

City of Melrose Social Media Guide

Prepared by The Office of Mayor Paul Brodeur

Last Revised: 2/17/2022



Appendix

1. Style Guide (pp. 1 - 3)
2. Social Media Policy (pp. 4 - 14)

1. Style Guide

1) Platforms

- a) Instagram: Picture-focused with caption
 - i) Post: permanent with caption
 - ii) Story: temporary, can add text on picture
 - iii) How to post: <https://blog.hubspot.com/marketing/how-to-post-on-instagram>

b) Facebook: Text, pictures, events, etc

- i) How to post: <https://www.wikihow.com/Post-to-Facebook>

2) Voice and tone

- a) Voice: honest (authentic, trustworthy), real (write like we talk, conversational and approachable), inclusive, transparent. These qualities will help us build trust with the community
- b) Tone: varies based on the situation; in general, tone should be friendly and optimistic

3) Spelling, grammar, and punctuation

- a) Follow the AP Style guide
- b) Link: https://owl.purdue.edu/owl/subject_specific_writing/journalism_and_journalistic_writing/ap_style.html

4) Emoji use

- a) Emoji are used only for non-serious matters and should always come at the end of sentences.

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5) Hashtag use

- a) Facebook: No hashtags
- b) Instagram: No more than 2 hashtags in the body of the post. Up to 15 hashtags in the first comment.

6) Breaking news

- a) Be aware of trending/breaking news so that posts do not appear tone-deaf or insensitive.

7) Legal

- a) Ensure that all accounts/posts are clearly connected to official municipality
- b) Accounts should be made using official emails, not private
- c) Official accounts should only be used for matters related to the municipality, as anything said/posted will be considered official messaging
- d) No personal views
- e) Staff should always be mindful of how they present themselves to the world, online and otherwise.
- f) The City is concerned with information, media (videos, photos, sound recordings, etc.), or communications that could be posted on the internet without the prior consent or notification of an employee or persons involved or captured in said content.
- g) The City is dedicated to protecting any sensitive data, outside that which can be obtained through a request under the Freedom of Information Act (See Public Records section of this document). To this end, we want to prevent the exposure of sensitive data or any data that is protected from the public by Massachusetts General Laws or any Federal law or regulation.
- h) The City is concerned with the posting of content to social media on behalf of the City by employees, departments or their designees boards, councils or any entity doing business as part of the City.

8) Brand colors

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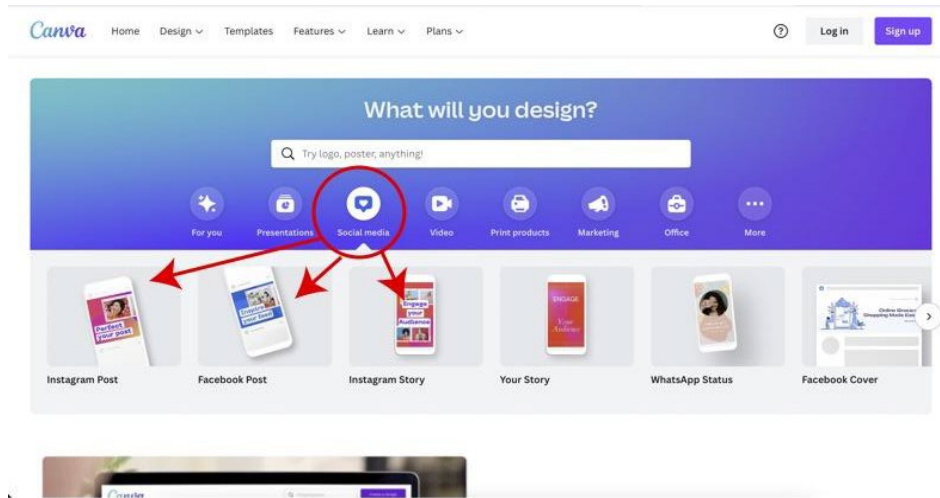


a)

9) Graphics

a) <https://www.canva.com>

Canva is a free graphic design website with templates for every social media platform



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2. CITY OF MELROSE SOCIAL MEDIA POLICY

1. Purpose

The purpose of this policy is to protect the interests of employees, residents and the City of Melrose (“City”) by setting expectations regarding the use of social networking systems. The City recognizes the benefit associated with using social media by staff. Social media is a powerful and effective way to communicate and collaborate on the Internet. However, if used improperly, social media can be damaging and can provide a forum for personal political opinions, inappropriate behavior, and other potential dangers as well as increase the opportunity for impropriety through the ease of its use and access.

2. General Statement of Policy

This policy provides an explanation, purpose and definition of acceptable social media use, protocols and procedures intended to mitigate associated risks from use of this technology where possible. This policy will provide an explanation, purpose and definition of acceptable use by the employees, contractors and subcontractors of the City.

3. Implementation

The Mayor and/or his/her designee, the Chief Information Officer (CIO) and/or HR Director is responsible for implementing this policy and establishing compliance with the policy. The CIO and his/her designee is responsible for auditing use in compliance with this policy. All Department heads and managers are responsible for ensuring compliance with his/her subordinates. Departments are responsible for maintaining compliance with this policy by employees, volunteers, interns, Co-op employees, contractors and subcontractors of the City. Employees are to read, be familiar with and act according to this policy.

4. Definitions

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Social Media: Social networking systems include, but are not limited to, Facebook, Google+, Google Classroom or any other Google App, Twitter, Instagram, Snapchat, Tumblr, Kik, Flickr, Shots, Swarm, Linked-in, Pinterest, Skype, YouTube, WhatsApp, Medium, Soundcloud, EdModo, TikTok, Reddit, bookmarking sites, Internet published material and media, personal email accounts, virtual online interactions, communication through online video games, chat, text message features of cell phones, use of blogs, wikis, and other electronic or technologically based communication systems.

Electronic Communication: Any communication or interaction which occurs through electronic means. Electronic communications include but are not limited to communications that have no specific intended recipient (e.g., posting a blog entry or status update on a publicly visible website, depending on privacy settings, which may be viewed by the public or users of that website) and voice communication or recording.

Employee: Any individual currently employed by the City of Melrose.

The CoM: The City of Melrose and its employees.

Staff: All employees of the City and any contractor or individual employed by a contractor who provides services in or to the City.

Information Technology: Information Technology includes but is not limited to the City Network Infrastructure, wireless network, hardware, software, systems, electronic devices, computers, peripherals, website, electronic documents and files, storage devices, data, Internet, digital resources, blogs, podcasting, telephone including Voice over Internet Protocol (VoIP), email or any other device or equipment used to access, store, manipulate or transmit data. Also referred to as electronic technology.

Users: Any person using the City's information technologies.

Devices: Any City-owned or leased device, staff-owned device or any device being used in any public facility of the City or on the City's network.

CoMIT: The City of Melrose Information Technology department.

5. General Concerns

5.1. Staff should always be mindful of how they present themselves to the world, online and otherwise.

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5.2. The City is concerned with information, media (videos, photos, sound recordings, etc.), or communications that could be posted on the Internet without the prior consent or notification of an employee or persons involved or captured in said content.

5.3. The City is dedicated to protecting any sensitive data, outside that which can be obtained through a request under the Freedom of Information Act (See Public Records section of this document). To this end, we want to prevent the exposure of sensitive data or any data that is protected from the public by Massachusetts General Laws or any Federal law or regulation.

5.4. The City is concerned with the posting of content to social media on behalf of the City by employees, departments or their designees' boards, councils or any entity doing business as part of the City.

6. Creation of Social Media Accounts

6.1. Employee groups, commissions, councils, departments, boards or any other entity under the City or their designee may create social media representing departments or groups within the City after approval by the Mayor's Office and IT Department.

6.2. Third party groups under direction of a City entity, must comply with this policy as well. These groups may be contracted web developers, public relations companies of any sort, volunteer groups under direction of the city or any other third-party entity in any form.

6.3. Any account created must be accessible to the IT Department. The IT Department must have their own administrative account with access to the social media account created or the IT Department must have the username and password for entry into the social media account

6.4. Upon renewal or change of usernames or passwords, the new credentials must be submitted to the IT Department.

6.5. City entities must not create Snapchat or any other social media accounts where the content posted is not available after a short time. This makes social media not conform with the public records retention laws.

7. Public Records

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7.1. The Massachusetts Public Records Law (M. G. L. Chapter 66, Section 10) requires public employees who send, receive or maintain records in their capacity as public employees, to retain, disclose and dispose of such records in compliance with strict provisions of said law. This law applies whether or not the record is in the form of a paper document or an electronic communication. Exemptions to this law can be found at The Massachusetts General Laws, Chapter 4, Section 7(26).

7.2. Department use of social media shall be documented and maintained in an easily accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the Massachusetts Public Records Law (M.G.L c. 66, S1 or 950 CMR 32.00).

7.3. When staff communicate through City-based resources, such as staff e-mail or City sponsored web pages, such records are retained and archived through the City's information technology department. If, however, an employee communicates outside of these resources, such information is not retained at this time.

7.4. The burden to comply with public records/retention laws falls on the employee when using personal email or social network accounts to communicate with the public on work-related issues.

8. Intellectual Property Rights and Copyright Infringement

8.1. Employees must comply with all state and federal laws concerning intellectual property rights and copyright infringement.

8.2. When the City posts media in any form to a social media website, the City must ensure that it has the right to post the content. In the case of copyrighted works (e.g. literary expression, photos, videos etc.), the City needs to ensure that either (1) it has the copyright in the work; (2) it has permission to use to work; or (3) the use of the work is permissible under statute. For example, in the case of third party works, such as photos, before posting to a social media site, the City should receive written authorization from the third party copyright holder. Alternatively, the City may incorporate another copyright owner's work if such use falls within the fair use exception under the Copyright Right Act. See e.g. 17 U.S.C. § 107. The four factors that a court will use to determine whether an entity's use falls within the fair use exception are:

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8.2.1. the purpose and character of the use (e.g. commercial versus non-commercial, and/or whether the work was used for activities such as criticism, comment, news reporting, teaching, research, and other related activities);

8.2.2. nature of the copyrighted work;

8.2.3. amount and substantiality of the portion of work used; and

8.2.4. effect of use on the potential market for the copyrighted work.

8.2.5. A determination as to whether use falls within the fair use exception is fact specific. Thus, the City needs to analyze on a case by case basis whether its use could legitimately be considered fair use.

9. Advertising and Endorsement Limitations

9.1. Departments making use of social media sites should investigate whether the social media provider incorporates advertisements into its site. State procurement and ethics laws prohibit City agencies or employees from endorsing products or vendors.

10. City and State Ethics

10.1. Employees are prohibited by criminal statute from participating personally and substantially in an official capacity in any particular matter in which, to his knowledge, he or any person whose interests are imputed to him has a financial interest, if the particular matter will have a direct and predictable effect on that interest. (18 U.S.C. § 208; 5 C.F.R. §2635.401-403) (Ethics)

10.2. The City website cannot be used for the hosting of other groups affiliated with the city such as but not limited to fund raising, politics, and non-city commissions

10.3. Employees must avoid the appearance of loss of impartiality in the performance of their official duties. (5 C.F.R. §§ 2635.501- 502) (Ethics)

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10.4. Staff Participation in political activities is not permissible. Staff shall not use City e-mail addresses, e-mail, email distribution lists, e-mail addresses and lists obtained by the City of residents or resident groups, social media platforms or any other electronic communication system for the purposes of political activity.

10.5. Employees have a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes. Likewise, employees shall use official time in an honest effort to perform official duties. (5 C.F.R. §§ 2635.704–705) (Ethics)

10.6. Use of Agency Name/Seal – Terms of service agreements usually include a clause which permits use of the agency’s name/seal for commercial purposes, which may raise improper endorsement issues. (Ethics)

11. Lobbying

11.1. Employees are prohibited from using appropriated City funds for indirect lobbying such as posts on a City website, social media or blog e.g., employees cannot make explicit statements asking the public to contact state representatives in support of or in opposition to a legislative proposal.

11.2. Furthermore, employees should not lobby for any interest while on duty for the City.

12. Expectations of Staff - Professional Use of Electronic Communication and Social Media

12.1. When employees choose to join or engage with these social networking groups, they do so as an employee of the City. Employees should act responsibly and appropriately when using these social networks. Employees have a responsibility to address inappropriate behavior or activity.

12.2. Department use of social media technology shall conform to the policies, protocols and procedures contained, or referenced, herein.

12.3. Staff shall communicate professionally at all times.

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12.4. Employees must make clear that any views expressed are the employee's alone and do not necessarily reflect the views of the City. Employees may not act as a spokesperson for the City or post comments as a representative of the City, except as authorized by the Mayor or the Mayor's designee.

12.5. At all times, and in the use of any form of communications, staff members should respect the rights of employees to have their personnel and medical information kept confidential. Information that is protected by law from disclosure to third parties must not be communicated online in a way that unreasonably exposes such information to retrieval by those third parties.

12.6. Staff shall not post or create content that promotes, fosters, or perpetuates discrimination on the basis of race, color, national origin, sex, gender, disability, sexual orientation, gender identity, genetic information, religion, age, family status, military status, or source of income.

12.7. Staff shall refrain from defamatory or personal attacks.

12.8. An employee's use of any social media network and an employee's postings, displays, or communications on any social media network must comply with all state and federal laws and any applicable City policies.

12.9. Staff should act on the basis that any information that is shared privately with a recipient could be re-distributed or modified by the recipient, without the originator's knowledge or consent. The same common sense principles that apply to real world person-to-person communication should be applied to online conversation: Nothing that is posted online is ever truly private.

12.10. Before endeavoring to establish any social networking account, a department head and employees should familiarize themselves with the features of any account they choose to use. For example, Facebook requires account holders to take specific steps to "privatize" the information they place online. Staff are expected to educate themselves on these features of Facebook or any other social networking site he or she may select. There is now case law that confirms that a failure to understand the way a communication system operates is no excuse for professional misuse (*Robert J. Sumien v. CareFlite* 2012). Staff will be responsible should any information that is intended to be private become

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public due to ignorance of the features of the social network used or a failure to use such features with competency.

12.11. Most social media applications providers require users to agree to specific Terms of Service (TOS) Agreements prior to allowing the user access to the services. The TOS typically includes terms found in many software license or subscription agreements, for example: privacy (usually the TOS cites to a separate stand-alone website privacy policy); limits on user conduct (e.g. users must not post infringing content); license rights to user posted content; indemnity; disclaimer of warranties; limitation of liability; when modifications can be made to the service or to the TOS; jurisdiction and governing law; and procedures under the Digital Millennium Copyright Act.

12.11.1. The department, in consultation with the City Solicitor's office, should carefully weigh the benefits of using social media tools for mission-related purposes such as public outreach, citizen engagement, personnel recruitment, and training against the inherent risks in accepting the social media provider's TOS. Where the agency assumes the risks of moving forward with those sites and agreeing to their standard TOS, the agency should seek to mitigate the impact of these terms of service wherever possible by following the guidance in the State's Social Media Legal Guidance Toolkit[i], in particular Sections 3, 5 and 6.

12.12. Web pages linking to social media sites being used by the City or tools available on the social media platform for indicating a third party's policies or TOS, shall indicate that the site is not an official City government site and that a third party's website policies apply.

12.13. Employees should be conscious of information that may tend to compromise the safety or security of the public or public systems

12.14. When using a third party social media site, indicate clearly on the landing page of that social media platform that it is associated with the department or City. When a user goes to the social media site, be sure that the first page visited on that site clearly indicates the department and or City.

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12.15. Staff shall not use, copy, disseminate or share in any manner, including via social media, photos or videos of children under the age of 18 where the parent(s) or legal guardian(s) has not given consent to do so.

12.16. Staff shall not identify children under 18 by their full name in any photograph at any time.

12.17. Staff must keep in mind that videos and images of any students may constitute “student records” within the meaning of federal and state law i.e., The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) and M.G.L. 603 CMR 23.07.

12.18. Employees shall communicate with each other and residents using official communication platforms offered by the City. If the need to communicate directly with a resident arises, staff should use their City e-mail account rather than alternative media. This arrangement provides staff with the protection of City records.

12.19. Supervisors should consider the appropriateness of content that they or their employees post on social media including but not limited to alcohol, tobacco, drugs (illegal and legal), e-cigarettes, weapons, bullying, hate speech, gambling and pornographic content. The aforementioned list is understood to be required subjects and in the context of Health or Public Safety communication.

12.20. Staff shall not use City logos, seals or official emblems on personally created social media including websites.

12.21. Threats to any person or organization will not be tolerated by the City and are prohibited from being used in any electronic communication including but not limited to social media platforms.

13. Sites Allowing Forums or Public Comment

13.1. Sites that allow public comment shall inform visitors of the intended purpose of the site and provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal, including but not limited to the following types of postings regardless of format (text, video,

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images, links, documents, etc.). Additionally, all posts should adhere to the provisions of this document.

13.2. Departments shall provide a TOS for the site containing public discussion. That TOS should include

13.2.1. Intellectual Property for Contributions to Websites. If your department allows content to be contributed to the website or social media, such as through a blog or wiki, amend your TOS to subject the content to the Creative Commons Attribution License, Version 3.0. Use the following text to refer to the license:

Except where otherwise noted, content on this site is licensed under a Creative Commons Attribution 3.0 License. In addition, visitors to this website agree to grant a non-exclusive, irrevocable, royalty-free license to the rest of the world for their submissions to this site under the Creative Commons Attribution 3.0 License. A copy of this license is available online at <http://creativecommons.org/licenses>.

13.2.2. Follow the provisions of the Digital Millennium Copyright Act (DMCA)[ii].

13.2.3. Understand the Online Copyright Infringement Liability Limitation Act (OCILLA)[iii] U.S. Code Title 17 § 512 that creates a safe harbor for online service providers (OSP).

13.2.4. Respect external users' (i.e. non-City employee users') First Amendment rights. Although departments can moderate some social media sites where the department controls the content (e.g. on blogs and websites) to impose content-neutral restrictions to speech i.e. restricting speech that is obscene, threatening, discriminatory, harassing, or off topic, departments cannot use the moderation function to restrict speech uttered by a member of the public with which the department or administration simply disagrees.

14. Open Meeting Law

14.1. M.G.L. Ch. 30A, Sections 18-25, address the open meeting laws in Massachusetts. The attorney General's office has warned that communications on social media may constitute improper deliberation if viewed by a quorum of

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other members of the same public body (Open Meeting Law Determination 2013-27, available at www.oml.ago.state.ma.us].

14.2. Public boards and committees should remember that posting on social media does not satisfy the “notice” requirements in the open meeting law. [See M.G.L. Ch. 30A, Section 20(c).]

15. Acceptable Use Policy for Information Technologies

This policy is supplementary to, and not a substitute for, the City Acceptable Use Policy for Information Technologies which governs use of the City’s technology resources.

16. Violations of this Acceptable Use Policy

16.1. Violations of this policy may have disciplinary repercussions, including:

16.1.1. Suspension of network, technology, or computer privileges;

16.1.2. Legal action and/or prosecution;

16.1.3. Termination of employment for cause

[i] <https://www.mass.gov/guides/social-media-legal-guidance-toolkit>

[ii] <https://www.copyright.gov/legislation/dmca.pdf>

[iii] <https://www.gpo.gov/fdsys/granule/USCODE-2010-title17/USCODE-2010-title17-chap5-sec512>

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"Social Media Legal Guidance Toolkit." *Mass.gov*, www.mass.gov/guides/social-media-legal-guidance-toolkit.

"Summary of the Conflict of Interest Law for Municipal Employees." *Mass.gov*, www.mass.gov/service-details/summary-of-the-conflict-of-interest-law-for-municipal-employees.

United States, Congress, Information and Technology, and County CA Orange. "County Social Media Use Policy and Procedure." *County Social Media Use Policy and Procedure*, County of Orange County Executive Office Information and Technology, 2014, pp. 1–13.