

**RESOLUTION NO. 2024-015**

**A RESOLUTION ESTABLISHING A SOCIAL MEDIA POLICY FOR OFFICIALS OF THE CITY OF DIAMONDHEAD**

**WHEREAS**, the City Council finds that it is in the best interest of the City of Diamondhead to adopt a social media policy for public officials who use social media on behalf of and relating to the City's affairs; and

**WHEREAS**, Social Media sites have become one of the most important venues for constituent engagement with government officials in modern society; and

**WHEREAS**, in a number of recent cases, courts have held that the areas of government-managed social media pages where members of the public can comment are subject to the First Amendment, and consequently, that removing comments may subject government officials to liability; and

**WHEREAS**, the City of Diamondhead wishes to be able to use the power of Social Media to connect, engage and communicate with the citizens of our City in a safe and legal manner; and

**WHEREAS**, a robust policy for the future use of Social Media will enable the City to safely use current Social Media sites and tools, as well as be prepared for new Social Media outlets as they may become available to improve our public outreach.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF DIAMONDHEAD, ARKANSAS THAT:**

**Section 1.** The following Social Media Policy for the City of Diamondhead attached hereto as Exhibit A shall be adopted.

**Section 2.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this resolution as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

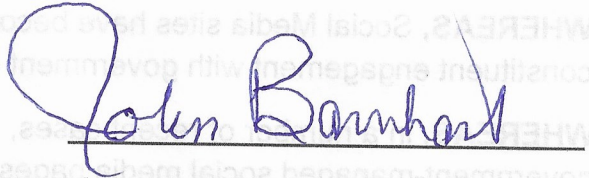
**PASSED AND APPROVED BY THE CITY COUNCIL OF DIAMONDHEAD,  
ARKANSAS ON THIS DATE OF DECEMBER 3, 2024.**

**APPROVED:**

**ATTEST:**



**Ralph Carruth, Mayor**



**John Barnhart, Recorder/Treasurer**

Exhibit A

**City of Diamondhead  
Social Media Policy**

**PURPOSE:**

To take advantage of wide-reaching and increasingly effective options for communications, the City of Diamondhead may use social media tools to communicate messages to a broader audience in order to keep the public informed about the services and activities of its government and to further the goals of the city and the missions of its departments, where appropriate.

The City of Diamondhead has an overriding interest and expectation in assuring the accuracy and consistency of what is “spoken” on behalf of the City on social media sites. This policy establishes guidelines for the use of social media tools for open communication between the public and city departments, divisions and staff, in a manner that maintains professionalism and accountability.

**DEFINITIONS**

**Social Media.** Internet accessed interactive technologies that facilitate the creation and sharing of information, ideas, interests, opinions and other forms of expression through virtual communities and networks including, but not limited to Facebook (and its associated Facebook Messenger), TikTok, Instagram, X, LinkedIn, YouTube, WhatsApp, Microsoft Teams and Snapchat. A website can incorporate social media within its functionality.

**Social Media Site.** A website set up to facilitate creation, communication and sharing of information (text, images, videos, etc.) between users.

**Social Media Tools.** Internet-based applications that facilitate communications and sharing of information between users of the social media site.

**Official Media.** Media sites, including websites, which have been approved by City Resolution and/or Ordinance for City operational usage.

**City Officials.** Individuals elected to the Diamondhead City Council, or appointed by the Mayor of the City of Diamondhead.



## **ACCEPTABLE USAGE**

### **Personal Use**

All City officials may have personal social networking, social media sites and social media accounts which they use and or to which they belong. These platforms should remain personal in nature and be used to share personal opinions or information. On these personal social media sites of City officials, officials shall not speak on behalf of the City unless specifically authorized by the Mayor concerning specific topics.

Disclaimers such as the following are encouraged to be used: "The postings on this site are my own opinions and do not necessarily reflect or represent the opinions of the City of Diamondhead or other City officials." Following this principle helps ensure a distinction between sharing personal and City views.

City Officials must never use their City email account or password in conjunction with a personal social networking or social media site.

Whether or not you specify on your personal social media accounts that you represent the City, your term of office or appointment with the City is public record. Be mindful that whenever you discuss issues online, whether in a personal or professional capacity, your comments can be tied back to your term of office with the City. You must ensure that your profile and related content (even if it is personal and not official in nature) is consistent with how you wish to present yourself as a professional and appropriate with the public trust associated with your position. Elected and appointed officials shall have no expectation of privacy regarding their use of social media.

### **City Media Site Use**

City officials and staff should be mindful of inappropriate usage of official City media sites can be grounds for disciplinary action.

### **Approval and Registration**

All official City media sites shall be 1) approved by City Council Resolutions; (2) published using approved social networking platform and tools; and (3) administered by the Mayor designee(s) or individuals authorized by the City Council or Commissions.

### **Oversight and Enforcement**

City elected and appointed officials and staff representing the City of Diamondhead through official social media outlets or participating in social media features on the the official City website must maintain a high level of ethical conduct and professional decorum and comply with the Social Media Policy. Failure to do so is grounds for revoking the privilege to participate on official City media sites, blogs or other social media features and may result in disciplinary action.

Information released onto social media sites must be presented following professional standards for good grammar, spelling, brevity, clarity, accuracy and avoiding jargon, obscure terminology or acronyms.

City officials and staff recognize that the content and messages they post on social media websites are public and may be cited as official City statements. Social media should not be used to circumvent other City communication policies.

City officials shall not publish information on official City media sites that violates any City policy, involves private commercial transactions or business activities or that includes:

- Confidential information;
- Copyright violations;
- Profanity, racist, sexist, derogatory content or comments;
- Partisan political views; or
- Commercial or political endorsements or SPAM.

If any content is posted to official City media sites that is in violation of this social Media Policy and therefore subject to removal, the City authorized administrator for the site may remove the applicable content but shall immediately notify the City Mayor and City Attorney's Office and shall capture and retain a copy of the removed content.

## **GENERAL**

1. The City of Diamondhead's main website ([www.](http://www.)) will remain the City's primary and predominant internet presence.
2. The best, most appropriate uses of social media tools for the City of Diamondhead fall generally into two categories:
  - As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
  - As marketing/promotional channels that increase the City's ability to broadcast its messages to the widest possible audience.
3. Wherever possible, content posted using social media tools will be sourced from and available on the City's main website.
4. Wherever possible, content posted using social media tools should direct the reader via links to the City's official website to obtain in-depth information, forms, documents or online services referred to.
5. Authorized departmental staff or Mayor designee(s) will be responsible for the content communicated via social media tools utilized by them and authorized by the City. Department staff is expected to ensure any content communicated via social media tools is maintained and current. The use of social media tools shall



comply with all applicable City of Diamondhead policies and standards, and more detailed administrative bulletins and guidelines specific to social media are authorized to be created.

6. The content communicated via social media tools is subject to the Arkansas Freedom of Information Act.
7. All social media tools utilized shall contain Terms of Use and Privacy statements that are available via a prominent link on the primary landing page and/or signup/registration page of the tool.
8. Content posted or communicated using City of Diamondhead controlled social media platforms, either by city staff or the public, will be monitored. Public comments will be disabled, where possible, on announcements. The public is always invited to use the "Contact Us" feature of the City of Diamondhead website if they wish to send the Mayor and City officials any comments. Where public comments are permitted on the City's Social Media Controlled Sites, they shall not be deleted or hidden, with these exceptions:
  - Violates the Social Media Platform's terms of service;
  - Contains information that is legally deemed confidential and should not be made public;
  - Is considered pornographic, obscene, or defamatory in nature, including links to inappropriate sexual content;
  - Openly advocates for violence or the threat of violence;
  - Openly discriminates against others or advocates for discrimination based on race, creed, color, age, religion, gender, genetic information, sex, pregnancy status, sexual orientation, national origin, ethnicity, disability, veteran status, or any other legally protected class;
  - Contains solicitations of commerce or marketing of private business enterprises;
  - Encourages or promotes illegal activity;
  - Includes information that may compromise the safety or security of the public or public systems;
  - Appears to violate the intellectual property or copyright of any other part;
  - Contains content that is clearly off-topic or repetitive and detracts from the original city Social Media content.

Comments meeting any of the preceding criteria may be immediately deleted or hidden in a manner consistent with constitutional free speech rights of the comment writer, with notice, explanation and instructions on how to appeal, given to that person. If the posted comment does not fall under one of the categories listed above, it shall remain as a comment. These guidelines, as well as the mechanism for challenging removal of a comment must be included in the Terms of Use statement(s).

## **ADMINISTRATION OF CITY SOCIAL MEDIA SITES**

1. The City, by Resolution, will maintain a list of social media sites, both City Controlled and not City Controlled, currently approved for use by City departments and staff.
2. The City will maintain a list of all City of Diamondhead social media sites/tools, including login and password information. This document of login and password information is not subject to public disclosure pursuant to an exception included in the Arkansas Freedom of Information Act. Login and password information shall be in the custody of the Recorder/Treasurer and the Mayor.
3. The City will assign staff to continually monitor its City Controlled social media sites/tools for comments and effectiveness.
4. The City must be able to immediately regulate non-allowed content from its social media sites/tools in a manner consistent with constitutional free speech rights of the comment writer.
5. Each social media site/tool approved for use by the City must comply with city and departmental standards, including applicable law and industry best practices regarding various social media platforms.