

Terms and Conditions for Users of Campbell County Fiscal Court Social Media Sites

PURPOSE

Because many residents and other stakeholders utilize social media for news and communications, Campbell County Fiscal Court and its' departments have developed social media accounts to help inform the public about the services provided by the County. Comments left on county social media sites reflect the views of the commenters, not the views of the Fiscal Court or its' officials.

Communication through county related social media is considered a public record under KRS 171.410(1) and will be managed under the terms of KRS 171.410 through 171.740 and 725 KAR Chapter 1.

The Campbell County Fiscal Court is committed to fully complying with 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 members of the public will remain visible on our social media posts, if such comments are legally protected speech.

The Campbell County Fiscal Court has an important interest in assuring the accuracy and consistency of information associated with its' social media sites. These terms and conditions establish guidelines for the public's use of the county's social media sites in a way that balances these values.

DEFINITIONS

1. "Social media" means digital content created by county staff and communicated on platforms that allow sharing, commenting, and engagement by the public. Examples of social media accounts we may use are Facebook, Instagram, YouTube, and LinkedIn.
2. "Comments" include any digital content, information, links, images, videos, or any other form of communicative content posted in reply or response to a social media account post posted by the county on one of the county's social media sites.
3. "User" means a member of the public who views or interacts with one or more of the county's social media accounts.

EXPECTATIONS

1. The Campbell County Fiscal Court believes that factual, civil, and productive discussions provide the best environment for residents and other stakeholders to understand the work of county government.
2. We ask commenters to consider that county social media feeds may be viewed by children and other vulnerable populations. Please avoid profanity, slurs, personal attacks, bullying, or use of false information. Commenters participate at their own risk, taking personal responsibility for comments, usernames and any information provided.

ACCOUNTABILITY

The Campbell County Fiscal Court commits to providing training to its employees on this policy and relevant freedom of speech caselaw and also commits to hold employees accountable if they violate policy or law.

GENERAL GUIDELINES

1. These terms and conditions apply to all county social media sites. Where possible, a link to these terms and conditions will be made available as a hyperlink or posted as text somewhere on the social media accounts.
2. Users should know that social media posts made by the county, comments and replies to those posts, and any direct or private messages sent to the county are considered public record and subject to applicable public records law.
3. County social media accounts are not monitored 24/7 and no one should utilize social media accounts to seek emergency services or conduct county business transactions. Anyone in need of emergency help should call 9-1-1.
4. County staff does not monitor/respond to messages sent via social media. For general information please visit www.campbellcountyky.gov. To speak to a staff person or for direct assistance please call 859-292-3838 to be routed to the appropriate person. Questions may also be emailed to ccfcquestions@campbellcountyky.gov.

CONTENT MODERATION

1. **Limited Public Forum.** County social media accounts are created and maintained as limited public forums under the caselaw pertaining to the freedom of speech clause of the First Amendment to the U.S Constitution. We invite members of the public to view and, where possible and permitted, provide comments or other engagement on our social media posts. However, the law permits us to hide and/or delete comments that are not protected speech under the First Amendment and relevant caselaw. As a general rule, we will not hide and/or delete comments solely because such comments are critical of the Fiscal Court or its officials and staff.
2. **Prohibited Content.** As indicated above, we may hide or delete:
 - a. Comments expressly advocating direct violence or other illegal activity;
 - b. Racist comments or those containing or linking to obscenity, explicit comments such as sexually explicit and/or pornographic content that is patently offensive, appeals to prurient interest, and lacks serious literary, artistic, political, or scientific value or that are abusive;
 - c. Comments that expressly encourage or advocate discrimination based on race, age, religion, gender, national origin, disability, sexual orientation, veteran status, or any other legally protected class;
 - d. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, or browser;
 - e. Comments containing actual defamation against a specifically named person or organization, either as determined by a court or comments that are patently defamatory by easily discovered facts;
 - f. Comments that contain images or other content that violate the intellectual property 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.
 - g. Comments that contain a hyperlink to any website other than those controlled by The Campbell County Fiscal Court. This will be done

without regard to the viewpoint of the comment containing such a link or the content of the site to which the link redirects.

- h. Solicitations or advertisements including promotion or endorsement of any financial, commercial or non-governmental agency.
 - i. Comments supporting or opposing political candidates or ballot propositions.
 - j. Information that may tend to compromise the safety or security of the public or public systems.
3. **Retention.** When a comment containing any of the above content is posted to our social media accounts, a copy or electronic record of that content may be retained or archived pursuant to our records retention policy, along with a brief description of the reason the specific content was deleted. Once documented, the content will be removed, where possible, from our social media account.