


Chief Administrative Office POLICY MEMORANDUM	Date of Issue Nov. 18, 2014 Revised Aug. 14, 2020 Revised Nov. 13, 2023	Expiration Date N/A	No. 50
Signature: 		Subject: Social Media	
Comments: The main purpose of this revision was to provide clarity on the current state of the law, making it clear that LFUCG does not guarantee a response to comments on messages on social media accounts, and creating an appeals process in the event that a comment is removed.			

I. PURPOSE

In an effort to be transparent, informative and convenient to visitors and residents, the Lexington-Fayette Urban County Government (LFUCG) communicates with the public through several social media channels. This type of communication is immediate, two-way, and can have a significant effect on public perception and actions. This social media policy establishes a process for establishing and maintaining social media accounts to protect LFUCG divisions and personnel.

II. APPLICABILITY

This policy applies to all LFUCG departments, divisions, programs, employees, contractors, consultants, temporaries, interns, volunteers, and other workers within local government that use LFUCG social media accounts to promote LFUCG or its departments, divisions, or programs. This policy applies to the use of social media in the course of conducting official LFUCG business, and does not address employees' personal use of social media outside the workplace. While LFUCG elected officials and boards are not included in CAO Policy No. 50, they are encouraged to follow this policy in an effort to protect LFUCG branding and provide for a unity of message and to adhere to the law regarding government use of social media.

III. DEFINITIONS

- A. Social Media** - Media designed to be disseminated through social interaction and consisting of user-generated content using highly accessible and scalable publishing technologies including, but not limited to Facebook, X (formerly Twitter), Instagram, YouTube, LinkedIn, blogs, wikis, photo-sharing networks, online communities, podcasts, user-generated videos, message boards, RSS feeds, and similar technologies.
- B. LFUCG Social Media Representative** - LFUCG employee or official who has been afforded username and password access to an LFUCG social media site and who contributes content in the name of or on behalf of LFUCG and/or any LFUCG department, division, official, or employee. Temporary employees, interns, and volunteers cannot be LFUCG Social Media Representatives, and thus cannot be afforded username and password access to an LFUCG social media site, while contractors and consultants may if so provided in the contractor's or consultant's scope of work. All LFUCG Social Media Representatives must follow the guidelines within this policy.

IV. POLICY

A. Approval of Social Media Accounts

1. LFUCG departments, divisions, or programs that wish to create a new social media account or maintain an existing one shall complete the **Social Media Account Request Form**. This request form must be submitted to the Office of the Chief Administrative Officer for approval. This form requires prospective Social Media Representatives to identify the purpose, audience, and goals for the account. Whether existing platforms or sites could be utilized or merged should be considered prior to completing the Social Media Account Request Form to establish a new account.
2. Requests for a social media account must be approved by the division director, commissioner and Chief Administrative Officer (CAO). Requests shall be reviewed by the Division of Government Communications and the Mayor's Office who will issue a recommendation to the CAO. Copies of the final written approval shall be retained by the Division of Government Communications.
3. No person subject to this policy shall create an LFUCG social media account without following the provisions herein. Existing social media sites shall be identified, reviewed, and amended if necessary to come into compliance with this policy.

B. Administration of Social Media Accounts

1. Approved Social Media Representatives shall complete the **Social Media Account User Authorization Form or the Social Media Agency/Contractor Account User Authorization Form**. This form must be submitted to the Office of the CAO for approval.
2. The Social Media Account User Authorization Form must be approved by the division director, commissioner, and CAO. Copies of the final written approval shall be retained by the Division of Government Communications.
3. Links to approved accounts shall be posted on the city's website.
4. LFUCG Social Media Representatives shall not share login information or passwords. Division directors and/or commissioners shall immediately notify the Division of Government Communications of any changes to the Social Media Account Request or Social Media Account User Authorization forms. This process ensures that the credentials for accessing social media accounts are available in the event of an emergency, employee termination or retirement, etc.
5. The Division of Government Communications and Mayor's Office shall monitor content on LFUCG social media accounts to ensure adherence to the guidelines herein.
6. Content not consistent with this policy shall be removed immediately. The CAO, Chief Information Officer (CIO), or their designee may disable an LFUCG social

media account or remove a Social Media Representative from the account at any time and for any reason, including, but not limited to:

- Any violation of this policy or the law
- Unprofessional use of the account
- Lack of use or disinterest by the public
- Failure to meet the purpose and goals approved in the Social Media Account Request Form
- Security breach

C. Best Practices

1. **Terms of Service:** Terms of Service (TOS) clauses vary across social media platforms; as such, departments, divisions, and programs should carefully read the TOS of each social media tool before establishing an account.
2. **Branding:** LFUCG social media accounts shall be clearly branded as an official government presence and shall link back to the lexingtonky.gov website. It is important to represent LFUCG with a consistent message across all forms of communication, including websites, social media, and printed materials.
3. **Disclaimers:** All LFUCG social media accounts shall link to the Customer Use Policy [ADDENDUM A] when possible.
4. **Content/Frequency:** Social media accounts are not static sites; Social Media Representatives are encouraged to post content *at least* twice a week. Content must relate to the mission, activities and policies of the relevant LFUCG department, division, or program, as outlined in the approved Social Media Account Request Form. Social Media Representatives shall obtain proper license or permission to post copyrighted material, such as photographs and videos that are not created by or owned by LFUCG. Content should be timely, engaging, accurate, free of grammatical and spelling errors, professional, inclusive, and up-to-date. Before posting, consider potential reactions to the content. When in doubt about posting an item, Social Media Representatives should consult with a supervisor, the Division of Government Communications, the Mayor's Director of Communications and/or the Law Department.
5. **Prohibited Content:** Social Media Representatives shall not post on any LFUCG social media account:
 - Nonpublic information of any kind
 - Personal, sensitive or confidential information of any kind
 - Information that could compromise public safety or an ongoing investigation
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, sexual orientation, gender identification, status with regard to public assistance, national origin, physical or mental disability
 - Obscene, indecent, or profane language
 - Threats, personal attacks or defamatory statements

- Fraudulent, deceptive or misleading information
- Promotion or endorsement of services and products
- Comments advocating illegal activity or posting of material that violates copyrights or trademarks of others
- Content that violates any local, state or federal laws and/or is otherwise unlawful
- Any campaign materials
- Items regarding litigation or pending litigation

6. **Moderating Customer Input:** Social media accounts encourage the exchange of ideas and information, allowing users to ask questions and voice their opinions. Some of those comments may be negative or unsavory. Social Media Representatives should be mindful that such comments are no less deserving of First Amendment protection than comments of praise when determining whether to allow comments on a social media page.

Social Media Representatives should check their accounts daily for feedback and, if necessary, respond as quickly (within 24 hours) as possible. However, it should be made clear to the public that LFUCG does not guarantee a response to any comments or messages sent on social media accounts. The public should be encouraged to communicate comments or messages to which they desire a response through traditional means like email by including a sentence such as the following in a prominent place: "LFUCG does not guarantee a response to comments or messages sent on social media accounts. If a response is desired to a comment but LFUCG has not responded, please submit the comment via email, mail or telephone call."

7. **Removing Comments:** LFUCG social media accounts are designated (limited) public forums, and thus LFUCG may adopt reasonable content-neutral regulations on public comments in these fora. A Social Media Representative may only remove comments that violate the LFUCG Customer Use Policy **[ADDENDUM A]**. No comment may be removed due to disagreement with the viewpoint expressed.

Before removing a comment, the Social Media Representative must document the post with a screen capture and contact the Division of Government Communications and the Department of Law. No comment shall be removed unless the comment violates this policy, the LFUCG Social Media Customer Use Policy, or other applicable law. Comments containing spam, malicious software or scams may be immediately removed by the Division of Government Communications.

8. **Other Policies:** Use of an LFUCG social media account shall comply with other LFUCG regulations, policies and procedures, including but not limited to:
- Code of Ethics and/or the Ethics Act (Chapter 25 of the Code)
 - CAO Policy 8R: Open Records Policy
 - CAO Policy 25: Computer Use Policy
 - CAO Policy 44: External Links & Websites Policy

9. **Open Records and Retention Requirements:** LFUCG social media accounts are subject to the Kentucky Open Records Act. Any content maintained in a social media format that is related to LFUCG business, including a list of subscribers and posted communications, is a public record. Wherever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure under the Kentucky Open Records Act. Social Media Representatives should consult LFUCG's Record Retention Schedule to determine how long particular social media posts should be retained.

V. FORMS*

The following forms are maintained and updated by the Public Information Office:

- Social Media Account Request Form
- Social Media Account User Authorization Form
- Social Media Agency/Contractor Account User Authorization Form

*Forms attached to this policy are current to the latest revision of the policy. The most up-to-date forms can be found on the intranet or in the office responsible for the form.

POLICY MEMORANDUM	CAO Policy 3 – Social Media	ADDENDUM A
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**Lexington-Fayette Urban County Government
Customer Use Policy**

The Lexington-Fayette Urban County Government engages customers through many digital outlets, including lexingtonky.gov and LexCall 311. Communicating with the LFUCG through social media further enables customers to contact the LFUCG in a direct and meaningful way.

As designated (limited) public forums, the goal of the LFUCG social media pages that allow public interaction in the form of comments is to be a helpful medium conducive to real-time discussions and useful feedback regarding the topics and matters identified and raised by the LFUCG on its pages. However, it should be made clear to the public that LFUCG does not guarantee a response to any comments or messages sent on social media accounts. The public should be encouraged to communicate comments or messages to which they desire a response through traditional means like email by including a sentence such as the following in a prominent place: "LFUCG does not guarantee a response to comments or messages sent on social media accounts. If a response is desired to a comment but LFUCG has not responded, please submit the comment via email, mail or telephone call."

Please be aware that when engaging with the LFUCG through social media, you are agreeing to:

Commenting on an LFUCG Social Media Site

Lexington-Fayette Urban County Government agencies share information, images and video with the public through external social media websites and platforms. Comments made by the public to these sites are reviewed and, while comments will not be edited by LFUCG personnel, a comment may be deleted if it violates the comment policy described here.

- Comments containing malicious or harmful software.
- Comments posted by automatic software programs (i.e., bots).
- Comments containing advertisements, promotions, or solicitations of a commercial product or service.
- Comments containing confidential, personal or sensitive information including, but not limited to, private medical information protected by HIPAA, social security numbers, and third party phone numbers and/or postal addresses.
- Comments containing or linking to obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive, appeals to the prurient interest, and lacks serious literary, artistic, political, or scientific value.
- Comments expressly advocating direct violence or other illegal activity.
- Copyrighted or trademarked materials in violation of state or federal law or copyright rights of someone else, if the owner of that property notifies us that the property was posted in a comment on our social media account.
- Duplicate comments posted repeatedly within a short period of time, or spam.
- Comments that violate any local, state, or federal laws and/or is otherwise unlawful.
- Comments that expressly encourage or advocate LFUCG to illegally discriminate based on race, age, religion, gender, national origin, disability, sexual orientation, gender identity, veteran status, or any other legally protected class.

- Comments containing actual defamation against a specifically named person or organization, either as determined by a court or that are patently defamatory by easily discovered facts.

This comment policy is subject to amendment or modification at any time.

User Created Content

LFUCG is committed to fully complying with the freedom of speech clause of the First Amendment of the U.S. Constitution and other similar legal obligations surrounding free speech. As such, there may be times when what some people perceive to be offensive comments left by a member of the public will remain visible on social media posts, if such comments are legally protected speech.

Social Media Representatives monitor social media accounts. However, neither they, nor the Lexington-Fayette Urban County Government, its divisions, departments, officials, or programs, are responsible for the content generated by users on these platforms. Users are welcome to submit or post content, including photographs and videos, to an official LFUCG site where the agency allows users to post content, the content meets the standards articulated in this Customer Use Policy and pertains to the subject of the social media site.

Users may only post their own, original content. Reproduced or borrowed content that reasonably appears to violate third party rights will be deleted. Users should have no expectation of privacy when posting to an LFUCG site. Any user created content or comment is the opinion of the user only, and publication of any user created content or comment does not necessarily imply endorsement of, or agreement by, the Social Media Representative, the Lexington-Fayette Urban County Government, or its divisions, departments, officials, or programs.

Questions, Concerns, Appeals

Questions or concerns regarding the Lexington-Fayette Urban County Government's social media activity and/or this Customer Use Policy should be submitted to pio@lexingtonky.gov.

To appeal the removal of a comment, the user must submit an email or letter to the Division of Government Communications at pio@lexingtonky.gov within five business days of the removal.

Upon receipt of an appeal, the Division of Government Communications will review the written appeal, the comment that was removed, and the Social Media Customer Use Policy to determine whether the comment violates the Social Media Customer Use Policy. If the appeal is successful, the comment may, if possible, be restored for public view, or the user may be permitted to repost the comment. If it is determined that the comment violates the Social Media Customer Use Policy, the user will be notified that the appeal is denied.

If LFUCG determines that a user has violated these terms and conditions on three or more occasions within a twelve-month period, LFUCG may block or ban the offending user from the social media account where the violations occurred. If LFUCG blocks or bans a user, LFUCG will (a) reasonably attempt to notify the user; (b) describe the violation(s); and (c) explain the appeal process. If LFUCG is unable to provide notification, the user may submit a letter or email to the Division of Government Communications at pio@lexingtonky.gov to inquire regarding the decision to block or ban the user. Upon receiving communication from the blocked or banned user, LFUCG will describe the violation(s) and explain the appeal process.

If the appeal is successful and the user has not violated this policy three times within a rolling 12-month period, LFUCG will unblock or unban the user from the social media account. If the appeal is not successful, LFUCG's decision is final.



Social Media Account Request Form

Departments, divisions and programs of the Lexington-Fayette Urban County Government that wish to create and/or maintain an official LFUCG social media site must complete a copy of this form and submit it to the Public Information Office **prior** to activating any social media account. All social media account administrators and users must adhere to CAO Policy 50.

Employee Name/Title: _____ Date: _____

Department/Division/Program account is requested for: _____

What social media platform(s) are you requesting accounts for?

Facebook X/Twitter Instagram YouTube Other _____

**If approved, the Public Information Office will set up the account(s) and maintain access/password in case of emergency or staff changes.*

Submit the following information on a separate sheet(s): What is the intended purpose of the social media account? Is there an already existing account that you could use to share your message? Why or why not? Be specific. Who is your target audience? What are your goals for growing the number of account followers? How often will you post? Be specific.

Social media accounts require a significant time commitment and are challenging to grow and maintain. Submit a three-month tentative schedule of posts, including visuals.

Division Director _____
Date

Commissioner _____
Date

Return the form to the Public Information Office for approval.

Public Information Office _____
Date

Recommend: yes no Reason: _____

CAO representative Approved: yes no _____
Date

The Public Information Office will retain a copy of this form.



LEXINGTON

Social Media Agency / Contractor Account User Authorization Form

Divisions of the Lexington-Fayette Urban County Government who wish to have an agency, contractor or consultant access to an official LFUCG social media account must complete a copy of this authorization form and submit it to the Public Information Office *prior* to giving access to any account. All social media users must adhere to CAO Policy 50.

Agency: _____ Email: _____

Date: _____ Expiration date*: _____

Requesting access to all social media accounts under the heading (example: Live Green Lexington or Lexington Police Department): _____

LFUCG employee that manages this account and will be working with user: _____

*List contract end date or expected end date. Access beyond the listed date will need to be reauthorized. Not to be longer than a year unless a multi-year contract is in place.

**Agency or contractor must join LFUCG Meta Business Manager to have access to Facebook/Instagram accounts.

Division Director _____
Date

Commissioner _____
Date
Return the form to the Public Information Office for approval.

Public Information Office _____
Date

Recommend: yes no Reason: _____

CAO representative _____
Date



LEXINGTON

Social Media Account User Authorization Form

Employees of the Lexington-Fayette Urban County Government who wish to have access to an official LFUCG social media account must complete a copy of this authorization form and submit it to the Public Information Office **prior** to accessing any social media account. All social media users must adhere to CAO Policy 50.

Name _____

Employee number: _____ Date: _____

Requesting access to all social media accounts under the heading (example: *Live Green Lexington* or *Lexington Police Department*):

*User must join LFUCG Meta Business Manager to access Facebook or Instagram accounts.

I agree to regularly communicate to my audience at least two times a week and understand that my account may be disabled if I do not comply.

Employee signature: _____

Division Director

Date

Return the form to the Public Information Office for approval.

Public Information Office

Date

Recommend: yes no Reason: _____

CAO representative

Approved: yes no _____

Date