



Belmont- Harrison- Noble County Boards Policy

Reference: Ohio revised Code (ORC) Section 5126.044 and the Health Insurance Portability and Accountability Act (HIPAA) of 1996, R.C. 4117

Date Adopted: August 2019

Last Review/Revision:

POLICY #46

SOCIAL MEDIA

- I. Introduction: The Belmont, Harrison and Noble County Boards of Developmental Disabilities work with very private and legally protected information. Employees may not share information about the people we support with individuals outside of work. A variety of laws, including, but not limited to, Ohio Revised Code (ORC) Section 5126.044 and the Health Insurance Portability and Accountability Act (HIPAA) of 1996, prohibit the disclosure of information of and about the individuals we serve. When applicable, these legal requirements are set forth in other Board policies.
- II. Purpose. The purpose of the Belmont, Harrison and Noble County Boards of Developmental Disabilities (Board) social media sites and policy are to:
 - A. provide information of public interest to the county's residents, business community, provider partners, visitors and other members of the general public;
 - B. provide guidance concerning legal and ethical obligations when communicating with others, including electronic communication;
 - C. to make an employee aware of his or her privacy rights and prohibited conduct with respect to an employee's actions and its impact on the employer when using social media sites on and off duty;
 - D. to ensure efficient use of employee time and to minimize distraction from an employee's assigned tasks and duties;
 - E. and allow the employer to ensure that employer rules are followed and all employees are treated fair and consistent.

Employees shall remember they are paid by public funds and the public holds them to a high standard of professionalism. The employer has an overriding interest and expectation in deciding what is "spoken" on behalf of the employer. This policy is not meant to infringe on one's right to free speech, rights under R.C. 4117, or any other protected activity.

- III. Scope. All employees, volunteers, interns or others acting on behalf of Belmont, Harrison and Noble County Boards of Developmental Disabilities will be subject to and held accountable for any conduct outlined in Social Media Policy. This policy works in conjunction with other related personnel policies and procedures.

- IV. Definitions: The term “Social Networking” and “Social Media” refers to the use of websites such as, but not limited to, Facebook, Twitter, Instagram, LinkedIn. This is not a complete list. For purposes of this policy, blogs and other internet forums shall also be covered. Nothing in this policy is meant to prohibit access to any social media website or blog which may be work-related. The Superintendent and/or designee(s) are the administrators of the county boards’ social media sites.

- V. Policy.
 - A. On Duty Conduct
 - a. While at work, an employee may only access social media websites, blogs, and/or other internet forums of communication that are work-related. During lunch breaks or other non-working time, an employee may access social media sites on his/her own personal devices (e.g., cellular device, Smartphone, iPhone, iPad, Laptop, etc.).
 - B. On and Off Duty Conduct
 - a. An employee enjoys no expectation of privacy to information posted into cyberspace even while off duty. This includes anything posted to a social media website, blog, or other similar internet forum of communication. Although information may be posted to a “private” webpage, the employee should be aware this information can still be accessed by the public and other sources in a number of ways. Because of this, an employee needs to use “common-sense” when posting comments, photos, opinions, or any other information related to his or her employment. Any social media activity which portrays the employer in a negative light will be evaluated and may result in disciplinary action up to and including termination.
 - b. Prohibited Content includes the following:
 - i. Posting one’s own photograph while wearing the employer’s uniform or logo (or similar attire, which could be misidentified as the official uniform) without approval; Posting pictures, videos, or comments that are insubordinate with respect to the employee’s employment;
 - ii. Posting pictures, video, or comments that constitute or could be construed as unlawful behavior;

- iii. Knowingly or recklessly posting false information about the employer, supervisors, coworkers, public officials, or those who have a relationship with the employer. This also includes disparagement of a fictitious character or computer-generated likeness that resembles the above;
- iv. Posting, transmitting, or disseminating any pictures or videos of official training, activities, or work-related assignments without the express permission of a supervisor;
- v. Posting pictures, videos, or comments that are sexual, obscene, violent, offensive, harassing, or pornographic in nature along with any reference to the employer or individual's employment.

C. Employees shall not imply they are speaking on behalf of the employer unless authorized to do so.

VI. Confidential Information: An employee shall not disclose any work-related confidential or proprietary information on any social media website, blog, or other internet forum of communication. This can include information that may eventually be obtained through a valid public record's request.

- A. Employees are encouraged to follow internal complaint procedure and not take to the internet to voice work-related complaints.
- B. Employees found to have violated any part of this policy may be subject to discipline up to and including termination.
- C. Any deviation from the above policy shall be approved by the employer in writing.
- D. Any questions regarding the policy should be directed to the Superintendent.

VII. Employees shall take note of the following: DELETE DOES NOT MEAN DELETE. Once something is posted into cyberspace it remains there.

VIII. Removal of Posted Information: The Belmont, Harrison and Noble County Boards may remove any and all posted comments (in its sole discretion), it deems to contain "Prohibited Content". Comments expressed on the Board's social media sites do not necessarily reflect the opinions and position of the Board or its management and employees. The Board reserves the right to remove any comments deemed "Prohibited Content" and may contain but not limited to the following:

- A. Personal and/or confidential information such as individually-identifiable medical information;
- B. Profane or obscene language or content;

- C. Content that promotes, fosters or perpetuates discrimination against protected classes such as harassing or disparaging others based on age, race, color, national origin, gender, sexual orientation, disability, religion, military status or political beliefs;
 - D. Content that violates others personal rights, violates the law or that promotes illegal conduct;
 - E. Spam or comments that include links to external online sites;
 - F. Solicitations of commerce or advertisements including promotion or endorsement;
 - G. Promotions of particular services, products or political candidates or organizations;
 - H. Information that may tend to compromise the safety or security of the public or public systems; or
 - I. Content that may adversely impact another person's ability to use this forum for the free discussion of thoughts and ideas.
 - J. In addition, the Board may remove content that violates the social media site's terms and conditions.
- IX. Violations: Violators of this policy may have their comments removed from the Board's social media sites. Continued or egregious violations of this policy may prompt the Board to further restrict an individual's commenting on the Board's social media sites.
- X. By accessing, affiliating with or commenting on social media sites, a person's identity may be visible to others not affiliated with the Board. In addition, others may be able to access your profile and information. It is the express responsibility of the user, or his/her parent or guardian, to protect these. Please do not post private or personal information about yourself or others. If you need assistance with services from the Board, please contact the Board directly for private and confidential consultation.
- XI. This policy does not apply to communications protected by the United States or Ohio Constitutions.
- XII. Board Sponsored Social Networking Sites: Belmont, Harrison and Noble County Boards of Developmental Disabilities Facebook pages are a forum to support people of all abilities, share inspiring stories and engage in discussions about developmental disabilities issues and information. All information appearing on the Board's social networking sites must be specifically approved by the Superintendent or his/her designee. Any

questions regarding the county boards social media pages should be directed to the Communications Coordinator.

- XIII. The county boards' relationships with the community, business partners, employees, and individuals we serve, are extremely important. If there is a concern or complaint, it must be handled through the appropriate chain of command, not aired on social media.
- XIV. Summary and Conclusion:
- A. Do not post or publish information about the individuals we serve without consent from the individual, his/her parent or guardian, and the Board. This includes images of individuals, information about their lives, activities, moods, diagnoses, and habits of individuals served.
 - B. Do ask if you think you should post or publish information about our individuals, the Board, or its employees.
 - C. Do tell us if you have posted or published information that may have violated any part of this policy.
 - D. Do not use work time to blog, tweet, e-mail, or otherwise engage in or read communications that are unrelated to job duties.
- XV. The Board, through adoption of this policy, herein authorizes and directs the Superintendent or his/her designee to take any and all actions, including the development and promulgation of administrative procedures if appropriate, to carry out this policy and the assurances contained herein.