

Social Media/Imagery

1091.1 PURPOSE, SCOPE AND APPLICABILITY

This Policy is not intended to interfere with or prohibit employee rights to engage in free speech protected union activities or other activities protected by state and federal law.

This Policy is intended to provide the District with the ability to protect and manage the District's public reputation and to allow the District to manage and protect its legitimate interest in the efficient performance of the workplace.

To address the fast-changing landscape of digital communications, the Internet and the way personnel and the public communicate and obtain information online, the District may consider using Social Media tools to communicate and reach a broader audience. The District encourages the use of Social Media to further the goals of the District and its mission where appropriate.

The District has an overriding interest and expectation in deciding what is "spoken" on behalf of the District on Social Media sites and through the use of digital images owned by the District. This policy establishes the District's policy on Social Media and the use and control of digital images in the following areas:

- District Personnel use, management, administration and oversight of District Social Media.
- Public use guidelines and restrictions for District Social Media.
- Guidelines and restrictions for personal use of Social Media by Personnel when Personnel's affiliation with the District is identified, known or presumed.
- Creation and control of digital images taken by fire department personnel to protect the privacy rights of department personnel, patients and the public; to manage and comply with record retention and public record act requirements; and to maintain, preserve and enhance the professional image of the department.

The District endorses the secure use of Social Media to enhance communication and information exchange in accordance with the specific limitations and restrictions identified in this Policy.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

The Guidelines set forth in this Policy are not exclusive to any one particular form of Social Media, rather the Guidelines apply to all forms of Social Media. Because emerging technology often outpaces the ability to govern its use, the District retains the right to modify its guidelines accordingly as unforeseen situations arise.

The District's use of Social Media shall follow the Standard Guidelines under Section 5 of this Policy.

1091.2 DEFINITIONS

District Social Media. "District Social Media" refers to Social Media directly authorized and established by the District in accordance with the terms of this Policy as an official medium for District communications.

Images. "Images" include photographs, digital photographs, digital images, video recordings, or electronic files containing a graphic image or series of images, as well as any physical or digital reproduction or copies of digital photographs, digital images, video recordings, or files.

District Images. "District Images" include images taken by On Duty Personnel regardless of whether the Image was captured with a District owned or a private Imaging Device.

Imaging Device. "Imaging Device" includes any device capable of producing an image or digital image, including but not limited to a camera, video camera, digital camera or digital camcorder.

On Duty. "On Duty" refers to times in which Personnel are being paid by the District for their services, have access afforded to them because of their Personnel status, are engaged in official District activities, **or** are representing themselves as Personnel of the District. Off-duty personnel who respond to District incidents and are in uniform or are otherwise identifiable as members of the District shall be considered On Duty for purposes of this policy and shall be required to comply the all of the requirements of this policy.

Personnel. "Personnel" includes Commissioners, employees and volunteers of the District.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

Social Media. “Social Media” includes, but is not limited to mediums such as, Blogs, Facebook, Twitter, YouTube, Flickr, LinkedIn, etc.

Social Media Administrator. “Social Media Administrator” refers to the designated individual(s) responsible for administering District Social Media in compliance with this Policy.

1091.3 GENERAL GUIDELINES

PUBLIC RECORD ACT COMPLIANCE. District Social Media and District Images are subject to State of Washington public records laws. Any content maintained in District Social Media that is related to District business, including a list of subscribers and posted communication, and all District Images are public records. The District is responsible for responding completely and accurately to any public records request for public records including District Social Media and District Images. Content related to District business shall be maintained in an accessible format and so that it can be produced in response to a request. Wherever possible, District Social Media shall clearly state that any information posted or submitted for posting are subject to public disclosure.

RECORD RETENTION AND MANAGEMENT. Washington state law and District records retention schedules apply to District Social Media formats and content and to all District Images. The District shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a District server in a format that preserves the integrity of the original record and is easily accessible.

MANDATORY COMPLIANCE. District Social Media shall not be created or used unless an archival system is established that allows compliance with the Washington State Public Records Act and the Department of Archives record retention requirements.

1091.3.1 DISTRICT SOCIAL MEDIA RESPONSIBILITIES

3.1. All District Social Media must be approved by the Fire Chief or designee prior to use.

3.2. The Social Media Administrator or designee shall be responsible for administering and managing all District Social Media and shall insure that:

(a). The District is prepared to expeditiously and efficiently comply with the requirements of Washington State Public Record Act consistent with Section 3.1.

(b). The District is in compliance with the applicable Record Retention Requirements consistent with Section 3.2 and 3.3.

3.3. The Social Media Administrator is The Fire Chief_.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

3.4. District Personnel shall be responsible for complying with this Policy and the guidelines established in this Policy.

3.5. The public shall be responsible for complying with the Public Use Guidelines.

1091.4 DISTRICT SOCIAL MEDIA STANDARD GUIDELINES

The following guidelines apply to all of the District's Social Media:

4.1. Identification of District. District Social Media shall clearly indicate that it is maintained by the District, shall have the District logo and contact information prominently displayed and shall display or have a direct link to this Policy.

4.2. District Purpose. District Social Media shall include an introductory statement that clearly specifies the purpose and scope of the District's Social Media and shall be linked to the District's official website substantially in the following form:

(a). www.lummiislandfire.com is a municipal corporation of the State of Washington that protects life and property and provides fire protection and emergency medical services to its citizens. This site is intended to serve as a mechanism for communication between the public and the District on the listed topics related to the District's purpose of providing fire protection services, emergency medical services and protecting life and property. The opinions expressed by visitors to this site do not reflect the opinions of the District. Any comments submitted to this site and any lists of users or links are public records subject to disclosure pursuant to RCW 42.56. Users recognize that there is no expectation of privacy in the use of the District's Social Media and users are cautioned to never disclose private or confidential information on this site.

(b). Communications made on this site do not constitute official notice to the District or any District personnel. Public Record requests may not be made on this site and must be submitted directly to the District's Public Record Officer consistent with the District's Public Record Policy.

4.3. District Social Media Administration. The Social Media Administrator shall insure that all District Social Media use complies with the following.

(a). The District must be able to immediately edit or remove content from Social Media sites.

(b). The District must be in compliance with the Terms of Service of the Social Media forum hosting the District's Social Media.

(c). District Social Media content is managed consistent with the Public Use Guidelines with such guidelines being liberally construed in favor of the Public.

(d). Objectionable Social Media content that is not in violation of the Public Use Guidelines may only be removed after consultation with the Chief or District legal counsel

4.4. District Social Media Public Use Guidelines. District Social Media shall include a prominent statement of or link to the following Public Use Guidelines:

(a). Any individual accessing, using, posting or commenting on this site accepts without limitation or qualification, the District's Social Media Policy including but not limited to these Public Use Guidelines. The District retains the right to modify its Policies without notice and any such modification shall be effective immediately. Users of District Social Media further recognize that such use is governed by the terms of service and privacy policies of the underlying social media service provider.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

(b). Any individual accessing, using, posting or commenting on this site recognizes that Social Media use is not private and that the District is subject to the Washington State Public Records Act (chapter 42.56 RCW).

(c). The District's Social Media constitutes a limited public forum. The District monitors this site on a regular basis and reserves the right to restrict or remove any content that is deemed in violation of the District's social media policy, these Public Use Guidelines or any applicable law. Public posts, comments or links that contain any of the following forms of content shall not be allowed:

- (i). Comments not topically related to the particular article/topic being commented upon;
 - (ii). Uses for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of District Social Media is specifically prohibited by this Policy and RCW 42.17A.555, subject to the exceptions stated therein.
 - (iii). Profane language or content;
 - (iv). 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;
 - (v). Sexual content or links to sexual content;
 - (vi). Solicitations of commerce;
 - (vii). Conduct or encouragement of illegal activity;
 - (viii). Information that may tend to compromise the safety or security of the public or public systems; or
 - (ix). Content that violates a legal ownership interest of any other party.
 - (x). Content that violates the privacy policies or terms of use of the specific social media platform being used.
- (d). Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.

1091.5 LINKS POLICY

The District may select links to other Social Media pages and outside websites that offer helpful resources for users. Once an individual links to another page or site, the District's Policies no longer apply and users become subject to the policies of that page or site. District Social Media is intended specifically to share information about District programs, events and services. The District is not responsible for the content that appears on outside links and provides links as a convenience only. Users should be aware that external pages and sites, and the information found on those pages and sites, are not controlled by, provided by or endorsed by the District. The District reserves the right to delete links posted by outside individuals that violate the District's Public Use Guidelines at any time without notice.

5.1. The District specifically does not provide links to other pages or sites that are:

- (a). Associated with, sponsored by or serving a candidate for elected office.
- (b). Supporting, endorsing or seeking to defeat any candidate for elective office, or any ballot proposal.
- (c). Purely commercial pages with no affiliation to District projects, programs or objectives.

Social Media/Imagery

- (d). Individual personal homepages.
- (e). Individual religious pages.
- (f). Contain information violates the Public Use Guidelines

1091.6 COPYRIGHT POLICY

6.1. All information and materials generated by the District and provided on District Social Media pages are the property of the District. The District retains copyright on all text, graphic images and other content that was produced by the District and found on the page. You may print copies of information and material for your own non-commercial use, provided that you retain the copyright symbol or other such proprietary notice intact on any copyrighted materials you copy. Please include a credit line reading: "credit: Whatcom County Fire District 11 Facebook (or Twitter or Myspace) Page" or "Courtesy of Whatcom County Fire District 11_____."

6.2. Commercial use of text, District logos, photos and other graphics is prohibited without the express written permission of the District. Use of the District logo is prohibited for any non-governmental purpose. Any person reproducing or redistributing a third party copyright must adhere to the terms and conditions of the third party copyright holder. If you are a copyright holder and you feel that the District did not use an appropriate credit line please notify the District Social Media Administrator with detailed information about the circumstances, so that the copyright information can be added or the material in question can be removed.

1091.7 USE OF SOCIAL MEDIA BY PERSONNEL

7.1. District Sanctioned Use – All Personnel representing the Fire District via Social Media or using District Social Media shall adhere to the Public Use Guidelines and to the following:

- (a). All use of District Social Media must be preapproved by the Social Media Administrator or designee.
- (b). District Personnel must have preapproval by the Social Media Administrator or designee before representing the positions of the District on Social Media.
- (c). The use of District computers by Personnel to access Social Media is prohibited without authorization and is governed by any applicable District Resource Use Policy.
- (d). Personnel have no expectation to or right of privacy when using District electronic resources or District Social Media.
- (e). Personnel shall conduct themselves at all times as representatives of the District and, accordingly, shall be respectful of others, professional in tone and adhere to this Policy (including the Public Use Guidelines) and all personnel policies, rules, regulations, and general orders or policies of the District, and local, state and federal law.
- (f). Do not post Images or other representations of other Personnel without prior permission of the Social Media Administrator or designee and the individual(s) depicted.
- (g). Identify yourself as a member of the District.
- (h). Personnel shall not post, transmit or otherwise disseminate confidential information, including Images, related to District training, activities, or work-related assignments without advance written permission from the Chief or designee.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

- (i). In no event shall the District name, logos, uniforms, equipment or identifying information be used in a manner that gives the appearance of promoting a product, cause, political party, ballot measure or political candidate.
- (j). Do not conduct political activities or private business.
- (k). Use of personally owned devices to manage the District Social Media activities or in the course of official duties is prohibited without permission from the Chief or Designee.
- (l). Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
- (m). Recognize that Social Media use is not private. Your use of Social Media builds a record about the individual and the District. When using Social Media consider the impact that the use will have on you, the District, your fellow employees, family members and the community.
- (n). Adhere to the terms of service any Social Media platform used.
- (o). Commissioners shall not communicate regarding District business via Social Media or District Social Media.

7.2. Personal Use – This policy applies to personal Social Media use by Personnel when the member's affiliation with the District is identified, known or presumed and is intended to protect the professional reputation of the District. When using Social Media for personal use all Personnel shall adhere to the following:

- (a). Personnel may not use Social Media for personal purposes during work hours or with District resources including District computers and District internet access.
- (b). Personnel must use personal email accounts for personal Social Media activities not District email accounts.
- (c). Personnel should not use personal Social Media to disseminate District information, District Images or conduct District business. Personnel must understand that using personal Social Media to conduct District business may convert personal Social Media into public Social Media subject to the Public Records Act and other laws governing the conduct of municipal government.
- (d). When Personnel identify themselves as associated with the District while using Social Media for personal purposes, the Member must comply with the use restrictions in Section 8.1 and the following requirements:
 - (i). If your comments relate in any way to the activities of the District you must clarify that the comments are your own views and opinions and not those of the District with language substantially similar to the following: "The views expressed on this [blog, page, etc.] are my own and do not reflect the views of my employer."
- (e). Personnel are free to express themselves as private citizens on Social Media sites to the degree that their speech does not impair or impede the performances of their duties or negatively impact the District's legitimate interest in the efficient performance of the workplace.
- (f). Personnel may use social media and images as necessary to engage in union activities and whistleblower type activities as protected by state and federal law.
- (g). Personnel shall not post, transmit, or otherwise disseminate any information or District Images or video to which they have access as a result of their Fire District affiliation without advance written permission from the Fire Chief or designee.

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

- (h). Personnel shall not display District logos, uniforms, or similar identifying items on personal Social Media sites and web pages without advance written permission from the Chief or designee. In the event a member does receive such permission, the use of such information shall be conditioned on compliance with Section 8.2(d)(i).
- (i). When using Social Media, Personnel should be mindful that privacy does not exist in the world of Social Media.
- (j). Personnel may not directly or indirectly identify or disclose an association with the District through Social Media if the Social Media activities are inconsistent with, or would negatively impact the District's legitimate interest in the efficient performance of the workplace or the District's reputation or standing in the community.
- (k). Commissioners shall not communicate regarding District business via Social Media.

1091.8 CREATION AND USE OF IMAGES

8.1. Personnel are prohibited from using District Images in any manner when such uses are inconsistent with, or would negatively impact the District's legitimate interest in the efficient performance of the workplace or the District's reputation or standing in the community.

8.2. On Duty Personnel are prohibited from using a non-District owned Imaging Device while responding to, operating at, or returning from, any District incident or response without advance written permission from the Chief or designee. Personnel who inadvertently capture an Image in violation of this provision shall report the fact immediately through the chain of command to the Personnel's immediate supervisor. Personnel shall not be disciplined for inadvertent violations that are duly and immediately reported.

8.3. On Duty Personnel shall be permitted to capture Images for incident documentation, evidentiary, training, investigation, and/or public relations purposes only when taken by or with the approval of the Incident Commander in charge of the scene, using approved department Imaging Devices, or as approved by the Fire Chief.

8.4. All District Images containing individually identifiable patient information shall be considered as protected health information under the Washington State Health Care Information Act and HIPAA.

8.5. The use of unauthorized helmet cams, dash cams or other Imaging Device is strictly prohibited, and shall be considered a serious disciplinary breach for the Personnel involved and any officer who permits such use.

8.6. The use of District owned Imaging Devices for personal purposes is strictly prohibited.

1091.9 CONTROL AND PRESERVATION OF DIGITAL IMAGES

9.1. No District Images may be used, printed, copied, scanned, e-mailed, texted, forwarded, posted, uploaded, shared, reproduced or distributed in any manner, except as provided herein. This prohibition specifically includes the posting of any images on personal Web sites or personal Social Media.

9.2. All digital District Images shall be downloaded from the Imaging Device as soon as possible after the Image is created into a District Digital Image secured database as established by the

Whatcom County Fire District 11

Whatcom County Fire District 11 Fire Policy Manual

Social Media/Imagery

District's records officer. After such Digital Images are properly downloaded the Digital Images shall be securely erased from on the Digital Imaging Device's memory.

9.3. Non digital District Images, including negatives, prints, slides, etc. shall be transferred to the District record custodian on development of the image. If non digital District images are not developed, the undeveloped film shall be transferred to the District record custodian.

1091.10 DISCIPLINARY ACTION

Violation of the District's guidelines for the appropriate use of Social Media may be subject to appropriate disciplinary action in accordance with the District's disciplinary policy and the applicable guidelines.