

# **Delaware House of Representatives**

## **Social Media Policy**

### **Purpose**

This document will outline the basis, policies, and procedures for official government social media accounts for the Delaware State House of Representatives.

### **Statement of Intent**

As social media becomes more prevalent, more integrated into our daily lives, and more intertwined into each legislator's and caucus' communications strategies, it is important to view social media as a vital tool for government officials and constituents to communicate.

Social media platforms, such as Facebook, have become the modern-day equivalent of community bulletin boards and mailed letters. For that reason, the House of Representatives must also apply the same standards and expectations for how social media sites are managed and governed.

Currently in Delaware, and throughout the country, there are few clear policies detailing how government officials should conduct their social media presences. By applying the same standards and expectations that have existed for decades with other forms of official communication, the House of Representatives will proactively address concerns that could be raised regarding the use of social media.

### **Background**

While many use Facebook to share personal photos and updates, Facebook also is the primary social media medium that legislators and residents use to communicate ideas and gather news.

Nearly 70% of Americans use Facebook on a regular basis, with 76% of them using it daily. One out of every five minutes on a mobile device is spent using Facebook. Those percentages have only been increasing with each passing year.

Other states treat an official, state-created and maintained Facebook page as a legitimate extension of an elected official's capacity to serve and communicate with their constituents. Facebook posts, and other social media posts, are considered official statements.

Currently, both House caucuses, and the vast majority of state representatives, maintain some level of active social media presence. More than half of all state representatives maintain a Facebook page. Others are increasingly using additional

platforms like Twitter, Instagram, etc. As new legislators are elected, this transition and integration of social media will increase.

## **Glossary of Terms**

This section will briefly explain and define some of the terminology used.

- **Social media platform** – A social media service (e.g. Facebook, Instagram, Twitter, YouTube, etc.).
- **Social media account** – An account operated on a social media platform.
- **Official government social media accounts** – Social media accounts which state representatives and House of Representatives’ staff members are using for official government communication.
- **Digital media budget** – State funds set aside specifically for each caucus and its members to expend on digital communications, such as electronic newsletters and Facebook.
- **Boosting a post** – This term refers to spending money to promote certain social media posts. While setting up a page and posting to it is free, ads greatly increase the reach of those posts beyond those who like a particular page. Essentially, more people will be able to see these posts.
- **State resources** - Any House of Representatives staff members working on state time, state funds, state computers, state equipment, state software and state facilities.

## **Social Media Accounts Designated for Official Government Communication**

Social media accounts which state representatives are using for official government communication (to be termed hereafter as “official government social media accounts”) must be designated and posted on the State House of Representatives’ state webpage.

This policy shall be readily available to any member of the media or public who requests the policy.

Only official government social media accounts shall be eligible to be administered using state resources.

Each official government social media account must include its official designation in its description and use a name in keeping with its official status (e.g. State Representative John Smith, or Rep. Jane Smith).

## **Digital Media Budget**

Most state representatives operate social media accounts for personal and campaign uses. However, only official government social media accounts shall be eligible for the use of state funds to boost/promote posts.

Each caucus shall receive a social media budget to expend on digital communication efforts. This includes, but is not limited to, electronic newsletter services, social media ads, and other related efforts. Only official government social media accounts and other digital communications products (e.g. e-newsletters, etc.) being used for official communications purposes, shall be eligible for use of these funds.

The budget shall be appropriated from existing House funds currently not being expended for other functions. Each caucus' total social media budget shall be solely determined by way of a per capita stipend based on the number of representatives in each caucus.

Each caucus shall determine how to allocate the digital media budget. Each caucus communications team shall be responsible for tracking expenditures. The House Chief Clerk shall monitor overall spending and alert each caucus of remaining funds.

### **Administration**

State representatives and House of Representatives' staff working on behalf of the state representatives shall be the only acceptable entities responsible for the administration of official government social media accounts.

Staff members and state representatives shall be directly responsible for their administrative actions and shall be held accountable for any violations.

### **Violations**

A committee of four House of Representatives' communications section staffers – two from each caucus – shall review any complaints received and determine if the complaint is valid and merits further action. A majority vote of the committee is required to advance the complaint.

Alleged violations of this policy by a House of Representatives' staff person shall be the purview of the chief-of-staff of the caucus employing that staffer. The chiefs-of-staff shall investigate the purported violations, evaluate their validity, and determine if action is warranted. Any proposed disciplinary action shall be approved by Speaker of the House in cases involving the Majority Caucus and the Minority Leader in cases involving the Minority Caucus.

In all cases, the level of punitive action imposed should correspond to the level of offense committed. The number of past social media violations by the individual may also be factored into this consideration.

### **Acceptable Content – Limitations on Posting**

Only acceptable content should be posted on official government social media accounts by state representatives and their staffs.

“Acceptable content” as defined in this policy shall include, but not be limited to, any column, photo, video, article or news item that is generated by a state representative in the performance of his or her duties or work in the community. It may also include news, information, and opinion related to public policy; news and information of community events; news and information from state agencies and the governor’s office; and news and information of the state representative serving the public or interacting with members of the community.

“Acceptable content” as defined in this policy shall not include material related to any election campaign; any advertisements or promotions related to campaign fundraisers; any electioneering messaging of any political candidate; any appeal for a citizen’s vote; any solicitation for campaign donations or campaign volunteers; links to campaign websites or social media accounts; and/or links to political party websites or social media accounts.

Only a state representative or House staff member may use state funds to boost a post or advertise on an official government social media account.

Campaign funds shall not be used to boost a post or promote an ad.

State representatives or House staff members may use their personal funds to boost a post or promote an ad. These funds must be reflected in the social media tracking system maintained by the House of Representatives and shall be subject to public disclosure.

No funds of any source shall be used to boost a post or advertise on an official government social media account two weeks prior to a legislative special election, state primary election, or general election in which that state representative is a candidate.

No state representative or House staff member shall post any content on an official government social media account 48 hours prior to, or during, any election in which that state representative is a candidate.

### **Material Posted Prior to the Enactment of the Policy**

Only content posted to official government social media accounts after the date this policy is placed into effect shall be subject to the terms of this policy.

### **Other Social Media Accounts**

State House staffers are barred from posting to state representatives’ social media accounts, other than their official government social media accounts, while on state time and using state equipment.

State representatives are barred from posting content to their personal and campaign social media accounts using state equipment.

Campaign and personal social media accounts operated by state representatives should include in the accounts' profiles that they are not the representatives' official sites and that no state resources are used to maintain them.

### **Barring Citizens from Social Media Sites**

The State House of Representatives believes in the free and open exchange of ideas and information with the citizens it serves. However, this discourse needs to be civil and issue-focused.

Barring a citizen from an official social media account, or hiding content posted by a citizen, should be done only in extreme cases. Instances where such actions are warranted include, but are not limited to, the following:

- The use of obscene language, images, or symbols.
- The use of any slurs directed at any individual or group, including, but not limited to, those referencing gender, race, ethnicity, nationality, or sexual orientation.
- The use of threatening language.
- The posting of spam or other commercial ads or links.
- The posting of hate speech, or links to material or accounts containing such.
- The posting of off-topic content.
- Repetitive, serial posts, especially of unreasonable length.
- Posts that violate generally accepted rules of courteous dialogue.

State representatives or House staffers may hide content, or bar citizen participation on an official state social media account at their discretion in accordance with these guidelines.

### **Incoming Members**

New members of the State House of Representatives, after signing an acknowledgement of the social media policy, and in consultation with their caucus' communications staff, may have official state social media accounts established on the platforms of their choosing.

### **Former Members**

Within a week after a state representative leaves office, their official state social media accounts shall go dark, with no additional content posted. The accounts shall be maintained, where feasibly practical, as an archive for no less than one year.

### **Acknowledgement of Policy / Opt-out**

All state representatives and all state staff administering official government social media accounts shall sign a form acknowledging they have read and understand this policy. Copies of the signed acknowledgements shall be retained by the chiefs-of-staff of each caucus.

State representatives can choose to “opt-out,” signing a statement that they have chosen to maintain their own social media accounts. As previously noted, state resources shall not be used to maintain these accounts and the accounts shall contain a notice reflecting this.

Effective for Caucus-wide social media accounts: May 1, 2018