

Guidelines for Elected Officials and Appointed Boards, Commissions and Committees Using Personal or Professional Social Media Platforms

While elected officials and City Council-appointed board, committee and commission members may maintain and use personal web pages and websites, blogs, and social networking sites, their status as elected/appointed officials requires that the content of any postings on those sites not be in violation of existing City laws, policies, directives, rules or regulations.

The City's image as a professional, nonpartisan organization is critical to maintaining the respect of its constituents and operations free from personal opinions. Although the City recognizes that elected and appointed officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation and governance of the City. That is, although the City acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official City business, issues or concerns.

If an elected or appointed official conducts any City business or communication as an official from a personal account, professional account, or an account created for a board/committee/commission, officials should assume that any City-related communications will be considered a public record subject to the Texas Public Information Act as set forth in Chapter 552 of the Texas Government Code Sec. 552.002, as well as applicable portions of the records retention laws.

Definitions

1. **Personal Social Media Account:** Personal accounts are intended strictly for individual people only and are not meant for commercial purposes. On a personal account, a user can post updates, share photos and videos, maintain a friends list, share interests and more. Personal profiles are typically associated with a person, as opposed to a position.
2. **Professional Social Media Account:** A professional accounts is a place where artists, public figures, businesses, brands, organizations, and nonprofits can connect with their fans, constituents, or customers. Professional profiles are typically associated with the position, office, or seat.
3. **Campaign Social Media Account:** This kind of account is used by candidates to share information about their platform and views.
4. **Confidential information:** Information is excepted from required public disclosure if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision. Such information may include but is not limited to certain personnel information, non-public information from criminal investigations and business trade secrets.
 - a. Confidential information also includes statements or communications, whether express or implied, oral or written, between the city officers and employees and

their attorneys, work product of the city attorney or other attorneys representing the city, its officers and employees.

5. Non-public Information: Non-public information is information made available to elected and appointed officials that has not yet been made available to the general public. Non-public information may not be considered confidential by law, statute or judicial decision.

Professional and Personal Conduct Standards

1. All officials are expected and required to conduct themselves in a manner consistent with the City's policies and standards of conduct, as outlined in Article 1-13 of the City's Code of Ordinances.
2. It is anticipated that from time to time, officials will have access to information that is considered privileged or confidential under the Texas Government Code. Such information is typically considered an exception to the public records law and may have specific penalties for inappropriate disclosure. By way of example, such information may include but is not limited to certain personnel information, non-public information from criminal investigations and business trade secrets. Officials may not disclose any confidential or privileged information about the City, its constituents, its employees, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential or privileged information.
3. In addition to confidential information, it is also expected that officials will occasionally have access information that is considered to be non-public. It is recommended that officials consider the impact of sharing this type of information publicly prior to posting. By way of example, such information may include but is not limited to, personnel retirement or resignation announcements.
4. Officials should be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery. Officials should not post or share information known to be false about the City, its employees, constituents, other public officials, suppliers, vendors, or contractors.
5. Unless the official has been designated to serve as a spokesperson, officials should not represent themselves as a spokesperson for the City Council, a City board or committee, the City Administration, or any City department. Officials should not present personal opinions as the opinion of other Council members or the Council as a whole unless authorized.
6. Officials are expressly prohibited from using personal or professional social media to engage in any activity or conduct that violates federal, state, or local law. Officials are also prohibited from using professional social media accounts to circumvent election or campaign requirements, to campaign for re-election or endorse candidates for any public office at any level of government or political subdivision.
7. Officials are prohibited from deleting posts and related comments regarding any City-related matters to avoid violating record preservation requirements outlined in Texas Government Code Sec. 552.

8. Officials should be mindful that posting content regarding City-related matters could inadvertently result in the violation of the Open Meetings Law if enough other public officials respond or comment on the post, resulting in a quorum. If this occurs, the online conversation should immediately cease with no further posts by the officials and the City Secretary should be immediately notified.
9. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.

Additional Best Practices and Guidelines for Elected and Appointed Officials

The following best practices and guidelines are strongly recommended to ensure that the personal and professional use of social media by elected and appointed officials is done so in a responsible manner.

1. Public officials should separate personal social media accounts from professional social media accounts so that City-related matters and all public records generated from those posts are easily archived and to avoid city related information being intermingled with personal posts not related to City matters.
 - a. If a professional social media account is created to disseminate city-related business, the records should be archived and retained.
2. Officials should exercise caution with respect to posted comments, particularly those concerning the City and the business of the City.
3. Officials are strongly encouraged to consider the potential impact of social media statements prior to posting. The City strives to be professional in its operations and processes. Posts that express favoritism and/or bias for or against any individual or group of individuals (e.g., based upon race, gender, national origin, sexual orientation, political affiliation, etc.), reflect poorly on the public official, as well as the City and its residents. Further, comments suggesting such treatment can expose the City to liability and legal costs.
4. Officials should be mindful that members of the public who may appear before the City Council as well as boards, commissions or committees come from all walks of life. Public comments, in any forum – including on personal and professional social media accounts – that contain racial slurs, profane language or acronyms for profane language, express bigotry toward a group based on race, religion, national origin, sexual orientation, gender, gender identity, party affiliation or any other legally protected classification may be considered conduct unbecoming.
5. Officials should consider whether liking, sharing, retweeting or commenting on any social media posts could be perceived as an endorsement of or about the City, its employees, constituents, other public officials, suppliers, vendors, or contractors relating to views on various issues, including political affiliation.
6. Officials should refrain from using social media accounts to communicate with City employees about City-related matters as this creates a public record on employees' personal accounts that must be retained per Public Records Law outlined in Texas Government Code Sec. 552. If elected officials want the City's official pages to respond to a social media inquiry, the following responses are suggested:

- a. Twitter: "Tagging @CityofCoppell on your inquiry so staff may respond to you directly."
 - b. Facebook: "Tagging @City of Coppell on your inquiry so staff may respond to you directly."
 - c. Instagram: "Tagging @cityofcoppelltx on your inquiry so staff may respond to you directly."
 - d. Other platforms, such as Nextdoor: "Please contact the City of Coppell directly so staff may respond to you. You may also submit your inquiry online by visiting <https://www.coppelltx.gov/146/Submit> or by calling the City of Coppell during business hours at 972-462-0022."
7. Public officials should be cautious in using official City-provided logos, taglines, symbols and photographs that belong to or are licensed by the City on personal social media sites. Elected and appointed officials choosing to use official City-provided photographs and identifying themselves as elected officials on personal social media sites should tailor communications on those sites accordingly.

Records Retention

Any city-related content (messages, posts, photographs, videos, etc.) created or received using a social media account is considered public record. As such, the following should be considered.

1. The City does not archive or manage social media accounts for elected or appointed officials. The official is solely responsible for the retention and archival of content published to individual accounts.
2. It is recommended that elected and appointed officials create a folder for city-related social media content. Officials should capture screenshots of city-related posts and save them in this folder.
3. Any posts that are deleted or hidden from an elected or appointed official's social media account for violation of the City's posted social media guidelines - whether the content was posted by the official or a member of the public - should be captured via screenshot and retained.

Enforcement

In recognizing that public service is time consuming and can involve complex matters, this policy is not intended to scrutinize or penalize a good faith misgiving or inadvertent mistake.

Violation of this policy could result in a complaint that the elected or appointed official has violated the code of conduct outlined in Article 1-13 of the City's Code of Ordinances. Upon receipt of a complaint, the procedures outlined in Section 1-13.7 should be followed.