



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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RESOLUTION 21/22-30

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT SOCIAL MEDIA POLICY

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. Findings. The Board finds as follows:

- A. Bear Valley Community Services District has an interest in engaging and informing its residents using all forms of media.
- B. The public increasingly seeks information about the community through social media sites, and the use of such sites by the District will expand and facilitate the dissemination of information.
- C. The District wishes to employ social media sites to provide accurate and timely information to property owners and residents, while assuring that communications made on behalf of the District are properly authorized and in correct form.
- D. It is in the best interest of the District to have policies in place to allow designated employees the ability to post information and to establish enforceable rules and guidelines for the use of social media sites.
- E. The District wishes to incorporate recent amendments to the Brown Act which establish guidance as to permissible use of social media by members of a legislative body subject to the Brown Act.
- F. Based on the above findings, the Board desires to adopt a Social Media Policy set forth in the attached Exhibit A.

Section 2. Repeal of Prior Policy

The District's Social Media Policy adopted under resolution 18/19-22 is hereby repealed and replaced by the amended Policy attached to this Resolution as Exhibit A.

Section 3. Effective Date

This Resolution is effective upon adoption.

PASSED, APPROVED AND ADOPTED on March 10, 2022 by the following vote:

AYES: Quinn, Carlyn, Hahn
NOES: Jensen
ABSENT: Grace
ABSTAIN: None



Gregory Hahn, President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 21/22-30 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on March 10, 2022.



Kristy McEwen
Secretary of the Board of Directors



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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SOCIAL MEDIA POLICY

I. PURPOSE

This Social Media Policy provides guidelines for the establishment and use by the Bear Valley Community Services District (District) of social media sites as a means of conveying information to members of the public.

The intended purpose of the District's Social Media Pages is to make the public aware of information from the District regarding the District's mission, meetings, activities, events, services, and current issues pertinent to the residents of Bear Valley Springs. The District's use of social media is not intended to provide notices required by state law or replace traditional methods of communication. Nor is the use of social media intended for receiving comments on or objections to projects or matters before the District's Board of Directors or committees. Rather, the use of social media is intended to supplement traditional methods of communication.

Although social media provides an interactive platform, the District intends to create only a limited public forum subject to the restrictions set forth in this policy, as well as any service provider's terms of use and posting guidelines.

The District has an overriding interest and expectation in protecting the integrity, security, accuracy, and quality control of the information posted on any District Social Media Page, as well as the content that is attributed to the District and its officials. All District Social Media Pages must comply with this policy.

Any questions regarding this policy should be directed to the General Manager. The General Manager has oversight of the District's overall social media program and the authority to enforce this policy.

II. DEFINITIONS

"Content Manager" means any person authorized to establish, create, or post content on behalf of the District on a District Social Media Page. The Content Manager will be the point person for posting content, quality control, questions, day to day management, and monitoring District Social Media Pages to ensure consistency of tone and message. All Content Managers must be approved by the General Manager.

"District Social Media Pages" means social media sites, pages, mobile applications, services, or feeds established and maintained by an authorized Content Manager on behalf of the District or any of its Departments, and through which information is provided to the general public.

“General Manager” means the District’s General Manager or his or her designees, which, as applicable, may include any Content Manager.

“Posts” or “Postings” or “Comment” or “Comments” means information, articles, pictures, videos or any other form of content or communication displayed on a District Social Media Page. Posts or comments by members of the public on any District Social Media Page are also governed by this policy.

“Social media sites” refers to interactive on-line platforms which allow users to create and share content. Examples include but are not limited to Facebook, Twitter, NextDoor, YouTube, and Instagram.

III. GENERAL POLICY

- A. Content Managers must comply with this policy and with all terms of service and usage rules and regulations required by the social media site service provider, including privacy policies and content guidelines.
- B. Content Managers must conduct themselves online at all times as a professional representative of the District, consistent with the District’s mission, and in accordance with all other applicable District policies.
- C. The District’s official website at www.bvcsd.com remains the District’s primary means of communication via the Internet. Wherever possible, District Social Media Pages must identify and link back to the District’s official website for in-depth information about the District, forms, surveys, polls, documents, policies, online services, and other information necessary to conduct business with the District.
- D. No person may establish a District Social Media Page without the written approval of the General Manager
- E. Prior to establishing any District Social Media Page, the Content Manager must submit the contract, terms of service, rules, and regulations of the service provider, pertaining to the proposed social media site, to the General Manager and District counsel for legal review and assessment.
- F. The establishment and maintenance of District Social Media Pages is subject to approval by the General Manager as follows:
 - 1. All District Social Media Pages will be created using an official District email account and should bear the name and official logo of the District.
 - 2. All District Social Media Pages will utilize authorized District contact information for account set-up, monitoring, and access. Content Managers may not use personal email accounts or phone numbers for such purposes.
 - 3. The District will maintain a list of all District Social Media Pages, along with all log-in and password information and any other administrative credentials for each and every District Social Media Page.

4. Content Managers should exercise best practices and sound judgment when creating log-in credentials for District Social Media Pages. Passwords should include at least one number and one special character. The District also recommends the use of distinct passwords for each District Social Media Page.
 5. Any time a Content Manager leaves their position and is no longer managing District Social Media Pages, passwords must be changed for all accounts to which the Content Manager had access. Whenever any password is changed, the General Manager must be notified immediately.
- G. All District Social Media Pages must be maintained and managed consistent with the Brown Act, the California Public Records Act, and any and all other applicable federal, state, or local laws, including adherence to established laws and policies regarding records retention, conflicts of interest, and copyrights.
 - H. District Social Media Pages must clearly state that such pages are maintained by the District, are intended only as limited public forums, and that the pages comply with the District's Social Media Policy. The District's Social Media Policy must be displayed to users or made available by hyperlink, and must be available on the District's website. District Social Media Pages must also clearly reference or provide a hyperlink to the Terms of Use and Comment Guidelines, as set forth in Section V of this policy.
 - I. Any content maintained on a District Social Media Page that is related to District business, including a list of subscribers and posted communication, may be considered a public record and subject to public disclosure. Content related to District business should be in an accessible format so it can be produced in response to a request.
 - J. The General Manager reserves the right to terminate any District Social Media Page at any time with or without notice. The District also reserves the right to change, modify, or amend all or part of this policy at any time, with or without notice.
 - K. District Social Media Pages may contain content, including but not limited to, advertisements or hyperlinks over which the District has no control. The District does not endorse any hyperlink or advertisement placed on the District Social Media Pages by the social media site's owners, vendors or partners.
 - L. Postings are to be made primarily during normal business hours. After-hours or weekend postings may be made when the news or information is relevant to an event or activity occurring, in the event of a disaster/emergency situation, or with the approval of the General Manager.

IV. DISTRICT CONTENT STANDARDS AND USE GUIDELINES

- A. Content posted on District Social Media Pages is subject to oversight by the General Manager.
- B. The content of District Social Media Pages may only pertain to District-sponsored or District-endorsed programs, services, policies, or events, or items of general community interest. Content may include, but is not limited to, information, articles, photographs, videos, and hyperlinks.

- C. Content Managers authorized to post items on any of the District's Social Media Pages must review, be familiar with, and comply with the social media site's use policies and terms and conditions.
- D. The District must have full permission and rights to any content posted by or on behalf of the District or its Departments, including all photographs and videos.
- E. Postings must not contain any personal information (including home addresses, phone numbers or social security numbers), except for the names of employees whose job duties include being available for contact by the public, or information deemed confidential, proprietary, private, or financial about the District or any District employee, contractor, elected or appointed official, or member of the public. Postings must contain information that is freely available to the public and not be confidential as defined by any District policy or state or federal law.
- F. Content Managers may use District Social Media Pages to "share," "like," or "retweet" content from other District or Department Social Media Pages. District Social Media Pages may also "share," "like," or "retweet" content from other government entities, civic organizations, or nonprofit organizations' social media pages, at the discretion of the General Manager. "Liking" or "sharing" or "retweeting" of political, social, or religious material is prohibited.
- G. Members of the Board of Directors and any Board Committee subject to the Brown Act (e.g., members of a District legislative body) must abide by Section 54952.2 of the Brown Act when using social media sites. That statute provides that members of a legislative body may engage in separate conversations or communications on social media sites to: (1) answer questions, (2) provide information to the public, or (3) solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body; provided, however, that a majority of the members of the legislative body may not use the social media site to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.

In addition, a member of a District legislative body may not respond directly to any communication on a social media site regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

Finally, a member of a District legislative body should not use social media sites to express an opinion or make statements on a matter that may come before the member's legislative body for a decision that would tend to demonstrate the official has a bias or had made up his or her mind before a noticed Brown Act meeting, without having all the facts, information or evidence that may be presented at the meeting, as such pre-decisional communication could form the basis of a claim of bias that could result in the disqualification of the member from participating in the underlying matter and/or require the reconsideration of the matter without the member if deemed to be biased after a decision is made by the legislative body."

- H. Content Managers may not express their own personal views or concerns through postings on any District Social Media Page. Instead, postings on any District Social Media Page by Content Managers must only reflect the views of the District and be factual in nature.

- I. Content Managers may share links to other social media sites and outside websites that offer helpful resources for users. The District is not responsible for the content that appears on these outside links and provides these links as a convenience only.
- J. Except as expressly provided in this policy, use of any social media site must comply with all applicable District policies pertaining to communications and the use of the internet by employees, including email content.

V. TERMS OF USE AND COMMENT GUIDELINES

The following Terms of Use and Comment Guidelines must be prominently posted on all District Social Media Pages in the “About” and/or “Page Information” and/or similar description areas, or be made available through a prominently displayed hyperlink or through other means to convey the Terms of Use and Comment Guidelines to members of the public and users of the service provider.

Terms of Use and Comment Guidelines

- A. This is an official Social Media Page of the Bear Valley Community Services District. For more information about the District, please visit www.bvcsd.com. This Social Media Page is intended to serve as a mechanism for providing information to the public from the District about the District’s mission, meetings, activities, events, programs, services, and other information of community interest. This Page is intended only as a limited public forum and is maintained consistent with the District’s Social Media Policy. All public comments should be limited and responsive to the content of the initial post and are subject to the restrictions set forth in these Terms of Use and Comment Guidelines and the District’s Social Media Policy, as well as the service provider’s terms of use and posting guidelines.
- B. This Bear Valley Community Service District Social Media Page is for general public information only. Should you require a response from the District or wish to request District services, you must go to www.bvcsd.com or call the District at 661-821-4428. Requests for copies of public records must be made to the Secretary of the Board of Directors and may not be made through this site or page.
- C. By reviewing the District’s Terms of Use and Comment Guidelines, and proceeding further to utilize or access a District Social Media Page, you hereby agree to these Terms of Use and agree to comply with the Comment Guidelines.
- D. A comment or post by a member of the public on any District Social Media Page is the opinion of the commenter or poster only, and does not imply endorsement of, agreement with, or reflect the opinions or policies of the District.
- E. When available, the District will utilize a social media site automatic content filtering features to ensure content uses appropriate for a public agency, “family friendly” forum.
- F. Users should be aware that links to external pages and sites, and the information found on those pages and sites, are not controlled by or endorsed by the District. The District reserves the right to delete links posted by outside individuals that violate the District’s post policy at any time without notice.
- G. All content on District Social Media Pages is subject to monitoring. Comments containing any of the following inappropriate forms of content will not be permitted on any of the

District's Social Media Pages, and are subject to removal and restriction by the General Manager:

1. Comments not related or responsive to the original topic, including random or unintelligible comments; profane, obscene, violent, sexual or pornographic content and/or language;
2. Content that promotes, fosters or perpetuates discrimination or harassment on any legally protected category to include race, religious creed, color, national origin, ancestry, sex, age, physical or mental disability, medical condition, sexual orientation, marital status, gender identity, gender expression, genetic characteristics or information, military and veteran's status, or any other category protected by federal or state law, including association with individuals with these protected characteristics or perception that an individual has one or more of these protected characteristics;
3. Defamatory or personal attacks;
4. Threats to any person or organization;
5. Comments in support of, or in opposition to, any political campaigns or ballot measures;
6. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
7. Conduct in violation of any federal, state or local law;
8. Encouragement of illegal activity;
9. Information that may tend to compromise the safety or security of the public or public systems;
10. Content that violates a legal ownership interest, such as a copyright, of any party;
11. Harassment or content which constitutes and/or facilitates stalking;
12. Content which violates the right to privacy;
13. Encouragement of violence; and
14. Comments which may reasonably interfere with, inhibit, or compromise law enforcement investigations, police tactics, police responses to incidents and/or the safety of police staff and officers.

The above list is not necessarily exhaustive and the District reserves the right to remove or restrict any post or comment that violates the purpose or spirit of these Terms of Use and Comment Guidelines. The District further reserves the right to deny access to District Social Media Pages for any individual who violates the District's Social Media Policy or these Terms of Use and Comment Guidelines, at any time and without prior notice.

- H. Comments posted to District Social Media Pages will be monitored and inappropriate content as defined above will be removed as soon as possible and without prior notice.

VI. PRIVATE SOCIAL MEDIA USE BY EMPLOYEES

- A. District employees are personally responsible for the content they publish on the Internet, social media sites, blogs, or any other form of user-generated media. Be mindful that nothing posted on the Internet is private, and such material can be used in administrative investigations, discipline, and litigation. If you identify yourself as a District employee, ensure your profile and related content is consistent with how you wish to present yourself to colleagues and the community.
- B. While things you say on the Internet, including comments made on social media sites, may be subject to both First Amendment protections and limitations, any personal use of social media sites outside of work must not give the appearance that you are speaking pursuant to your official job duties with the District or on behalf of the District. For example:
1. Do not use your work e-mail address to register for personal social media accounts.
 2. Do not display the District Logo or other official District symbols, emblems, or patches on your personal social media accounts.
 3. Do not provide or disclose the District's confidential, private, financial, or other proprietary information or personnel or private information about other District employees, agents, volunteers, contractors, or elected or appointed officials, or any other individual or business entity associated with the District.
 4. Do not state or imply that you speak for the District, for a District Department, or for District officials.
- C. District employees are expected to remain respectful of the District and its officials, officers, employees, agents, volunteers, contractors, or elected or appointed officials, or any other individual or business entity associated with the District.
- D. The posting of material that is obscene, vulgar, defamatory, threatening, discriminatory, harassing, abusive, hateful, or embarrassing to another person or entity that could contribute to a hostile work environment, or that otherwise detrimentally impacts the workplace or violates the District's standards of conduct may be grounds for discipline.
- E. Employees should not use personal social media sites for District related activities, such as communicating with volunteers and the general public, unless expressly authorized to do so by the District.
- F. Employees are not permitted to access non-work-related social media sites during work hours or with District computers or devices.
- G. Failure to comply with any of the provisions of this Policy may result in disciplinary action. Please direct all questions regarding this Policy to the General Manager.
- H. Nothing in this policy is intended to prohibit employees from speaking as a private citizen on matters of public concern, or from engaging in protected speech, or engaging in any other concerted or activity protected by law.