology.
- General information posted as tweets will link users back to the BCC Web site ([www.lakecountyfl.gov](http://www.lakecountyfl.gov)) for more information, or appropriate Web site related to the Twitter account established.
- The Twitter account administrator is responsible for ensuring that if a Tweet will reference information on the Lake County Government Web site, that the information is posted to the Web site prior to the tweet being dispersed. To post related information on the Web site, e-mail [webmaster@lakecountyfl.gov](mailto:webmaster@lakecountyfl.gov).

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- The Information Outreach Division will review and approve all Tweets posted to the main Twitter account for Lake County, prior to posting. Please allow adequate time for review. Tweets will be reviewed for quality, consistency with overall County messages, priority goals, etc. Additional time may be needed to edit or upgrade the content, and to post related information on the BCC or related County website if needed.

#### E. YouTube Web Video

- Lake County is a registered user on YouTube, meaning that authorized County personnel can upload videos, and the Lake County YouTube "channel" is branded with the County logo.
- The Information Outreach Division will be responsible for placing all appropriate videos to the dedicated Lake County YouTube channel.
- Lake County will use a single YouTube account – departments, divisions or individual staff members will not be allowed to establish individual YouTube accounts representing any part of Lake County Government.
- The Information Outreach Division will review and approve all videos prior to posting. Please allow adequate time for review (depending upon the length of the video). Videos will be reviewed for quality, consistent overall County message, priority goals, etc. Additional time may be needed to edit or upgrade the video project.
- The webmaster will only post videos to the County website ([www.lakecountyfl.gov](http://www.lakecountyfl.gov)) as directed and approved by the Information Outreach Division.
- Any video posted must be owned by the County or have rights to post the video. Copyrighted video content will NOT be posted. Copyright release must be provided to the Information Outreach Division before the video will be posted.

#### F. Blog

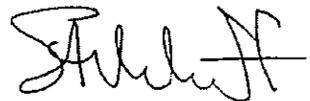
- Lake County has an established account (<http://lakecountyfl.wordpress.com/>) on WordPress (<http://wordpress.org/>). This will be the main blog tool used for external communication blogs.
- All requests for creation and administration of any blog accounts must be made to the Department of Information Technology, Information Outreach Division. Departments must complete and submit an application using the Social Networking Request Form located on the intranet <http://bccnet.co.lake.fl.us/forms>.

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- Blogs will only use approved County-selected templates.
- Blogs must be used as "blogs" and cannot replace content posted on County maintained websites or become departmental Web pages.
- Moderation of the comment posts will be the responsibility of the approved department's blog administrator.
- Contact the Web Support Team at 343-9604 for any questions related to blogs.

**IV. RESERVATION OF AUTHORITY**

The authority to issue or revise this Procedure is reserved to the County Manager. The County Manager may authorize exceptions to this procedure when deemed appropriate.



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Sanford A. Minkoff  
Interim County Manager  
Lake County



# Lake County

## Board of County Commissioners

### Department of Information Technology

### Social Networking Request Form

Requestor Information:				
Name: _____				Date: _____
Department: _____			Division/Section: _____	
E-mail: _____				Phone: _____
Request Type:	<input type="checkbox"/> Blog	<input type="checkbox"/> Facebook	<input type="checkbox"/> MySpace	<input type="checkbox"/> YouTube Video <input type="checkbox"/> Twitter

General Information:
What will be the subject of the content for your social network Web page:

Social Network Account Administration:
Who will be responsible for administering this social network Web page?
Name: _____ Title: _____
Department: _____ Division: _____
Phone: _____ E-mail: _____
I have read and understand the Lake County Social Networking procedure (LC-???) and the Social Networking Rules of Conduct attached to this form. I am aware that I am responsible for the content being posted to the County social network Web page, and that what is published will be viewable by the public, and is a reflection of the Lake County Board of County Commissioners.
Signature: _____ Date: _____

Signature Authorization:
Department / Division Director: _____ Date: _____
Information Outreach Director: _____ Date: _____



# Lake County

## Board of County Commissioners

### Department of Information Technology

### Social Networking Rules of Conduct

1. Lake County social network administrators are personally responsible for the content they publish on any approved social network Web page. Be mindful that what you publish will be public for a long time.
2. Respect copyright, fair use and public records laws.
3. Avoid expressing opinions, because your posts should represent facts, and are a reflection of the Lake County Board of County Commissioners.
4. Don't provide confidential or other proprietary information.
5. Stick to your area of expertise and check your facts before posting.
6. Don't cite or reference clients of Lake County, partners or suppliers without their approval. When you do make a reference, where possible link back to the online references and original source materials directly.
7. **Do NOT** post jokes or use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in the workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory.
8. **Do NOT** discuss topics such as politics and religion.
9. Try to add value by providing worthwhile information. If there is no point to your post, then people might not read it or come back to read anything else you write.
10. Talk to your readers like you would talk to real people in professional situations. Avoid overly obscure or "composed" language, but remain professional at all times.
11. Never make misrepresentations or dishonest statements.
12. Acknowledge and correct mistakes promptly.
13. Do not delete or remove comments unless they are spam, off-topic or defamatory.
14. Always check your spelling and grammar.
15. Avoid using acronyms or abbreviations. Just because you use certain terms in your job every day doesn't mean that the everyday reader will know what it means.



# Lake County

## Board of County Commissioners

### Department of Information Technology

### Social Networking Training Guide

#### File retention:

1. Wall posts from citizens will be disabled on all Facebook accounts. Comments on your wall posts cannot be disabled, and therefore any comments made on posts that you make will need to be maintained for public record.
2. A network share directory has been established where all record retention for social network accounts will be maintained. Individual folders will be created for each social network account. The folders are located at:  
\\lakegov.bcc\share\_dept\Various\Social Networking Logs
3. All Twitter accounts are automatically being archived through the e-mail archival system.
4. For all other social network accounts, you will need to maintain public records on comments made to the accounts. The best way to accomplish this is to create a Microsoft Word document, with a running dialog of comments made to any of these accounts. It is recommended that you save them on a monthly basis with the file structure "[account name]\_MonthYear" (i.e. "Lakegov\_June2010"). At the beginning of each month, start a new file and close out/save the month prior.
5. The social network administrator will be responsible for checking their social network accounts routinely for comments to archive.

#### Account Administration:

1. Accounts will be created and named by function rather than employee name. Some examples include: Lakelibrary, lakecountyegr, Lakexpress, Visitlakefl, Lakegov
2. Because the purpose of social media communication is intended for up-to-date/up-to-the-minute communication, you need to ensure that you will be able to post timely and relevant information at a minimum of once weekly.
3. All passwords for accounts will be maintained by the Department of Information Technology; Information Outreach Division in an encrypted format. Do not change your password on any social network account unless you inform Information Outreach prior to doing so.
4. Do not give your account login information to anyone else. If you will be out of the office, and another employee will be maintaining your social network account, they will need to submit a Social Media Request form prior to access being given.
5. For Twitter accounts, only post your Tweets directly through twitter.com, or by using one of the following social media dashboards: Tweet Deck or HootSuite.
6. Information Outreach will be reviewing accounts for proper use. At any time, Information Outreach has the authority to remove, edit posts or suspend accounts.



# Lake County

## Board of County Commissioners

### Department of Information Technology

### Social Networking Training Guide

**Ground Rules of Social Media accounts:**

1. Lake County social network administrators are personally responsible for the content they publish on any approved social network Web page. Be mindful that what you publish will be public for a long time.
2. Respect copyright, fair use and public records laws.
3. Avoid expressing opinions, because your posts should represent facts, and are a reflection of the Lake County Board of County Commissioners.
4. Don't provide confidential or other proprietary information.
5. Stick to your area of expertise and check your facts before posting.
6. Don't cite or reference clients of Lake County, partners or suppliers without their approval. When you do make a reference, where possible link back to the online references and original source materials directly.
7. **Do NOT** post jokes or use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in the workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory.
8. **Do NOT** discuss topics such as politics and religion.
9. Try to add value by providing worthwhile information. If there is no point to your post, then people might not read it or come back to read anything else you write.
10. Talk to your readers like you would talk to real people in professional situations. Avoid overly obscure or "composed" language, but remain professional at all times.
11. Never make misrepresentations or dishonest statements.
12. Acknowledge and correct mistakes promptly.
13. Do not delete or remove comments unless they are spam, off-topic or defamatory.
14. Always check your spelling and grammar.
15. Avoid using acronyms or abbreviations. Just because you use certain terms in your job every day doesn't mean that the everyday reader will know what it means.

I have read and understand the items outlined in this Social Network Training Guide.

---

Employee Signature

Date



## Wake County Social Media Guidelines

### SUMMARY

Wake County uses social media as a way to communicate with stakeholders, media, employees and our residents. These guidelines outline how Wake County will use social media and will continually evolve as new technologies. Wake County's social media guidelines apply to all employees that fall under the leadership of the County Manager including volunteers, vendors and contractors when representing Wake County.

### WHAT IS SOCIAL MEDIA?

Social media uses Internet and Web technologies for sharing content between people. Social networking describes large sites that contain multiple communities of people engaged in sharing content and information.

### SCOPE

Departments are expected to follow the procedures outlined in this document to request social media accounts and receive approval before publishing content to those accounts including blogs, wikis, social networks, virtual worlds, or any other kind of social media both on and off the County's Web sites.

### WHY USE SOCIAL MEDIA?

New and emerging online social media platforms are fundamentally changing the way the world works and communicates. Many people, businesses and community partners are actively participating in online interactions happening in blogs, forums and social networks. Like many private and public groups, Wake County believes social media provides options to get messages out into the community and to reach people in the ways they routinely communicate and interact. For these reasons, it is important that Wake County government join the conversations in social media platforms.

### WHO CAN USE SOCIAL MEDIA?

For defined and approved uses, departments, divisions and programs may be permitted, on a case-by-case basis, to use social media tools, including but not limited to:

- Wikis such as MediaWiki, Wikispaces, PBWorks,
- Team and group sites such as Google Sites, SharePoint, Yahoo Groups
- Blogs such as WordPress
- Micro-blogs such as Twitter
- Social networking sites such as Facebook or MySpace
- Visual media sharing such as YouTube, Flickr or Picasa

*Wake County Social Media Guidelines and Best Practices*

**WHAT IS THE PROCESS TO GET A SOCIAL MEDIA ACCOUNT?**

1. Wake County representatives who would like to use any social media tool should first discuss business reasons for using social media with their supervisor.
2. After receiving supervisor approval, applicants should fill out the Social Media Project Request Form located at [www.wakeemployees.com/support](http://www.wakeemployees.com/support). All of the members of the Social Media team will be notified of the request. The Social Media Team will consist of managers from the Public Affairs Office, the Web Administrator, Applied Technologies Manager and one Business Analyst.
3. A member of Information Services' Applied Technologies Team will receive requests and begin assisting the department in formulating an application for their request.
4. When the business case is ready for review, the department will be scheduled to present to the Social Media team. From this meeting, the Web Support Team and Public Affairs Office will prepare a recommendation document.
5. Upon completion of the recommendation document, it will be sent to the requesting department's director, the Public Affairs Director and Chief Information Officer for approval.
6. Upon approval, the Web Support Team and Public Affairs Office will review the approved scope with the department. A date will be set for training and a review session at an upcoming Electronic Communications Committee meeting.
7. Denied requests will immediately be communicated to the department with supporting reasons.
8. Any modification or expansion of a preapproved social media accounts will be considered using the same process unless otherwise outlined in their approved scope document.

**GUIDELINES FOR USING SOCIAL MEDIA**

Usage of social media tools must be restricted to the purpose for which permission is given. Departments that use social media are responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, public record, First Amendment, privacy laws, and Wake County's information security policies, Web Policy, Acceptable Use Policy and Human Resources' Administration Manual. Violation of these policies and guidelines can result in the removal of the assigned social media service and disciplinary action.

*Wake County Social Media Guidelines and Best Practices*

***Representing Wake County – Use of Social Media***

1. Creation and maintenance of all social media sites will be conducted as part of a department, division or program's communications plan and strategy.
2. Departmental Web Content Coordinators must be involved in the establishment, administration, content creation and maintenance of all social media sites. This is to ensure departmental and the County's mission and messages are being consistently articulated and aligned with other Web communication channels, including our Web sites.
3. Departmental Web Coordinators, the PAO and the Web Support Team each must have administrator rights to all social media sites.
4. Social media sites are considered public records, and as such will be subject to archiving under the state public records law.

***Technical Administration***

1. The Web Support Team will acquire and establish all social media accounts once they are approved. During this process, county branding will be applied and administrators and users will be added to the accounts.
2. Links, badges and widgets will be added to the WakeGOV site, linking to the social media accounts where appropriate.
3. All accounts when set up will include the following public disclaimer:  
*"This site may contain ads, comments, external videos or images that do not reflect the opinions and position of Wake County Government."*
4. Approved users are required to establish individual accounts using their County e-mail address. These accounts should only be used for County business and should be separate from any personal social media accounts.
5. A departmental administrator and alternate will be trained for each approved social media account. This person will coordinate publishing on the social media site and alignment with content on the County's Web sites.
6. Technical training in conjunction with the Public Affairs Office will be provided for administrators and publishers.
7. Users who are given administrator status should not change the administrative status of other users without receiving permission from the Web Support Team.
8. The Web Support Team will back-up all posts on social media sites monthly.
9. The Web Support Team will compile monthly statistical reports to share at the Electronic Communication meetings.
10. The Web Support Team will monitor all social media sites for technical compliance.

*Wake County Social Media Guidelines and Best Practices*

***Content Publishing Guidelines***

1. Content publishing on approved social media sites must stay within their defined scope, area of expertise and provide unique perspectives on their divisions' programs and services.
2. Posts should be factual and meaningful, and comments should be respectful.
3. When possible, content should always link back to the County's website for more information.
4. Proprietary information, content and confidentiality will be respected.
5. Links should be to reputable and factual/accurate sources.
6. When a response is appropriate, comments must be replied to in a timely manner. Use the **Social Media Response Decision Guide** for responding to social media comments and consult with the Public Affairs Office as needed.
7. The Public Affairs Office will prepare and train employees on how to write and prepare effective social media messages for the appropriate channels.
8. The Public Affairs Office will monitor for content compliance on all social mediate sites.

***Monitoring Guidelines***

1. The departmental administrator must frequently monitor social media sites. In addition, the Public Affairs Office and Web Support Team will monitor for compliance.
2. The County reserves the right to remove posts that contain:
  - a. Profane language or vulgar content
  - b. Advocate illegal activity
  - c. Offensive comments that target or disparage any ethnic, racial, or religious group
  - d. Spam, off-topic content or links to other sites that are:
    - i. Clearly off topic
    - ii. Promote particular public sector services or products
    - iii. Endorse a candidate, political organization or platform
    - iv. Infringe on copyrights or trademarks.
    - v. If content must be removed, follow the **Social Media Post Removal Decision Guide** and consult with Public Affairs when necessary.
    - vi. Removed content must be recorded, documented and submitted to the Public Affairs Office and Web Support Teams for record retention.

*Wake County Social Media Guidelines and Best Practices*

## CONCLUSION

**It's your responsibility.** What you write is ultimately your responsibility. Participation in social media on behalf of the County is not a right and it therefore needs to be taken seriously and with respect. When responding, be sure you're the correct person in your department to respond. Know and follow the County's social media guidelines and follow the decisions guides when necessary.

**It's a conversation.** Talk to your readers like you'd talk to real people in professional situations. Avoid bureaucratic or formal language. Consider open-ended content that invites response and comments. Stay professional – don't be combative.

**Be open.** One of the great benefits of social media is the interaction between you and our residents. Take in ideas. Share relevant feedback & input with your department and supervisors. When in doubt, contact the Public Affairs Office or your department director.

**Are you adding value?** There are millions of words out there. The best way to get yours read is to write stuff people will value. Communication should help our residents, employees, and community partners. It should be thought-provoking and build a sense of community.

**Did you screw up?** If you make a mistake, admit it. Be upfront and quick with your correction. If you're posting to a social media site, you may choose to modify an earlier post — just make it clear that you have done so noting the correction.

**If it gives you pause, pause.** If you're about to publish something that makes you even the slightest bit uncomfortable, don't shrug it off and hit 'send.' Take a minute to review these guidelines and try to figure out what's bothering you, then fix it. If you're still unsure, check with your manager. Ultimately, the decision about what you publish is yours — as is the responsibility. So be sure.

**Follow the rules.** Employees who fail to comply with these policies are subject to disciplinary action, including dismissal and removal of your department's social media account.

Pat Curtis - RE: Social Media

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**From:** "Kevin G. Smith" <kgsmith@alachuacounty.us>  
**To:** Pat Curtis <CurtisP@leoncountyfl.gov>  
**Date:** 2/18/2011 11:21 AM  
**Subject:** RE: Social Media

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Pat,

Within Alachua County's IT Usage and Security Procedure is the following section that pertains to Social Media. The County's Communication Coordinator assisted in creating this section of the Procedure.

### 8. Social Networking Procedures

- 8.1. The following Social Networking Procedure provides guidelines and requirements for posting Alachua County business related content on non-County owned Internet sites. These sites are governed by the Terms and Conditions along with the Privacy Policy as defined on each site. It is the responsibility of each department director whose department has a social networking site, to ensure staff adheres to the Terms and Conditions of the social networking sites.
- 8.2. The director of the department creating the account must approve, in writing, the creation of accounts for posting County content on non-County owned social networking sites.
- 8.3. The name of a site will include Alachua County, and the division or program name. Only the County's main site which is maintained by the County's Communications Office will feature the County's official logo.
- 8.4. The director of the department posting any County content will be responsible for assuring all information is current, accurate, and appropriate for dissemination to the public. In all cases, postings must be professional, courteous, and pass the common sense test.
- 8.5. The purpose of these sites is to send information out. Discussion, chat, and posting features should be disabled, unless the department director approves a compelling reason for two-way communication.
- 8.6. Going live with a site creates a responsibility for the registering department to be active in the maintenance of the site. Responsibilities of the site maintainer include:
  - 8.6.1. Posting fresh material in a timely fashion to keep site subscribers interested and engaged.
  - 8.6.2. Responding to comments in a timely manner if two-way communication is enabled.
  - 8.6.3. Backing up information.
  - 8.6.4. Deleting sites that are dormant.
  - 8.6.5. Retaining all public records created by this site.
- 8.7. As with all communications, all public records requirements and laws apply to these sites. As the County does not own or operate these sites, information

posted or received must be maintained in other formats for the applicable retention period, based on its subject, in order to fulfill public information requests should the site go down or be abolished.

Let me know if you have any questions.

Kevin



**Kevin G. Smith**

Director

Information and Telecom Services

Alachua County, Florida

[kgsmith@alachuacounty.us](mailto:kgsmith@alachuacounty.us)

Office: (352) 338-7300

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**From:** Pat Curtis [<mailto:CurtisP@leoncountyfl.gov>]

**Sent:** Friday, February 18, 2011 10:18 AM

**To:** Kevin G. Smith

**Subject:** Social Media

Hey Kevin!

I hope all is going well with you and your team. I am reaching out to ask if you can share your County's social media policies. We in Leon County are developing materials for a workshop with our Commissioners on how we would use social media. Your County has already made good headway on the use of social media. Very good!

Your assistance is appreciated.



**Pat Curtis**

Leon County MIS Director

301 S. Monroe St.

Tallahassee, FL 32301

Office: (850) 606-5514

Fax: (850) 606-5501

[curtisp@leoncountyfl.gov](mailto:curtisp@leoncountyfl.gov)

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**HILLSBOROUGH COUNTY**  
**Office of the County Administrator**

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**ADMINISTRATIVE DIRECTIVE #CO-09**

**SUBJECT:** SOCIAL MEDIA USE  
**EFFECTIVE DATE:** April 7, 2010  
**REVIEW DATE:** April 7, 2011  
**SUPERSEDES:** NEW

**Purpose:**

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online. County departments may consider participating in social media formats to reach a broader audience. Hillsborough County encourages the use of social media to further the goals of the County and the missions of its departments where appropriate.

**Policy:**

In accordance with Human Resources Policy 6.22, the Office of the County Administrator (OCA) is committed to providing public information in convenient, meaningful ways with county residents. Engaging in helpful dialogue with residents through social media as a County employee is acceptable when performed in adherence with the employee's regular scope of work and responsibilities during work time.

**Responsibilities:**

As with other forms of public communication, such as telephone and email, employees who engage in using social media during work hours are personally responsible for the content they publish.

The creation of County social media platforms must be approved by the County Administrator.

**Guidelines:**

1. Employees must not engage in visiting or contributing to social media sites during work hours, unless their position is designated to do so by their department Director, and approved by the County Administrator or his or her designee, the Communications Director.
2. Engagement on any social media platform on work time should be performed in adherence with the employee's direct scope of work and

- responsibilities, with the best interest of the County paramount in their postings.
3. Employees must identify themselves by name and department and write in the first person when discussing County matters, and conduct themselves in a professional and positive tone.
  4. Departments that use social media are responsible for complying with applicable federal, state and county laws, regulations and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA) and other protected information such as Personal Identifiable Information (PII). Confidential information such as HIPAA protected content must remain confidential.
  5. A public blog is not the place to communicate internal county policies for employees or to air disputes or grievances.
  6. These guidelines may continually evolve as new technologies and social networking tools emerge. The Communications Director will review social media site usage and provide policy recommendations to the County Administrator on a continuing basis.

**Unacceptable uses:** Accessing, messaging or printing sensitive materials including, but not limited to, illegal activities, gambling, sexually explicit materials, weapons, drugs, violence or materials that include inappropriate language, profanity, obscenity, racial, ethnic or discriminatory comments, defamatory statements or otherwise inappropriate content (to include statements such as partisan political positions, religious positions and other statements that may subject the County, its mission, or its employees to be viewed in a light that is not in the best interest of Hillsborough County) is strictly prohibited. (HR 6.22)

**Failure to Comply:** Each department is responsible for ensuring compliance with this directive and HR 6.22. Failure to adhere to these requirements may result in the removal of department pages or information from social media outlets. Employees may lose the privilege to use their electronic devices and/or telecommunication equipment and may result in discipline, up to and including termination of employment.

Approved By: /s/ 4/7/10  
County Administrator Date

 <p style="text-align: center;"><b>Administrative Policies and Procedures Manual</b></p>	<p><b>DATE</b> 9/20/2010</p>
	<p>NO. 408</p>
<p><b>TITLE</b></p> <p style="text-align: center;">SOCIAL MEDIA AND COLLABORATION POLICY</p>	<p><b>ORG. AGENCY</b> Department of Communications</p> <p>Approved AFT</p>
<p>408.01</p>	<p>As more and more citizens in our community make the shift towards, or include the use of, social technologies to receive and share information and communicate their opinions, it is imperative that the City includes these technologies as part of its efforts to enhance customer service and outreach and increase citizen involvement.</p>
	<p>It is the policy of the City that a standard for interaction with Social Media tools and their associated technology is hereby established.</p>
<p>408.02</p>	<p><b>AUTHORITY</b> City Manager Standards</p>
<p>408.03</p>	<p><b>SCOPE AND APPLICATION</b> This policy, and its provisions, apply to and serve as a guide to all City employees, departments and contracted entities that distribute information to the City while engaging in any Social Media activities implied or directed.</p>
<p>408.04</p>	<p><b>MANAGEMENT POLICY STATEMENT</b> It is the policy of the City Manager to have adopted a methodology or discipline to guide all interaction with Social Media technology and its accompanying disciplines that provides a standard approach to the collaboration and sharing of information on and in various public domains to provide consistent communication across all media.</p>
<p>408.05</p>	<p><b>DEFINITIONS</b></p> <ul style="list-style-type: none"> <li>• <b>Social Media</b> are various forms of user-created content tools such as social networks, blogs, video sharing, pod casts, wikis, message boards and online forums. Technologies include, but are not limited to: picture and video sharing, wall postings, e-mail, instant messaging, and music sharing. Examples of social media applications include, but are not limited to: Google and Yahoo Groups (reference, social networking); Wikipedia (reference); Facebook and MySpace (social networking); YouTube (social networking and video sharing); Flickr (photo sharing); Twitter (social networking and microblogging); Skype (instant messaging and webcam chat); LinkedIn (business networking); and news media comment sharing/bloggging. This policy covers all Social Media tools, both current and future.</li> <li>• <b>Social Networking</b> is the practice of expanding one's business and/or social contacts by making connections using a range of Social Media tools including blogs, video, images, tagging, lists of friends, forums and messaging that use the Internet to promote such connections through Web-based groups established for that purpose.</li> <li>• <b>Social Media Account</b> shall mean any registration, login credential, tool, forum, website or network that is created or maintained by a Department for the purpose of establishing or perpetuating a Social Media presence.</li> </ul>

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408.06

- **Authorized User** shall mean any employee, or any person acting on their behalf, who has been authorized by their Department Director and registered with and approved by the Department of Communications and Information Systems Services to establish, create, edit, or maintain any Social Media Account, and the posts it may contain, in the transaction of official business of the City of Tallahassee.
- **Post** shall mean any e-mail, message, picture, graphic, image, advertisement, notification, feed, stream, transmission, broadcast, podcast, video, instant message, text message, blog, microblog, status update, wall post, comment, and any and all other forms, means or attempts at collaboration or communication that is uploaded, posted to, or otherwise displayed on or transmitted by, any Social Media Account or Network.
- **External Entity** shall mean any person or party not employed by, or an authorized representative of, the City of Tallahassee.
- **External Information** shall mean any Social Media Post by any External Entity, and the information or substance it contains.
- **EDMS** shall mean the City's Electronic Document Management System.

**RESPONSIBILITIES**

Responsibility is equally shared by the participating departments that actively engage in Social Media. Management and specified Authorized Users will also be held accountable for all collaboration in the public domain.

**Department**

Before Establishing a Social Media Account

- Contact the Department of Communications to discuss objectives and desired outcomes for utilizing Social Media and to help determine its effectiveness in reaching the communication objectives.
- Obtain formal approval, which shall specify all Authorized Users for the project, from the applicable Department Director prior to establishing any Social Media Account.
- Obtain formal approval from the Department of Communications to proceed with any proposed Social Media project.
- Obtain a completed User Agreement Form for each Authorized User and store that agreement in the employee's personnel file in the EDMS.
- Establish the Social Media Account using a Talgov.com e-mail address created by ISS specifically for the account and provide all access credentials to both ISS and the Department of Communications, including all subsequent modifications to credentials.

When Establishing the Social Media Account and during Maintenance of the Social Media Account

- Include an introductory statement that clearly specifies the purpose and topical scope of the Social Media presence. Where possible, Department Social Media Accounts should link back to Talgov.com for the purpose of downloading any forms, documents and other information.
- Conspicuously post a Terms of Use Agreement approved by the Department of Communications and the City Attorney's Office. The Agreement, in addition to its other language, shall clearly indicate that any Post is subject to public records disclosure.

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- Enable features for public comments, if such capability exists, and comply with and enforce the posted Terms of Use Agreement.
- Make available, to the Department of Communications, all content such as text, images, and video placed on Social Media Accounts for possible placement on Talgov.com
- Maintain compliance with all applicable Federal, State and City requirements, policies and procedures relating to records retention and public records requests.

**ISS**

- Provide Authorized Users information about their ability to access and utilize the Social Media tools authorized by their Department Director and the Department of Communications.
- Create a Talgov.com email address to serve as the official e-mail account for all approved Social Media Accounts.
- Review all login credentials to Social Media Accounts to ensure compliance with password strength requirements and compliance with established ISS Security Policy (Administrative Policy 809) and industry best practices relating to information systems security.
- Respond to any requests for guidance or opinion regarding technology or information systems security.

**Communications**

- Review proposals for new Social Media projects and provide formal approval or denial.
- Provide counsel to the Department as to the appropriate use of the Social Media tool and guidance as to the types of information that should be released.
- Monitor content on each Department Social Media Account to ensure adherence to the guidelines in this policy. Inappropriate use may result in the removal of the department page or account from these Social Media sites.

**City Attorney's Office (Legal)**

- Review and approve any departmental changes or additions to the Terms of Use Agreement, or the general disclaimer, as requested.
- Render opinions on matters regarding disclaimers, terms of use, and privacy concerns as they arise.
- Provide opinions on matters of public records, in accordance with City Administrative Policy 206.

408.07

**GENERAL PROCEDURES**

- Each City Social Media Account must include an introductory statement that clearly specifies its purpose and topical scope. Where possible, Department social networking sites should link back to Talgov.com for forms, documents and other information.
- All Social Media sites must clearly indicate that all Posts are subject to public records laws.

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408.08

**GENERAL GUIDELINES**

1. Review and understand the Ethical Code of Conduct and prohibited activities enforced by City of Tallahassee policy. Acknowledge that violations of these policies may result in disciplinary actions by completing a User Agreement Form.
2. Do not edit posts. Any post that violates the Terms of Use Agreement or disclaimer should be documented for records retention and then deleted from public view. The comment maker should then be notified that he or she has violated the Terms of Agreement, specifying any and all Terms of Use that were violated.
3. Any published content is persistent in the public domain. The City of Tallahassee is responsible for all content published by Authorized Users. When speaking on behalf of the City, it should be assumed that all communications are in the public domain and available for publishing and discussion in all forms of media.
4. Consult the Department of Communications before discussing City of Tallahassee related matters on Social Media Accounts or in the public domain.

All employees should understand the perception of your City of Tallahassee association in online social networks. If you identify yourself as a City of Tallahassee employee or have a public facing position for which your City of Tallahassee association is known to the general public, ensure your profile and related content (even if it is personal and not an official nature) is consistent with how you wish to present yourself as a City of Tallahassee professional, appropriate with the public trust associated with your position, and conforming to existing standards that already exist in City of Tallahassee policies.

Have no expectation of privacy once you have introduced yourself publicly.

5. Ensure all content posted by Authorized Users to City social networking accounts represents the City's point of view and not those of individual employees. If you are in doubt, please refer to the Department of Communications or the City Attorney's Office.
6. Exercise caution while interacting with any External Entity, both known and unknown to the user, and the information that the Entity may provide or post. External Information shall not be utilized, commented on, or re-posted, unless the information has been verified or corroborated as true and accurate by independent and/or reputable resources.
7. Remain focused on customer service, the City of Tallahassee's mission and existing City of Tallahassee commitments. Do not allow Social Media use to interfere with primary job duties, unless such use is a primary duty or an essential job function. Please refer to the Electronic Resources and Information Systems Policy Acknowledgement.

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8. Respect copyright, fair use and financial disclosure laws. Always protect sensitive information and personally identifiable information. Do not publish or report on conversations that are meant to be pre-decisional or internal to the City of Tallahassee unless leadership or management has authorized the release of such information.
  
9. Ensure Social Media Account implementation and use complies with applicable mandates, including, but not limited to: Section 508 of the Rehabilitation Act of 1973, ISS Security Policy (Administrative Policy 809), Chapter 119 Florida Statutes, City Policies 140 and 146 (Records Retention and Public Records - Administrative Policy 206), and any other applicable Federal, State or City policy.

408.09

**SECURITY GUIDELINES**

In general, approved users should show caution when interacting with external entities, those both known and unknown to the user. If at all in doubt of the legitimacy of any information sent to you, please avoid said information.

The following guidelines should be adhered to:

- Employ strong passwords, as defined in ISS Security Policy (Administrative Policy 809), which cannot be easily compromised by brute force attacks.
- Periodically change passwords to Social Media accounts, and immediately communicate any changes to both the Department of Communications and ISS.
- Refrain from adding, installing, attaching or linking to any additional external services or applications that may potentially grant or enable access to the content, information or posts within the Social Media account.
- Use caution when accessing links received from External Entities.
- Exercise caution when utilizing shortened links (links that have been shortened for ease of relaying the original link), as these may lead to a malicious site. Avoid clicking on shortened links. Consider requesting the link be re-sent in another form.
- Be watchful for spoofed emails and/or website (seemingly official-looking communications that lead the user to a malicious website or attempt to solicit the user's personal or financial information). Consult ISS regarding any security related matter.

408.10

**TERMS OF USE**

It shall be the policy of the City of Tallahassee that the following agreement must be continuously and conspicuously posted on each Social Media Account established and maintained by the City of Tallahassee, if such capability exists. The agreement shall also be posted on Talgov.com for easy access:

While this is an open forum, please keep your comments clean and appropriate. Inappropriate comments are subject to deletion by the administrator of this account. If you don't comply with the posting guidelines, an administrator will contact you and your message will be removed. If you post inappropriate content a second time, an administrator will contact you and you will be blocked from posting any more information to the site.

This forum is not monitored at all times. Do NOT use this forum to report emergency situations or time-sensitive issues.

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Please keep the following guidelines in mind when posting:

- We do not allow graphic, obscene or explicit comments or submissions nor do we allow comments that are abusive, threatening, hateful or intended to defame anyone or any organization or comments that suggest or encourage illegal activity.
- 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, gender identity or sexual orientation will not be tolerated.
- Content posted by persons whose profile picture or avatar, username or e-mail address contains any of the aforementioned prohibited conduct will not be tolerated.
- Content should be related to the subject matter of the social media site where it is posted.
- We do not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, we do not allow attempts to defame or defraud any person or financial, commercial or governmental agency.
- We do not allow information intended to compromise the safety or security of the public or public systems.
- You participate at your own risk, taking personal responsibility for your comments, your username and any information provided.
- All comments are subject to public records law.
- The appearance of external links on this site does not constitute official endorsement on behalf of the City of Tallahassee.

408.11

**EFFECTIVE DATE**

This policy is effective as of September 20, 2010.



**CITY OF BOYNTON BEACH, FLORIDA  
ADMINISTRATIVE POLICY MANUAL**

**CHAPTER:** 05 Public Affairs

**Policy No:** 05.04.05

**SECTION:** 04 Administrative Directive

**Page:** 1 of 4

**SUBJECT:** 05 Social Media

The goals of City of Boynton Beach sponsored Social Networking Sites are:

- To increase public awareness of the City's programs, policies and services.
- To promote the value and importance of the City's programs, policies and services among government officials, civic leaders and the general public.
- To maintain open, professional and responsive communications with members of the public and the news media.

**Purpose**

The purpose of this policy is to ensure the proper use of the City's Social Networking Sites technologies. Publicly posted information will be professional and reflect positively on the City of Boynton Beach, its employees, volunteers, programs, policies and services. Employees will check facts, cite sources, present balanced views, acknowledge and correct errors and check spelling and grammar before publishing any posts. Further, employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated media.

**Ownership**

All social media communications messages composed, sent or received on the City's IT equipment are the property of the City of Boynton Beach. The City of Boynton Beach reserves the right not to publish any posting, or to later remove it.

**Management of Social Web Applications**

The City of Boynton Beach's Public Affairs office is responsible for overall social media administration, including, but not limited to, blogs, wikis, video sharing and business pages and social networking sites. Public Affairs will:

- Maintain the site, including the look and feel and pages for the comment policy, descriptions, etc.
- Review each post. This will primarily be for policy and legal issues; other editing will be light, essentially only to correct spelling or grammatical errors.
- Coordinate review with the City Attorney's office for legal issues.
- Upload posts (repeat bloggers/posters may be authorized to post themselves).
- Moderate comments (see Moderating Public Comments).

All department and city service-related social media sites, with the exception of Police and Fire, must be approved before an account may be set-up.

Each site should have wording that indicates who the owner of the site is and an email link back to the individual who maintains it. The name of the City should be on the site.

### **External Links**

To meet its purpose, the City's Social Networking Sites may contain links to other social networking sites or websites that are not owned, regularly reviewed or controlled by the City. The City's Social Networking Sites do not provide links to external sites that are strictly political or religious in nature. The provision of direct links should not be construed as an endorsement or sponsorship of these external sites, their content or their hosts. The City specifically disavows legal responsibility for what a user may find on another site, whether or not operated by the City. The views and opinions of the authors of documents published on or linked to the City's Social Networking Sites do not necessarily state or reflect the opinion, policy or position of the City.

The City of Boynton Beach is not responsible for the content, quality, accuracy or completeness of any offsite materials referenced by or linked through the City's Social Networking Sites. By using the City's Social Networking Sites, the user acknowledges and accepts the risk of injury or damage from viewing, hearing, downloading or storing such materials rests entirely with the user and that the City is not responsible for any materials stored on other social networking sites or websites, nor is it liable for any inaccurate, defamatory, offensive or illegal materials found on other social networking sites or websites.

The City does not endorse any content, viewpoint, products or services linked from its Social Networking Sites and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. The City does not warrant the accuracy or reliability of or endorse any products or service providers listed or linked to its site.

### **External Links**

Links to other social networking sites or websites are approved if they meet the following criteria:

- They are state, regional, local or federal government agencies, special purpose districts, hospitals, scientific or cultural organizations serving the Boynton Beach community and public educational institutions.
- They are human service organizations that receive direct support from the City of Boynton Beach.
- They are community festivals and events that are open to the general public and that are sponsored or cosponsored by the City.
- Providers of search engines from the City of Boynton Beach websites.
- No links are allowed to sites containing inappropriate material or to information irrelevant to the City's mission or services.
- The City's Review Team, consisting of the Public Affairs director, IT director, Assistant to the City Manager, and Recreation & Parks Marketing Manager, must approve all external links.
- The City's Review Team is authorized to order removal of material that is noncompliant with these guidelines from the City's Social Network Sites.

Links shall not be made to sites that are associated with, sponsored by or serve a candidate for elected office or any political part or organization supporting or seeking to defeat any candidate for elective office or ballot proposal.

### **Privacy & Security**

The City has the right to monitor employees' social media use on City equipment and will exercise its right as necessary. Users do not and should have no expectation of privacy. Social media is not a secure means of communication

When using Social Networking Sites technologies, City employees will:

- Identify themselves by name and as an employee of the City of Boynton Beach.
- Use appropriate language and refrain from ethnic slurs, personal insults, obscenity or engage in any conduct that would not be acceptable in the City's workplace.
- Demonstrate proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory, such as politics and religion.
- Be aware that what is written will not only reflect on the writer, but also on the elected officials of the City of Boynton Beach and other City employees.
- Not provide confidential information about cases or clients, including names, or use such material as part of any content added to a site.
- Not comment on business partners or their competitors' practices or services or use such as part of content added to a site.
- Not provide others with confidential or proprietary information that would compromise negotiations or including such as part of content added to a site without permission to publish or report on conversations that are meant to be private or internal to the City of Boynton Beach.
- Be aware that all content added to a site *may* be subject to Florida's Public Records & Open Meetings Laws and discovery in legal cases.
- Insure that any content published to any website outside of the City of Boynton Beach that is related to an employee's work or subjects associated with the City of Boynton Beach will include the following disclaimer: "The postings on this site are my own and do not necessarily represent the City of Boynton Beach's positions, strategies or opinions."

### **Hosting**

Currently, the City of Boynton Beach and City of Boynton Beach News Releases blogs are hosted at Wordpress.com. The City of Boynton Beach also uses YouTube and Vimeo for video sharing, Flickr for photographs and Twitter for status updates. As the need and technologies evolve, other hosting sites may be used.

### **Moderating Public Comments**

Where moderation of comments is an available option, comments from the public will be moderated by the City of Boynton Beach Public Affairs office before posting in compliance with the City's Comment Policy posted on its blog (<http://boyntoncityblog.wordpress.com>).

In general, comments that are abusive, obscene, defamatory, in violation of copyright, trademark right, or other intellectual property right of any third party, or otherwise inappropriate or incorrect will not be posted.

Where moderation prior to posting is not an option, sites will be regularly monitored by the Public Affairs office.

**Other Considerations**

Postings must not violate any federal, state or municipal laws. For example, they may not:

- Reveal information about ongoing investigations
- Discuss deliberative materials
- Violate the regulatory process
- Circumvent Public Records & Open Meetings Laws
- Violate privacy or copyright
- Violate other legal issues that may not apply

Postings must not contradict or encourage misuse of City of Boynton Beach directions, guidance or other official information.

Created: March 2, 2010

*Kurt Bressner*

Kurt Bressner  
City Manager

## FREQUENTLY ASKED QUESTIONS ABOUT SOCIAL MEDIA / NETWORKING

### **What is social media?**

Social media are Internet- and wireless-based technologies that enable individuals to communicate/interact through the sharing of content, including the development of communities around common interests and bi-directional applications or messaging.

Social media are used for social interaction using highly accessible and scalable communication techniques through web-based and mobile technologies.

### **What is Facebook?**

Facebook is a social network service and website. Users may create a personal profile, add other users as “Friends” and exchange messages, including automatic notifications when they update their profile. Additionally, users may join common interest user groups, organized by workplace, school, or college, or other characteristics. Facebook allows anyone who declares themselves to be at least 13 years old to become a registered user of the website.

### **What is Twitter?**

Twitter offers a social networking and microblogging service, enabling its users to send and read messages called *tweets*. Tweets are text-based posts of up to 140 characters displayed on the user's profile page. Users may subscribe to other users' tweets—this is known as *following* and subscribers are known as *followers*.

### **What is an Official Facebook Page? What is a Profile?**

Pages are distinct presences, separate from user profiles, and optimized for an organization's needs to communicate, distribute information/content, engage their fans, and capture new audiences virally through their fan's recommendations to their friends. Businesses are not allowed to use a profile for professional promotion, as that is a violation of Facebook's official user policy, and are required to create a page.

For a page, someone just has to “like” a user to gain access to the organization's updates, and they become “fans” of that business or organization.

Facebook profiles are also limited to personal use and are only meant to represent one individual. A profile requires a user to “friend” people in order to have posting/commenting access.

Pages and profiles also differ in their privacy settings. Profiles also allow restrictions for only “Friends,” “Friends of Friends,” “Networks” and “Everyone.” Pages do not have those restrictions.

**What is the difference between one-way and two-way communication?**

One-way communication (information dissemination; no back-and-forth discussion) differs from two-way communication (information dissemination and response) in that two-way allows for replies to comments/posts made by the user.

This is especially important for governments because two-communication creates a "public forum." Certain online activities may involve public records requirements and could be in violation of Florida's Sunshine Law.

Leon County government currently uses Facebook through means of a Facebook page ("fans" only), not a Facebook account (no "friends"), for one-way communication only as a means of disseminating formal information that is generated from news advisories, press releases, event updates, meeting notices, and emergency management alerts.

**How do I set up an official Facebook page for my department/division?**

Creation of any County-related profile or page, as well as any use of social media/networking on behalf of the County, must be vetted with the Public Information Office and MIS.

Once the purpose and scope of the use is established and approved, set up for official County social media accounts will be executed by the Public Information Office and MIS.

**How do I set up a Twitter account for my department/division?**

Currently, Leon County is not allowing Twitter pages/profiles for departments, divisions or programs. Should the Board decide to allow it in the future, the process will be the same as above.

## Facebook Lingo

### **Applications**

Users can add applications, also called “apps,” to their profiles, pages and groups. There are currently more than 550,000 applications, and more are being developed every day. Some are built by Facebook, but most are built by external developers.

### **“Chat”**

Chat is an instant-messaging feature that lets users talk with “friends” who are online and on Facebook. “Chat” is found on the bottom right-hand corner toolbar, and it is displayed no matter where the user is on Facebook. “Friends” can see if the user is online and can contact the user instantly if they see the user on “Chat.” The “Chat” feature can be deactivated by clicking the **Chat** button on the bottom, clicking **Options** on top, and selecting **Go Offline**.

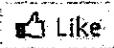
### **Default Picture**

The name for the main picture on a person’s Facebook page. It is the picture located on the user’s main profile page or wall on the top left column and it is the picture that all the user’s “friends” or those searching for the user, see. It is shown in the search engine, next to the user’s name, or next to any form of Facebook activity, like wall posts, status updates, and in the news feed.

### **Event**

A calendar-based resource that users can add to their profiles, pages and groups that lets them share news about upcoming affairs or social gatherings.

### **Fan**

A person who has joined a page because they like that organization, cause, business, or what the page represents. Users can become a fan by clicking  **Like** at the top of the page.

### **“Friend”**

A name for a person the user has accepted online who can see the user’s Facebook page, information, etc. A “friend” is someone that the user has mutually agreed to share information with, and the “friend” can comment on any of the user’s posts unless the user has protected the account otherwise.

### **Friend Request**

A term used when someone has found the user’s profile on Facebook and has requested to become the user’s “friend.” By befriending the user, the new “friend” can now write on the user’s wall and comment on any information the user posts.

### **Groups**

A group is not a page or profile. It is a Facebook site created specifically by users, bands, companies or other organizations to promote their activities and share common interests.

## Facebook Lingo (Cont.)

### **“Like”**

The term used when a “friend” expresses interest in something the user has posted, such as a picture, a comment on a “friend’s” wall, a status update or a link shared. Beneath every post is an option to “like” something, and it is listed with the text box to comment on the post as well.

### **News Feed**

The main page when logging on to Facebook. It is the first screen the user is taken to when logging in, and can be accessed at any point on Facebook by clicking **Home**. The News Feed is where any information or comments that the user or the user’s “friends” post is projected into one giant page that is periodically updated.

### **Status**

A Facebook “status” is an update feature that allows users to discuss thoughts, whereabouts or important information with their “friends”. Similar to a “tweet” on the social networking site Twitter, a status post is usually short and generally gives information without going into too much detail, although there is about a 500 character limit. (Twitter only allows 140 characters at a time.) When a status is updated, it posts on the user’s personal wall (see below), as well as in the news feeds of their “friends”. Statuses can be updated from a web browser, mobile site or even through a smart phone application.

### **Tag**

A term used when someone indicates the user’s presence in something, whether it be a photo or status update. This term is primarily used when talking about photos. Once a picture is tagged, the photo is then added to a user’s **Photos** in a link located under the user’s default on the user’s Facebook wall. The user can tag others by clicking **Tag This Photo** located to the bottom right underneath a picture. The user can also tag status updates if a Facebook “friend” is somehow involved in the user’s status.

### **Wall**

The term for the main screen on any person’s profile page. The wall is the place where the user can post wall posts, view their friend’s information, browse pictures, updates statuses, etc.

### **Wall Post**

A wall post is a comment written on someone’s main profile page. The user can write on a friend’s wall by clicking the **Post** button next to the **Share** toolbar above the comments. Through wall posts, files can be shared, pictures uploaded, links pasted, YouTube videos posted, etc. Wall posts can also be deleted but only by the author of the wall post, or by the user. Wall posts are deleted by clicking the “X” button in the top right corner of the actual post.

## Twitter Lingo

### **Tweet**

Verb: The act of posting a message, called a "Tweet" on Twitter.

Noun: A message posted via Twitter containing 140 characters or fewer.

### **# (called "Hashtags")**

The # symbol is used to mark keywords or topics in a Tweet. It was created organically by Twitter users as a way to categorize/easily search messages.

### **@**

The @ symbol is used to "tag" usernames in replies or mentions. When a username is preceded by the @ sign, it becomes a link to that user's Twitter profile. That Tweet appears on that profile, acting as a direct form of communication between users.

### **Avatar**

The personal image uploaded to a Twitter profile. (See Default Photo in Facebook Lingo)

### **Bio**

A short personal description written to define who the user is on Twitter (in 160 characters or less).

### **Direct Message (DM)**

Private Tweets between only the sender and the recipient.

### **Favorite**

To favorite a Tweet means to mark it as one of a user's favorites by clicking the yellow star next to the message.

### **Follow**

To follow someone on Twitter means to subscribe to their Tweets or updates on the site. A "follower" is another Twitter user who has followed the user's account. If someone follows the user's account, they become the user's follower and receive the user's Tweets in their home page, phone, or any application that they use.

### **#FF**

Common Twitter terminology, it stands for "Follow Friday." Twitter users often suggest who others should follow on Fridays by retweeting with the hashtag #FF.

### **Timeline**

A Twitter term used to describe a collected stream of Tweets listed in real-time order. The timeline is a list of Tweets from people the user follows, appearing on the Twitter homepage when the user logs in.

## Twitter Lingo (Cont.)

### **Profile**

A Twitter page displaying information about a user, as well as all the Tweets the user has posted from his/her account.

### **Retweet (RT)**

The act of forwarding another user's Tweets to all of the user's followers. Often used to spread news or share valuable findings on Twitter.

### **Timestamp**

A note displaying when a Tweet was posted to Twitter and can be found in the grey text directly below any Tweet. The timestamp is also a link to that Tweet's own URL

### **Trending Topic**

An algorithm created by Twitter, which identifies topics that are immediately popular to help people discover the "most breaking" news stories from across the world.

Trending topics capture emerging trends and topics of discussion on Twitter that are the most interesting, by using a hashtags.

### **Username**

Also known as a Twitter "handle." It must be unique and contain fewer than 15 characters, and it is used to identify users on Twitter.

## Board of County Commissioners Leon County, Florida

### Policy No. 05-6

Title:	County Website and <u>Digital Communications</u> Policy
Date Adopted:	<del>July 12, 2005</del> <u>December 14, 2010</u> February 22, 2011
Effective Date:	<del>July 12, 2005</del> <u>December 14, 2010</u> February 23, 2011
Reference:	N/A
Policy Superseded:	<u>Policy No. 05-6, "County Website Policy," adopted July 12, 2005</u> None

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It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a Policy No. 05-6, adopted by the Board of County Commissioners on July 12, 2005, be revised and amended entitled "County Website Policy" is hereby adopted, to-wit:

The following policy shall be applicable to the County Website.

#### Section 1 – Findings

The Leon County Board of County Commissioners hereby finds that these guidelines are necessary and intended to set forth the County's policy governing content and links to be permitted on a County Website.

These guidelines are not intended to enlarge upon or create any rights guaranteed by existing law, nor waive any defenses or rights available to the County. In establishing and maintaining County Websites, the County does not intend in any manner to create or designate a Public Forum or other means by which public discourse, exchange of opinions and ideas, or discussion on issues of any nature may occur.

#### Section 2 – Delegation of Authority

The Board of County Commissioners hereby delegates its full authority to create, maintain, change, and/or abolish a web site on behalf of Leon County, Florida, a Charter County, to the County Administrator consistent with provisions of this policy.

#### Section 3 - Definitions

Throughout this policy, the singular may be read as plural and the plural as singular. The following terms shall have the following definitions:

- a. "Article V Agencies" shall mean the offices of the Florida 2<sup>nd</sup> Judicial Circuit's Public Defender, State Attorney, Circuit Court, Leon County Court, and the Leon County Clerk of the Courts.

County Website Policy  
Policy No. 05-6

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- b. **“Article V Officer”** shall mean the Florida 2<sup>nd</sup> Judicial Circuit’s Public Defender, State Attorney, Circuit Court Judges, Leon County Judges, and the Leon County Clerk of the Courts.
- c. **“County”** shall mean Leon County, Florida, its Board of County Commissioners, departments, divisions, officers and employees.
- d. **“Director”** shall refer to the individual who is head of a County division, department, or program, Article V Agency, or Other County Officer.
- e. **“Other County Officers”** shall mean the Leon County Clerk of the Courts, Property Appraiser, Sheriff and Tax Collector.
- f. **“Other County Offices”** shall mean the offices of the Leon County Clerk of the Courts, Leon County Health Department, Property Appraiser, Sheriff and Tax Collector.
- g. **“County Domain Name”** shall mean a series of unique names that identify a County Website. Each County Domain Name will consist of two or more parts, separated by dots. The suffix indicates the top level domain including: .gov (government agencies); .org (nonprofit organizations); .com (commercial business) and .net (network organizations). A given web server may host more than one County Domain Name but a given County Domain Name will point to only one web server.
- h. **“County Website”** shall mean the County’s web pages hosted on one of the County’s web servers with a County Domain Name, any social media/networking sites, and any digital communication tools.
- i. **“Link”** shall mean a hyperlink from a County Website to a website maintained by another party.
- j. **“Public Forum”** shall mean an event wherein a County Website is available to members of the public for free and open discussion or debate of political or social issues.
- k. **“Public Health, Safety and Welfare”** shall mean the protection and well-being of the general public.
- l. **“Web Steward”** shall refer to the person who has been designated by the Director to maintain, update, and add content to the County Website.
- m. **“Uniform Resource Locator (URL)”** shall mean the specific location or address of material on the Internet.
- n. Social Media/Networking – Websites, web services, or software tools that allow groups to generate content as words, pictures, videos, and audio and engage in peer-to-peer conversations and exchange of content (examples are YouTube, Flickr, Facebook, MySpace etc)

~~m.o.~~ Digital Communications – Devices, tools, and software that provide for the dispersal or reception of information via the Internet.

#### **Section 4 - County Website and Digital Communications Limited Purpose**

The limited purpose for the County's Website is to provide access to information regarding services, meetings, programs, activities, policies, documents, and facilities provided by the following entities: (a) the County; (b) Other County Offices; and (c) Article V Agencies; that promotes the Public Health, Safety and Welfare. County Website content and Links shall be consistent with the County Website's limited purpose.

The limited purpose for Digital Communications is for one-way dispersal of information to County residents regarding services, meetings, programs, activities, policies, documents, and facilities provided by the entities mentioned above. Digital Communications content shall be consistent with the limited purpose and must follow guidelines as provided mandated by the County Administrator.

#### **Section 5– Permitted Links**

The County may only provide a Link from the County Website to another website in accordance with the following guidelines:

- a. The Link shall assist the County in fulfilling its stated County Website Limited Purpose and be consistent with this policy.
- b. The Link shall have a natural affinity or logical nexus to information provided on the County's Website and be consistent with County goals, policies and the County Website Limited Purpose.
- c. The Link shall be to a website that is managed in a professional manner (i.e., fully operational and available most of the time).
- d. The Link is to a governmental agency or governmental organization, which provides information related to the County Website Limited Purpose.
- e. The Link is to the local chamber of commerce (Capital City Chamber of Commerce and Tallahassee Chamber of Commerce) and the Tallahassee-Leon County Convention and Visitor's Bureau.
- f. The Link is to a public safety related website.

#### **Section 6 –Permitted Content**

The content of material placed on the County's website shall be consistent with the limited purpose of the website stated in Section 4 herein. All decisions on the content of material placed on the County's website shall be made by the County Administrator or his designee in strict compliance with the guidelines of this Policy.

The information dispersed through social media/networking solutions must adhere to may constitute a public records. ~~and~~ In such instances, the provisions of the Florida Public Records

County Website Policy  
Policy No. 05-6

Law and state record retention requirements schedules shall be complied with, as required by Florida Statutes.

**Section 7 - Process for Link Requests**

- a. To request a Link from the County Website, a Web Steward shall submit the applicable URL, site description, site purpose, contact name, phone number and e-mail address to:

Director of MIS  
310 S. Monroe Street  
Tallahassee, FL 32301  
[misdirector@leoncountyfl.gov](mailto:misdirector@leoncountyfl.gov)

- b. When a request to a Link is received, the website will be reviewed to determine if it is consistent with this policy as a permitted Link. The County Administrator or his designee shall have sole discretion to reject or approve any requested Link.
- c. The requestor will be notified of the County's decision regarding the requested Link.
- d. Websites that are linked from the County's Website will be reviewed periodically to confirm that linked website is still in compliance with the County policies.
- e. The County reserves the right to limit the number of Links from any County Website section or page category and to require a "pool" Link that would pertain to a particular type of organization.
- f. The County reserves the right to modify its criteria and conditions and add or delete Links at any time without notice.
- g. A disclaimer shall be placed on all links, which shall read: "You are leaving the Leon County Website, the County shall not be responsible for the content of the site you are entering."

**Section 8 - Process for Content Material**

- a. To request a change to content material, other than updating existing content material, to be placed on the County Website, the Web Steward is to submit a description of the information they are seeking to add, along with a contact name, phone number and e-mail address to:

Director of MIS  
310 S. Monroe Street  
Tallahassee, FL 32301  
[misdirector@leoncountyfl.gov](mailto:misdirector@leoncountyfl.gov)

- b. When a request to change content material is received from the Web Steward, the content material will be reviewed to determine if it is consistent with this Policy as Permitted Content. The County Administrator or designee shall have the sole discretion to reject or approve any requested content material.
- c. The Web Steward will be notified of the County's decision regarding the requested content material.

**County Website Policy  
Policy No. 05-6**

- d. The County reserves the right to modify its criteria and conditions and add or delete content material at any time without notice.
- e. The Web Steward must be able to continue the maintenance of the content material to assure accurate and timely information. The County reserves the right to remove content material that is not being properly maintained.

**Section 9 - Legal Notice**

1. The County neither warrants nor makes any representations nor endorsements as to the accuracy, quality, content or completeness of the information, text, images, graphics, hyperlinks and other items contained on the County Website or web servers. The County Website's content is subject to change without notice.
2. The County Website and all materials contained therein are distributed and transmitted "as is" without warranties of any kind, either expressed or implied, including without limitation, warranties of title or implied warranties of fitness for a particular purpose. The County is neither responsible nor liable for any viruses or contaminations of a web visitor's hardware, software, peripherals or property, nor for any delays, inaccuracies, errors or omissions resulting from use of or with respect to the material contained on its web servers, including but not limited to any material posted on or linked to from a County Domain Name.

**Section 10 – County Domain Names**

The following are County Domain Names and are subject to change without notice and is not inclusive of all County Domain Names.

cafwn.com	leonparks.org
cafwn.net	leonpermits.org
cafwn.org	leontaxcollector.net
flleoncounty.com	sao2fl.org
leoncofl.org	seetallahassee.com
leoncounty.org	tlcgis.com
leoncountyfllibrary.com	tlcgis.net
leoncountyfllibrary.org	tlcgis.org
leoncountylibrary.org	tlcgis.us
leoncountysoc.com	tlcpd.org
leoncountysoc.net	tlcpermits.com
leoncountysoc.org	tlcpermits.net
leonfl.org	tlcpermits.org
leongov.com	tlcpermits.us
leongov.net	Visittallahassee.com
leongov.org	volunteerleon.com
leonparks.com	volunteerleon.org
leonparks.net	leoncountyfl.gov

**Section 11 – Implementation Procedures**

The County Administrator shall adopt procedures to implement the requirements of the Policy.

**Board of County Commissioners  
Leon County, Florida**

**Policy No. 96-4**

Title:	<u>Public Records Law, and E-EmMail, Social Media/Networking and Archiving</u>
Date Adopted:	<u>February 8, 2011</u> <del>February 13, 1996</del>
Effective Date:	<u>February 8, 2011</u> <del>February 14, 1996</del>
Reference:	<u>Ch 119, F.S.; County Policy No. 91-1, "Photocopying Fees", County Policy No. 01-01, Email/Internet Use</u>
Policy Superseded:	<u>Policy No. 96-4, "Public Records Law and Email" Adopted February 13, 1996</u>

I. Purpose

It shall be the policy of the Board of County Commissioners that all County officials, officers, appointees and employees shall comply with Florida's the Public Records Law and State Retention Schedules for Public Records, including electronic mail (e-Email) and eDigital eCommunications via social media/networking. County emails will be archived and retained by the County in order to comply with the Public Records Law by utilizing Email Archiving Software.

II. Definitions

As used in this policy, these terms will have the following meaning:

- 1) "Digital Communications" means electronic modes and media of communications via means to include, but not limited to, the Internet, computer networks, telephones, personal data assistants (PDAs), smart phones, and other electronic devices. Media of digital communications can include formatted files (PDFs), spreadsheets, images, audio files, and video files.
- 2) "Email" means an Electronic Communication.
- 3) "Email Archiving Software" means software that captures and preserves all email traffic flowing into and out of an email server so it can be accessed quickly at a later date from a centrally managed location.
- 4) "Metadata" means data that provides information about or documentation of Email managed within the Email server.
- 5) "Public Records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of physical form, or characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

- 6) “Public Records Law” means Chapter 119, Florida Statutes, as amended from time to time.
- 7) “Records Custodian” means the elected or appointed county or state officer charged with the responsibility of maintaining the office having Public Records, or his or her designee.
- 8) Social Media/Networking means internet based technologies that enable individuals to communicate through the sharing of content, interacting and collaborating through bi-directional applications or messaging, and developing communities around common interests.

~~Chapter 119, Florida Statutes, defines Florida's Public Records Law as follows:~~

### III. Rule

Email and Digital Communications via social media/networking created or received by any County elected official, officer, appointee or employee in connection with official business, which perpetuates, communicates, or formalizes knowledge, constitutes a Public Record and, if not exempt, is open for inspection by the public.

~~All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of physical form, or characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.~~

~~E-mail and digital communications via social media/networking created or received by Leon County employees in connection with official business, which perpetuates, communicates or formalizes knowledge, is subject to the Public Records law and, if not exempt, is open for inspection.~~

### IV. Email Archiving and Records Retention

#### A. Purpose of Email Archiving

1. The use of Email Archiving Software by the County is designed to allow the County Email to be stored in a central location, which will act as an electronic file cabinet for County Email. In addition, the Email Archiving Software will act as a search assistant for the Records Custodian in retrieving County Email. This will allow for more efficiency and control of County Email.
2. The Email Archiving Software will allow for the County email system to group and retain Email for the required length of time in compliance with the Public Records Law and state retention schedules for Public Records. Nevertheless, the responsibility for determining how long to retain Email in compliance with retention schedules shall remain with the Records Custodian.

B. What shall Be Archived

1. All Email shall be archived and retained for a specified period of time.
2. Any and all archived Email are automatically tagged with Metadata in order to make Email headers, content, attachments, and text fully searchable.

C. Email Records Retention

1. Public Records Email will be deleted after it has been retained for the correct period of time as determined by the appropriate retention schedule. A Public Record that is stored and accessible after this time remains a Public Record and shall be produced upon request unless an exemption to disclosure applies.
2. Approval by the Records Custodian or other appropriate authority will be required prior to the scheduled destruction of County Email.
3. Retention of most Email records falls within the following two categories:
  - a. Retain Until Administrative Purpose is served.
  - b. Retain for Three Fiscal Years.

V. ProceduresA. Generally

The "Rules and Procedures for Implementing Public Records Law and E-Mail" are attached to this policy and may be amended from time to time as required by law or as directed by the Board of County Commissioners.

a. How the Law Affects County Employees

~~If an E-mail falls within the definition of a Public Records, it may not be deleted or destroyed except as defined in Chapter 119, Florida Statutes provided by law. Unless it falls within one of the specific exemptions described in the Public Records Law Statute, or other statutory or constitutional provision the County shall must produce any that E-Email or eDigital eCommunication message or other document that constitutes a Public Record to any person upon request. A person need not have a "legitimate" specified need for any Public Records to be entitled to inspect samethem. The County is Employees are not required, however, to compile or create records when they do not currently exist.~~

B. Exemptions to the Public Records Law

~~1. State and Federal law exempts certain categories of documents from disclosure under the public record's law. The exemptions which apply most often to Leon County records include:~~

- ~~a. Certain documents, involving personnel or personnel matters, which are confidential under Florida law;~~

~~a. Attorney work product.~~

B. Exemptions From Disclosure

1. State and Federal law exempts certain categories of documents from disclosure under the Public Records Law. These categories include:

a. Certain Agency Administration Documents;

b. Certain Documents pertaining to Agency Investigations;

c. Certain Documents dealing with Agency Security;

d. Certain Documents Containing Agency Personnel Information;

e. Certain Documents Containing Personal Information, including but not limited to, medical information.

f. Certain Documents Containing Attorney/Client and Attorney work product material.

C.C. Responding to a Public Records Request

1. Public records requests may be made in writing or orally to the Public Information Officer. All public records requests should be referred to the appropriate program manager. The program manager or administrative supervisor is responsible for appointing one or more persons to gather the requested Public Records documents and then either arranging a time for inspection of the Public Records documents or making copies available to the requestor. E-Email or eDigital eCommunications that does not fall within the definition constitute ~~of a Ppublic Rrecord~~ shall ~~ould~~ not be produced. E-Email or eDigital eCommunications that constitute which is a Ppublic Rrecord but contains exempt information shall ~~ould~~ be produced but the exempt information must first be deleted or redacted. If in doubt as to whether an e-Email message or eDigital eCommunication is a Ppublic Rrecord or contains exempt information, the ~~group director of division director program manager or administrative supervisor~~ should contact the County Attorney's Office as necessary.
2. If the person making the public records request wishes to obtain copies of the documents, the Public Records Law permits the ~~allows Leon County to~~ charge 15 cents per one-sided copy. In addition, if copying the Ppublic Rrecords requires extensive use of information technology resources or clerical and/or supervisory assistance, the County may assess a reasonable service charge based on ~~Leon the~~ County's actual incurred costs. An estimate of the charges should be given to the requestor and approval obtained prior to responding to the request. All charges must be collected before producing the documents; no invoices may be issued for this services.

D.D. Retention Periods for Public Records

1. Retention periods for Ppublic Rrecords, including e-Email and eDigital eCommunications, can be found in the State's records retention schedule, ~~as defined in Chapter 119, Florida Statutes.~~ Each year, administrative offices are required to file records destruction requests through the Director of Facilities Management for any obsolete Ppublic Rrecords that they wish to destroy. E-Email files and eDigital eCommunications should be a part of these destruction requirements.

2. Retention of most e-Email records or dDigital eCommunications falls within the following two categories:

**a.a. Retain Until Administrative Purpose is Served:**

- (1.) Routine announcements and information, including notices of seminars or workshops, query regarding processes of ideas and general information regarding programs;
- (3)(2.) Reference files that are general-information files used in daily functions of the administrative area; and
- (4)(3.) Meeting notices, minutes, statistical records, reading files and recipient's inter-departmental memoranda.

**e.b. Retain for Three Fiscal Years:**

General correspondence, sender's inter-department memoranda, and most fiscal and budget records.

- 5.3. Retention schedules are based on a Public Record's informational content, not its format. E-Email or dDigital eCommunications that falls into the category of "retain until administrative purpose is served" may be deleted on a daily basis once the records destruction requests have been submitted in advance through the Director of Facilities Management. E-Email or dDigital eCommunications that have a longer retention period - such as correspondence or sender's memoranda - must be kept through the three-year retention period.

I. Maintaining E-Mail Documents:

~~A. Florida's Public Records law offers challenges to maintaining e-mail and digital communications, mainly because e-mail documents and digital communications are both informal and efficient. Most e-mail and digital communication users prefer to reduce or eliminate the handling, filing and archiving tasks often associated with hard copy. Because of the differences in which e-mail, digital communications and hard copy are used, many e-mail and digital communication users do not have systems in place for periodically reviewing, storing or deleting e-mail and digital communications.~~

~~B. Public record e-mail and digital communications can be deleted after it has been retained for the correct time period as determined by the retention schedules. A public record that is stored and accessible after this time is still a public record and must be produced upon request. A systematic deletion program not only eliminates obsolete documents from the files, but also saves resources by definitely and unnecessarily storing information beyond appropriate time lines.~~

C.E. While methods for reviewing, storing or deleting e-Email and dDigital eCommunications vary, employees may comply with the retention requirements of the Public Records Law by doing one of the following:

- 1.a. Print the e-Email or dDigital eCommunication and store the hard copy in the relevant subject matter file as with any other hard-copy communication. Printing the e-Email or dDigital eCommunication permits keeping all

information on a particular subject matter in one central location, enhancing its historical and archival value. The employee must also determine if incoming e-Email or eDigital eCommunication must be printed before being deleted from your system.

b2. Electronically store your Ppublic Rrecord e-Email and eDigital eCommunications according to the conventions of your e-Email system or social media/network system and retain it electronically pursuant to the County's retention schedules.

DE. The technical details and methods of storing, retrieving and printing e-Email and eDigital eCommunications depend on the e-Email or social media/network system. Consult with the Management Information Services Division, or your program manager, for details.

Some automatic periodic backup of e-Email by Leon County MIS or by individual program managers is done under the County's disaster recovery plan. It is not designed to comply with the Public Records Law. Thus, employees must set up their own retention procedures as outlined above to ensure Compliance with this policy.

## VI. Violation of Policy

It is a violation of this policy to dispose of any Public Record, including Email, Digital Communications via social media/networking, instant messenger and voice communications in a manner not consistent with this policy. Any County employee found to be in violation of this policy shall be subject to disciplinary action up to and including dismissal, civil and criminal liability.

### I. Questions

~~Q. What do I do when a reporter calls asking for my e-mail or social media records?~~

~~A. Notify your program manager who will coordinate with the Public Information Officer the gathering of the public record e-mail documents or digital communication that need to be given to the reporter.~~

~~GG. Does a requestor need to show a "legitimate interest" in my public records e-mail before being allowed to see it?~~

~~A. No. Any person has the right to request to see a public record for any reason.~~

~~Q. Does a requestor have the right to conduct a "fishing expedition" and make "over broad" requests?~~

~~A. Not always. The law does not necessarily require the requestor to specify a particular document. However, you may want to call the Public Information Office when responding to "over broad" requests to seek advice on how to have the request narrowed.~~

~~Q. May I refuse to respond at all to a public record request because I just don't have the time right then to gather the documents?~~

~~A. No. However, if responding to a public records request requires a substantial amount of time, the law allows you a "reasonable response time," subject to workload, and to charge the requestor for the cost of that time.~~

~~Q. How do I determine what information is exempt from the Public Records law?~~

~~A. Contact the Public Information Officer if you have any questions. If additional advice is needed, the Public Information Officer will contact the County Attorney's Office.~~

~~Q. Am I required to produce personal, non-business-related e-mail or digital communications upon request?~~

~~A. No. Only e-mail or digital communications made or received pursuant to law or in connection with the transaction of official County business must be produced. Appropriate use of County equipment for personal reasons is addressed in other County policies.~~

~~Q. May I require requestors to put public records requests in writing?~~

~~A. No. Oral public records requests are as valid as written requests. However, you may ask for the request to be placed in writing so there are no misunderstandings about what is sought.~~

~~Q. Must I produce my public record e-mail or digital communications in a particular format?~~

~~A. No. You are only required to produce existing records. The law does not require you to create new records.~~

~~Q. Does the Public Records law require me to answer questions regarding the content of public record e-mail or digital communications?~~

~~A. No. You are only required to produce the documents. You do not have to answer any questions, although t times it may be helpful to do so.~~

~~Q. If the person who sent me a public record e-mail or digital communication asked me to keep it confidential, can I refuse to produce it?~~

~~A. Yes, if it is exempt. Otherwise, if a document is a non-exempt public record, it must be produced upon request, even if the sender has asked that it be kept confidential.~~

~~Q. What happens if I refuse to turn over a public record upon request?~~

~~A. A person who knowingly violates the Public Records law is subject to disciplinary action.~~

Public Records Law, and E-EmMail, and Social Media/Networking Rules and Procedures  
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Q. If I keep County public records at my house instead of my office, must I still produce them upon request?

A. Yes. All non-exempt public records must be produced regardless of where they are physically located if they are in your custody and control.

Q. What if the requested document contains exempt and public material? Can I withhold the entire document?

A. Not usually. When possible, the law requires you to delete the portion of the document that is exempt and provide the document to the requestor. If this is not possible, the Public Information Officer can help you comply with the law.

**Board of County Commissioners  
Leon County, Florida**

**Policy No. 01-01**

Title: E-mail/Internet Use

Dated Adopted: ~~September 2, 2008~~ February 22, 2011

Effective Date: ~~September 2, 2008~~ February 22, 2011

Reference: Policy 96-4

Policy Superseded: Policy No. 01-01, "E-mail/Internet Use," adopted January 9, 2001; \_\_\_\_\_  
amended September 2, 2008

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 01-01, adopted by the Board of County Commissioners on January 9, 2001, be revised and amended, to wit:

**I. E-mail and Internet Usage Policy Statement.**

The purpose of this Policy is to set forth the policies and procedures with respect to E-mail and Internet usage and to give specific and general authority to the Management Information Systems (MIS) Division with regard thereto. This policy is designed to protect the County, its employees and its resources from the risks associated with usage of the Internet and the worldwide web. To ensure that resources are available for work related purposes, the goals of this Policy are to outline appropriate and inappropriate use of County Internet resources and the County eComputer sSystem, including the use of browsers, electronic mail, instant messaging, social media/networking, file uploads and downloads, and voice communication. The provisions of this Policy are applicable to the County, its elected officials, officers, employees and all uUsers of the County eComputer sSystem.

**II. Definitions.**

As used in this Policy the following terms shall have the following meanings:

1. "County Computer System" means Leon County's wired and wireless networks, servers, and end devices including, but not limited to, desktops, laptops, smart phones, and other wired or wireless devices.
2. "Social Media/Networking" means internet based technologies that enable individuals to communicate through the sharing of content, interacting and collaborating through bi-directional applications or messaging, and developing communities around common interests.
3. "User" means any County elected official, officer, employee and invitees, as well as all elected County eConstitutional officers and their employees and invitees.

### **III.III. Prohibited Uses.**

~~The County's~~ Neither the County Computer system nor e-mail or Internet access systems shall ~~not~~ be used in any of the following ways:

1. To harass, intimidate, or threaten another person.
2. To access or distribute obscene, abusive, libelous, or defamatory material.
3. To reproduce or distribute copyrighted materials that are not authorized for reproduction or distribution.
4. To impersonate another user or mislead a recipient about one's identity.
5. To access another person's e-mail, or social media/networking account/address, if not specifically authorized to do so.
6. To bypass the County Computer-sSystems' security mechanisms.
7. To distribute chain letters.
8. To communicate the County's official position on any matter, unless specifically authorized to make such statements on behalf of the County.
9. For any purpose which is illegal, against County policy, or contrary to the County's best interests.
10. To pursue an individual's private business interests that are unrelated to the County.
11. To conduct any type of non-County approved solicitation.

### **III.IV. Permissible Uses.**

Electronic mail and the Internet, as referenced in Section I, are to be used primarily to facilitate County or Constitutional Officer business. However, not all personal use of e-mail and the Internet is forbidden. Reasonable personal use is permitted consistent with the provisions of this section. Non-County/Constitutional Officer business related e-mail and Internet usage is permitted provided such use is brief, does not interfere with work, does not subject the County to any additional costs, and is otherwise consistent with requirements set forth in this Policy. With prior permission of his or her supervisor, employees are permitted to briefly visit non-inappropriate Internet sites during non-work time, such as break, lunch, and before or after work hours.

### **IV.V. Privacy**

No guarantee can be made for the privacy of any communication on the network. Computer passwords are for security purposes only and are no guarantee of the privacy or confidentiality of any user's utilization of the County computer system.

### **V.VI. Logged and Blocked Access to Non-Work Related Internet Usage, Direct Monitoring and Computer Related Searches.**

#### 1. Purpose

As a result of potential negative impact to network services, the MIS Division shall have the discretionary authority, as set forth herein, to audit, inspect, and/or log network

resource utilization and block non-work related Internet access, consistent with this section.

## 2. Logged and Blocked Access

The County maintains the right to utilize software that makes it possible to identify and/or block access to Internet sites containing sexually explicit or other material deemed inappropriate for the workplace and log any and all aspects of its the County eComputer sSystems and network. Users who must access blocked sites for work related purposes shall provide the MIS Division with prior written approval by the County Administrator, County Attorney or Constitutional Officer.

## 3. Direct Monitoring and Computer Related Searches

### a. Investigation of Work Related Misconduct

Direct monitoring of Internet and e-mail usage of any uUser of the County Computer sSystem may only be conducted when a supervisor or County official has reasonable suspicion to believe that the uUser has violated this Policy. For purposes of this Policy, a reasonable suspicion exists when such suspicion is based upon specific, objective facts derived from surrounding circumstances from which it is reasonable to infer or believe that a violation of this Policy has occurred and further investigation is warranted, provided that no such monitoring may be permitted, whenever reasonably possible, unless two persons (one of which shall be in a supervisory capacity) corroborate the facts supporting the reasonable suspicion and document same in writing. Written documentation supporting a belief that reasonable suspicion exists to believe that a uUser of the County Computer System system has or is violating the provisions of this Policy shall be reviewed by the Department of Human Resources and the Office of the County Attorney or the appropriate Constitutional Officer for legal sufficiency prior to authorization being granted to the MIS Division to access, investigate, and directly monitor such uUser's network resource utilization of the County eComputer sSystem.

### b. Non Investigatory, Work Related Search

In order to comply with the Public Records Law, e-discovery and for the purpose of efficiency of document management, the County has implemented an email archiving system. This system provides an easy process by which email documents may be searched for and produced. A search of a User's County computer or files stored in the County Computer System, for a non investigatory, work related purpose, such as e-discovery or in response to a public records request, may be conducted when a supervisor or County official has reason to believe that such documents exists, are located on the subject User's County computer, or files stored in the County Computer System, and if the manner by which the search is conducted is reasonably related to the objectives of the search and not excessively intrusive in light of the circumstances giving rise to the search. In all instances, where practicable the subject User shall be given notice of any non investigatory, work related search. Written documentation of any such non investigatory work related search shall be properly made prior to such search.

**VI.VII. Violation of Policy.**

Any County employee found to be in violation of any provision of this Policy shall be subject to disciplinary action up to and including dismissal, civil and criminal liability. Violation of this Policy by employees of Constitutional Officers who are users of the County eComputer sSystem shall, in addition to above, be referred to their respective Constitutional Officer. Users of the County eComputer sSystem found to be in violation of this Policy may no longer be permitted use of the system and may be subject to civil and criminal liability.

**VII.VIII. Right to Appeal.**

Any County employee who feels that he or she has not been treated fairly with regard to an application of this Policy may file a grievance pursuant to the County's Personnel Policies and Procedures. Constitutional Officer employees will follow their Office's internal policies for any right to appeal.

**VIII.IX. Communication of the Policy to Employees and Users of the System.**

~~All County employees and users of the County computer system shall receive a copy of this Policy. The Department of Human Resources shall document receipt of this Policy by all employees.~~

The Human Resources Division shall be responsible for communicating this Policy to all County elected officials, officers and employees and providing copies of the Policy to newly hired employees (including seasonal, recreational program employees) and the MIS Division shall provide a copy of this Policy to all elected County Constitutional Officers for dissemination to their employees.

All County Divisions shall be required to promptly display this Policy and any related informational material on employee bulletin boards.

**ACKNOWLEDGEMENT**

~~I hereby acknowledge that I have read, understand, and agree to be bound by the provisions of Policy No. 01-01, "E-mail/Internet Use," as described above.~~

## Employee Conduct

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### 2.15 Social Media/Networking

All official presences on social media/networking sites, applications or services that are posted by official Leon County representatives are considered an extension of the County's Public Information Office and shall be coordinated through said office as per County policy. No individual departments shall create nor utilize social media/networking sites or applications for dissemination of information unless approved in advance by the County Administrator and provided to the Public Information Office in advance.

Employees who utilize non-County social media/networking sites shall not utilize these sites or applications in any official capacity as an employee of Leon County. While nothing herein shall prohibit the use of social media/networking sites by employees in their individual and personal capacities, the use of such personal sites or applications as an extension of Leon County or as part of the employee's job duties or to disseminate information about the employee's job duties or County business is hereby prohibited.

Employees utilizing approved social media/networking sites or applications in any official capacity or as employees of Leon County must adhere to the guidelines set forth by the County's Public Information Office.

All content posted to social media/networking sites or applications shall be captured by the individual posting the information to ensure compliance with the Florida Public Records Law retention requirements and to safeguard against interaction that could result in improper communication or posting by officials or employees. Individuals who are subject to the requirements of Florida Statutes, §286.011 (Sunshine Laws) are requested to not engage in any two-way communication or other discussions on social media/networking sites or applications with any members of the same boards, committees, or authorities so as to avoid even the appearance of potential improprieties or violations of the Florida Statutes.



**SECTION III  
RECRUITMENT, SELECTION and APPOINTMENT**

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*Revised 2/11*

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**3.01 Recruitment**

- A. The County is an Equal Employment Opportunity Employer.
- B. Applicants are recruited on the basis of job requirements. The County recognizes the opportunity to fill positions from internal candidates possessing the desired qualifications, and to promote from within whenever possible.
- C. Job opportunities are communicated through job postings on County bulletin boards, paid advertisements, public service notifications, notifications to community organizations and any other means deemed necessary by the Human Resources Division. Employees who are seeking career advancement opportunities are encouraged to use the job posting system as a method for seeking a position.

**3.01.1 Procedure: Requisitioning a Position**

The Leon County Personnel Requisition Form is used by the Department/Division to identify recruitment needs to the Human Resources Division. (See Appendix A) The job description should be reviewed and changes documented on the Requisition Form and forwarded with proper signatures to the Human Resources Division.

**3.01.2 Procedure: Posting of Position Opportunities**

Job openings should be posted for at least 5 workdays internally before being advertised externally, to allow county employees consideration before outside applicants. If the position is not filled with a county employee, the Division Director will advise the Office of Human Resources in order for the position opening to be posted externally.

While it is the County=s philosophy to promote from within whenever possible, there are conditions that could cause a position to be filled without posting, or to post the position while simultaneously recruiting from the outside. Exceptions to posting a job opening internally first will require approval from the Division Director and the Director of Human Resources.

*Revised: 2/07*

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**3.02 Filing of Job Applications**

A Leon County Employment Application is required in all cases. A separate application must be made for each position applied for. (See Appendix B)

**3.03 Consideration of Applications**

The Human Resources Division deems applications to be valid for consideration when:

- A. The application is submitted or postmarked on or before the deadline date.
- B. The application is filed on the prescribed form..
- C. The application is substantially complete.
- D. The application reflects that the applicant possesses the required knowledge, skills, ability and experience.
- E. The application is not in any way falsified.
- F. The application reflects that the employment of the applicant would not violate the County's nepotism policy.
- G. The application reflects that the applicant meets other valid and lawful employment requirements for the position which is vacant.

**3.03.1 Procedure: Method of Rating and Selection**

After the advertising period, applicants shall be initially evaluated by the Human Resources Division to determine eligibility for consideration. A list containing all applicants considered to possess the minimum qualifications and their applications will be referred to the hiring authority. (See Appendix C)

Each applicant considered to possess the minimum qualifications, whose application contains a Notice of Layoff from a State of Florida agency or department and whose application does not indicate employment for any period following the issuance of the Notice of Layoff, shall be conspicuously identified on the list to the hiring authority as a genuinely displaced state worker, with direction that each such identified applicant must be granted an interview by the selection committee.

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LCBCC gives preference in appointment to eligible veterans and spouses of veterans as defined in Chapter 295, Florida Statutes. In order for applicants to claim veteran=s preference, the documentation required by law shall be provided to the County at the time of application.

Those applications not meeting the stated minimum qualifications, regardless of layoff status, will be retained by the Human Resources Division.

A screening/selection committee will be formed by the immediate supervisor for each regular vacancy, or Temporary O.P.S. position from three (3) months in duration to the maximum temporary time of two (2) years.

**3.03.2 Procedure: Selection Committees**

***Committee Composition:*** The committee shall be comprised, at a minimum, of the immediate supervisor of the available position and not less than two (2) other members, with at least one being an individual from a protected class and representation from outside the work area.

Larger size committees may require an additional member from outside the work area. Other important considerations are involvement of a similarly classed worker and representation from within the work area.

The committee members must be finalized with the Department/Division Director and approved by the Employee Relations Coordinator.

Should the supervisor, the Department/Division Director or the Employee Relations Coordinator determine that there is a need for an orientation on fair hiring practices for the committee, this will be done at the first meeting of the committee.

Also at the first meeting the job description and any changes on the Requisition Form are reviewed. Human Resources screens for minimum qualifications before referring applications to the supervisor. Based on these facts the applications are reviewed by the committee and the interview candidates are chosen. The number of candidates may vary by the size of the selection pool, but must include each applicant designated by Human Resources as a genuinely displaced state worker and applications of veteran(s) who are eligible for preference. The committee shall record the criteria and methodology established for screening and selection activities. This should be sent to the Employee Relations Coordinator, along with interview questions which will be asked. (See Appendix D for sample questions)

Should a listed question be phrased in a manner which might be misinterpreted, the Employee Relations Coordinator will notify the supervisor within twenty-four (24) hours of receipt of listed questions. Barring such notification, the committee continues to schedule interview appointments coordinated by the supervisor.

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Candidates may be contacted by telephone or mail. Interview comments must be documented on the blue applicant referral form for all interviewed applicants.

After completion of the interviews, the committee shall determine its recommendation and shall conduct three telephone employment reference checks on its top candidates. All employment reference checks will be documented on the Telephone Reference Check form. (See Appendix E) Upon completion of satisfactory reference checks, the recommendation shall be forwarded to the hiring authority along with relevant written materials. Included in the material should be specific reasons why the chosen applicant is better qualified and/or why the County's needs will be better served by such a hiring decision and a brief, but detailed, explanation as to why the other applicants were not chosen. Upon approval by the hiring authority, the recommendation shall be sent to the Human Resources Division.

The committee chairperson is responsible for the accuracy of the documentation of the process, for the return of all reviewed applications, the completion of all prior employment verifications and a completed Action Form (See Appendix F) with appropriate signatures. The committee chairperson is also responsible for contacting the prospective employee to guarantee their continued interest.

After review of the documented process by a Human Resources Representative, an offer letter will be written and proper signature obtained. (The County Administrator or designee will sign all letters except for part-time and OPS new hires). A Human Resources Representative will extend a job offer, conditioned upon obtaining a signed authorization for the procurement of an investigative consumer report for employment purposes, a satisfactory background investigation (**cross-reference Board Policy No. 03-11, section 11.01.1 Contingent Job Offer**) and a negative drug test result, to the selected candidate and schedule a new employee sign-on.

Sign on for new employees is generally done at 9:30 a.m. on the Friday preceding the new employees hire date; however, in special needs the hiring authority will coordinate with the Human Resources Division. This procedure is designed to ensure equal opportunity for all candidates and may only be altered upon the approval of the Human Resources Director.

An employee who perceives that they have been treated unfairly in the hiring process and/or the promotional process should contact either the Employee Relations Coordinator or the Human Resources Director for fact finding. If determined to be a valid claim, the appropriate authority will investigate the issue further and make the recommendation to the County Administrator.

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**3.03.3 Procedure: Initial Placement**

**Initial Placement of Employees Hired As A Result Of Competitive Selection Or Emergency Appointment**

Competitive initial placement refers to the procedures to be followed for determining initial salary within the salary range for the pay grade classification to which the position is assigned for any individual who is selected from a pool of applicants who have competed for the same position. Emergency appointments occur when it is impossible to fill a position utilizing normal hiring procedures. When the appointment is to last beyond three weeks, the hiring authority shall make arrangements to fill the position under the provisions of the hiring policies.

The starting salary for those meeting the minimum qualifications will be the minimum salary in the salary range to which the position is assigned.

All recommendations for exceeding the minimum salary must be agreed upon by the Human Resources Director prior to the extension of the offer.

Education and experience exceeding the minimum requirements for the position as verified by an associate degree, bachelor degree, masters degree, doctorate degree or professional certification and job related experience may be considered for higher than minimum initial placement within the salary range. The Department/Division Director, in consultation with the Human Resources Director, may approve initial placement up to 15% above the minimum salary of the range.

Determination of whether or not education and experience is job related and of qualifying criteria for professional education or certification will be made by the Human Resources Director in consultation with the hiring Department/Division Director.

No individual shall be initially placed higher than 15% above the minimum of the salary range for any combination of experience and education except upon the written approval of the County Administrator. The County Administrator may approve additional compensation. Placement at a salary level higher than 15% above the minimum must be recommended by the Department/Division Director and forwarded through the Human Resources Generalist to the County Administrator.

If a position is offered to a regular county employee, the salary may be adjusted to a higher rate in order to fall within the new pay grade salary range and to be in line with other employees working in the same position based on similar experience. The Office of Human Resources will conduct a review and recommend a proposed salary.

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**3.04 Medical Examination**

Applicants/employees may be required, prior or subsequent to their employment, to undergo a medical examination to determine fitness to perform the duties of the position. Additional guidelines for EMS applicants/employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

**3.05 Probationary Period**

A Career Service or EMS person employed on a full or part-time basis, shall serve a probationary period. The probationary period should be considered the "working test" portion of the evaluation process. It shall be utilized to closely observe the employee's work, determine suitability for continued employment and for ensuring the most effective adjustment of an employee to the position.

The probationary period shall be six (6) months in duration, unless extended.

**3.05.1 Extension of Probationary Period**

The Human Resources Director, upon receipt of a request, justification, and development plan from the Department/Division Director prior to the expiration of the probationary period of a particular employee, may extend the duration of a probationary period. No extension shall be allowed which would make the probationary period longer than eight (8) months.

**3.05.2 Procedure: Extension of Probationary Period**

The Human Resources Director, upon receipt of a request and justification from the Department/Division Director may extend the duration of such period. Requests to extend probationary period must include a staff development plan; including time table, goals and measurements.

**3.05.3 Procedure: Termination of Employment During Initial Probationary Period**

During the initial probationary period of an employee working in a Career Service position, a recommendation may be made to the Human Resources Director for termination if the development plan has not been met or the employee violates County policy. Should an employee change jobs during the probationary period, the employee will serve a complete probationary period in the new job.

**3.05.4 Procedure: Probationary Period Report**

At least two weeks before the expiration of a Career Service employee's probationary period, the Department Head shall submit a written performance evaluation to the Human Resources Division indicating whether or not the employee is recommended for regular status.

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**3.06 Filling Temporary (O.P.S.) Positions**

Positions with duration of less than three (3) months may be appointed. Positions with duration of three (3) months or more must follow the normal hiring process outlined previously. Seasonal placement is exempted.

**3.06.1 Procedure: Establishing Temporary (O.P.S.) Positions**

Temporary (O.P.S.) positions shall be established by the Board annually through the normal budgeting process. Pay for Temporary (O.P.S.) positions shall not exceed the pay range of comparable positions. Duration of need is determined ahead of time. When it becomes necessary to request Temporary (O.P.S.) positions outside the normal budgeting process to meet unforeseen temporary work demands, requests, with justification must be forwarded to Human Resources for coordination with Budget and for approval by the County Administrator. The maximum duration of any Temporary (O.P.S.) position should not exceed two (2) years.

**3.07 Transitioning**

- A. Employees filling temporary (O.P.S.) positions may be considered for transition to a like vacant position upon written justification to the Human Resources Director.
- B. Transitioned employees shall serve an initial probationary period after transition.
- C. Length of service for purposes of establishing the accrual rate shall begin on the date of the transition.
- D. The annual performance review date shall be the date of the transition.

**3.07.1 Procedure: Transitioning**

Division Directors may provide preliminary consideration to existing OPS and part-time employees in filling like regular full time positions. The procedure will be:

When a Division submits a Requisition to fill a position, Human Resources will determine if there are currently OPS or Part-Time employees working in a like position in that Division. If there are current OPS or Part-Time employees employed in a like position, Human Resources should only post the vacant position internally to allow OPS or Part Time employees to express their interest in the opening. OPS or Part Time employees interested in the position should be given consideration before proceeding with outside applicants. Exceptions to posting a job opening internally first will

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require approval from the Director of Human Resources. If the position is not filled with a county employee, the Division Director will advise the Office of Human Resources in order for the position opening to be posted externally.

**3.08 Emergency Appointment**

When an emergency makes it impossible to fill a regular position utilizing normal procedures, the hiring authority may request the appointment of any qualified person to such position. Such a request shall be submitted to the Human Resources Director with justification for the appointment. Upon approval by the County Administrator the appointment shall be made.

In the event an emergency continues beyond a three (3) week period, the hiring authority shall make arrangements to fill the position with either a temporary or regular employee under the provisions of the hiring policies.

## Board of County Commissioners Leon County, Florida

### Policy No. 03 -11

Title: Background Investigations  
Date Adopted: ~~June 10, 2003~~ December 14, 2010  
Effective Date: ~~June 10, 2003~~ December 14, 2010  
Reference: N/A  
Policy Superseded: N/A

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It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a new policy, Policy No 03-11, "ABackground Investigations",@ is hereby adopted, to wit:

**POLICY:** Offers of employment and job promotion shall be conditioned upon obtaining a signed authorization for the procurement of a consumer report for employment purposes and a satisfactory background investigation. Authorization shall be obtained through the Authorization to Obtain a Consumer Report and Release of Information for Employment Purposes form. Both the authorization and the report are to be filed in the employee's personnel file if hired or in a recruitment file for applicants not employed; both will be maintained by the Human Resources Division in accordance with record retention schedules. Candidates for employment by job promotion, including those previously employed by the County shall be evaluated for employment based on, among other things, a background investigation that includes, at a minimum, the information described below.

#### **PROCEDURE:**

##### Employment Purposes

As used in this policy, the phrase "Aemployment purposes"@ shall include but is not limited to hiring, promoting, reassigning, and retaining an employee.

##### Notice of Investigation

Applicants shall be provided with notice of the County's policy and practice of conducting background investigations during the application process and will be required to complete a Notice of Intent to Obtain a Consumer Report form. Applicants must sign the form in order for the application to be valid for consideration.

County locations accepting applications shall post signs in areas where employment applications are accepted which make clear that the County has a policy of conducting background investigations for applicants.

Contingent Job Offer

- A. New hires and Promotions: A qualified individual deemed to be the best candidate for a position may be extended an offer of employment (in compliance with policies and procedures for recruitment, selection, and appointment) contingent upon, at a minimum, the completion of a signed authorization for the procurement of a consumer report for employment purposes and a background report that is within acceptable parameters.

Managers and employees are not to use social media or any other forms of digital technology or applications to conduct employee background checks. Background checks will only be conducted by the Human Recourses department.

- B. Rehires: If eligible for rehire, a background investigation report will be obtained as stated under Section A. New Hires.
- C. Staffing Agencies, Independent Contractors: Contracts or service agreements shall be entered into with all third parties providing temporary or contract employees. The contracts or agreements shall address:
- i. Stipulation to background investigations based on standards herein.
  - ii. Liability insurance coverage.
  - iii. Indemnification.

A background investigation report shall be completed in accordance with the information later described for applicants and employees. The contractor shall have the completed background investigation report prior to presenting their employee to be utilized.

3. Background Investigation. The Human Resources Division shall initiate a background investigation after a contingent job offer has been made. All applicants for whom a contingent job offer has been made shall have a background investigation report completed. The background investigation shall include but is not limited to the following:

Social Security Number Verification;  
Criminal Search (7 years or up to 5 criminal searches);  
Address Verification; and,  
Wants & Warrants (Reporting to the U.S. Marshall's Office).

4. Analysis of Background Investigation. The Human Resources Division shall notify the Hiring Authority if a discrepancy arises between the applicant's disclosed credentials and the verified information or if the applicant is disqualified for the position based upon the results of the background investigation.

- A. Protocol and Criteria for Evaluating Background Investigations:

1. Human Resource division staff will review all background investigation reports received.
  2. The following factors shall be considered on a case by case basis in determining each candidate's eligibility for employment with the County:
    - The accuracy of the candidate's application. Any discrepancy in the information provided by the candidate and the report provided is grounds for immediate withdrawal of the offer of employment.
    - Specific nature of the offense(s), for which they were found guilty or plead no contest, and its applicability to the job for which the candidate is being considered.
    - How long ago the offense occurred.
  3. Candidates whose background investigation report leads to an adverse decision will be contacted and informed of the results of the report. The individual will be provided the toll free telephone number of the agency that conducted the background check and given the opportunity to review and respond to the findings. Per requirements set forth in the Fair Credit Reporting Act (FCRA), this information will be communicated through the Notice of Adverse Action form.
- D. Section 4. A, listed above is not exclusive or exhaustive. Good judgment and honest exercise of discretion will be used when evaluating information obtained through a background investigation report and, when in doubt, the Human Resources Division will consult with the County Attorney's Office. The Human Resources Director, with the concurrence of the County Attorney's Office, will make the final decision as to whether the candidate's prior civil/criminal history make them ineligible for hire into a particular position(s).
- E. Candidates who challenge the accuracy of the content of the report will be informed that it is their responsibility to correct the information and that the County will not hold the position open under those conditions. Candidates will be encouraged to apply for any position they feel they qualify for in the future.
- F. Use of information obtained from a background investigation report shall be utilized in context with the job for which the applicant has applied. Any information learned from a background investigation report should be considered with all other information known about an applicant, and a case-by-case determination should be made as to the applicant's suitability for employment. The Human Resources Division may seek clarification from the applicant regarding the information obtained. Information obtained from a background investigation report should remain confidential to the extent allowed by law and not be shared with anyone except where reasonably necessary.

