

SECTION 47: Website and Social Media Policy
POLICY TITLE: Website Policy
POLICY NUMBER: 47.1
LAST UPDATE: 11/17

Website Policy

47.1.1 **Purpose:** This Policy establishes regulations for the development, operation, and administration of websites and ensures that the websites remain a non-public forum subject to the JPA's exclusive use and control. The website purposes are to:

- Provide a convenient and information-rich resource for interested persons, the public, and public agencies.
- Provide information and resources which contribute to efficient and effective local government.
- Use technology designed to improve customer service and communication relating to JPA-related issues of interest.
- Contribute to the improvement of JPA services.
- Establish and strengthen long-term partnerships between the JPA, individuals, and public-sector entities.

47.1.2 **Policy:** The JPA shall operate and maintain websites.

47.1.2.1 **Definitions:** The following definitions shall apply to this Policy:

- JPA websites mean the official JPA websites available at www.RGS.ca.gov, www.LGS.ca.gov, www.MSAjpa.org and www.STARSCa.org, and any additional domain name(s) that the JPA needs for official use.
- Cookies are files on the user's computer that enable a website to recognize the user on subsequent visits and possibly track the user's Internet use between visits.
- External Website is a website maintained by a third party, and not by the JPA.
- External Link is a hyperlink from a JPA website to a website maintained by a third party.
- Security Measures are practices for the protection of physical configuration and environment, software, information-handling processes, and user practices.

47.1.3 **Non-Public Forum Status:** The JPA websites are non-public forums and the JPA expressly reserves the right to impose certain restrictions on the websites use. The websites are reserved for the exclusive control of the JPA for the purposes of one-way communication to users of the site and shall not be used to facilitate a general debate or the free exchange of ideas.

47.1.4 **Authority of JPA Executive Director:** The JPA Executive Director or designee has the sole authority and responsibility for policy implementation and

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to make interpretations on issues that are not clearly articulated or not included in this policy. This policy will be posted on the JPA websites. Questions or comments regarding subjects or issues in this policy may be directed to:

RGS
Attn: Executive Director
PO Box 1350
Carmel Valley, CA 93924
e-mail: info@RGS.ca.gov

47.1.5 Privacy: The JPA strives to protect online personal information in the same manner that it protects citizen and business information obtained through other means. The following information explains the policy regarding any personal information supplied when using JPA websites.

- In certain circumstances, the websites may request a user's email address for purposes of correspondence or for JPA business. The email addresses will not be shared with anyone outside the JPA, nor will user information be disclosed to any third party, except as required by applicable laws, including the Public Records Act and discovery in a civil law suit.
- The JPA may use the personal data provided through the websites to send information about services and upcoming activities. However, no personal information will be sold or knowingly provided for any other direct mail activities, except as required by applicable laws.
- The JPA does not guarantee, nor does it represent, that such comments, suggestions or questions submitted by email to the JPA or to JPA officials or employees will remain private or confidential. Similar to mailed or delivered comments, matters received via e-mail may become subject to public disclosure under the California Public Records Act and/or part of the discovery procedure in a civil case.
- Credit card transaction through the websites is transmitted to a third-party processor via a secure connection. Firewalls and other security technology is used to minimize the risk of unauthorized access. Information will not be shared with any other third party unless required to do so by applicable laws. If the JPA determines that it must make the information available, the Executive Director or designee will make a reasonable attempt to notify the affected parties by email that the JPA has been ordered to provide the information.
- The JPA will not intentionally release any information about the collection of Internet Protocol (IP) addresses to any third party except as required by applicable law. The websites may archive web server log files in order to create aggregate statistical reports, detect errors, and for security reasons. Any web log files maintained will be deleted according to a regular schedule.
- Aggregate reports may be generated about visitors to the websites. These reports do not contain any personal identifiable information.
- The JPA does not use persistent reoccurring Cookies, nor share unauthorized information with other third-party entities.

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47.1.6 **Security:** The JPA websites apply security measures to protect the loss, misuse, and alteration of the information under their control. Periodically those security measures may be upgraded or otherwise modified to meet changing needs. While the JPA endeavors to keep secure all information it receives via its websites, it cannot guarantee information security.

47.1.7 **External Links:** The JPA has a legitimate business interest in limiting persons or organizations that might be linked to the JPA websites and it may exercise discretion to ensure that the links to the websites are consistent with the purpose as set forth in Section 1. Neither the JPA websites nor the External Links listed on the JPA websites constitute a forum for expressive activity by any member of the public.

- Each proposed External Link on the websites shall be reviewed to determine its relevance and appropriateness. The Executive Director or designee shall review the merits of the proposed External Link based upon the criteria set forth and whether the External Link serves the purpose of the JPA websites. Any proposal for an External Link will not be denied based solely on the viewpoint espoused by the individual or entity.
- When the Policy criteria does not provide clear guidance, the Executive Director or designee reserves the right to make a decision based on the general intent of the criteria outlined below and what is in the best interest of the JPA.
- The following criteria is used in considering proposals for External Links from the JPA websites: Those sites sponsored by:
 - Governmental or public educational institutions.
 - Organizations partnering with the JPA to meet strategic or operational goals.
 - Private organizations which provide government-related information and/or services in a way that is not available on an official government website, as set forth in a Subsection below.
 - Professional associations affiliated with local government (such as League of California Cities, International City Management Association, American Planning Association, California Society of Municipal Finance Officers, etc.).
 - Private or public entities that benefit JPA employees.
- The JPA websites will not provide External Links to websites that:
 - Promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content.
 - Have a primary purpose of furthering the agenda of a political organization or a candidate running for office, or defeating any candidate for elective office.
 - Consist of personal home pages operated by individuals.
- The JPA may provide External Links to certain private commercial sites that maintain and display government-related information that fulfills the purposes of the JPA websites as set forth, and generally not available through

a governmental agency. To support the cost of compilation and maintenance of this information, these private commercial sites may include advertising or promotional material in the information display. External Links to such sites that contain this information, but also display commercial advertising or promotional materials, may be included within the JPA websites when the Executive Director or designee has made a good faith determination that:

- The independent replication of the information targeted for linkage is infeasible due to financial or other considerations.
 - No non-commercial site provides the information targeted for linkage.
 - The information targeted for linkage greatly enhances the usefulness of the JPA services it provides.
- The JPA reserves the right to determine how and where External Links will appear on its websites.

47.1.8 Application for External Link: To request the addition of an External Link, applicants shall send to the Executive Director the relevant URL address, website description and purpose, and a brief statement as to how the proposed website fulfills the purpose of the JPA websites as set forth.

47.1.9 Disclaimer of External Links and External Websites. The information posted on the JPA websites includes hypertext External Links to information created and maintained by other public and/or private organizations. The JPA provides these links solely for the user's information and convenience.

- When the user selects an External Link to an External Website, the user leaves the JPA websites and is subject to the privacy and security policies of the owners/sponsors of the External Website.
- The JPA does not control or guarantee the accuracy, relevance, timeliness, or completeness of information contained on an External Website accessed through the JPA websites by External Link.
- The JPA does not endorse or recommend any third-party website, product, service, view, or opinion, unless otherwise noted.
- The JPA does not authorize the use of copyrighted materials contained on External Websites.
- The JPA is not responsible for transmissions from External Websites.

47.1.10 Final Decision: The decision to post content and/or links on the websites resides solely with the Executive Director or designee, which is final and binding. Under no circumstances will individuals or entities be entitled to compensation or damages in the event that the Executive Director designee directs the JPA to include or exclude External content or links.

47.1.11 Links to JPA Websites: Advance permission to link to the websites is not necessary. However, the party linking to the websites should be aware that its subpages may change at any time without notice. Individuals and entities linking to the websites shall not capture pages within frames, present the JPA websites content as its own, otherwise misrepresent the websites content, or misinform

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users about the origin or ownership of its content. Any link to the websites should be a full forward link that passes the user's browser to the websites unencumbered. The web browser's back button should return the user to the originating site if the user wishes to back out.

47.1.12 Posting of Events: Information regarding events may be posted on the websites, as long as the posting of such information is consistent with the purpose of the JPA websites, as set forth in Section 1, and meets the criteria for External Links, as set forth. While the Executive Director or designee may consider suggestions of events to post on the websites, the decision of the Executive Director or designee is final and binding.

47.1.13 Accessibility: The JPA websites are intended to be accessible to people with disabilities. The JPA will provide required notices, contacts, and procedures as required by applicable Federal and State Law related to website accessibility and compliance. The JPA seeks to make this website accessible to all persons. The site is designed according to principals intended to further that goal including Section 508 guidelines. Information about these guidelines may be found at <https://www.section508.gov/>. Requests for reasonable accommodations relating to equal access to communication, or other issues relating to JPA Website accessibility, should be directed to:

RGS
Attn: Tiffany Buraglio, ADA Coordinator
PO Box 1350
Carmel Valley, CA 93924
Email: tburaglio@RGS.ca.gov

47.1.14 No Warranty or Representation: The web server(s) are maintained to provide public access to JPA information. The web services and the content of its servers and databases are updated on a continual basis. The JPA attempts to maintain its website information as accurate and timely. There are no warrants, representations, or endorsements as to the quality, content, accuracy, or completeness of the information, text, graphics, hyperlinks, and other items contained on its server or any other server is made. Website materials have been compiled from a variety of sources, and are subject to change without notice.

47.1.15 Service Marks, Trademarks and Copyright: To the extent allowed by the Public Records Act and otherwise legally permissible, commercial use of web materials is prohibited without the written permission of the JPA. All logos, service marks and trademarks mentioned herein are the property of their respective owners. The JPA retains copyright on the its logos, all text, graphic images, and other content, unless otherwise noted. No person or entity may use the JPA logo without approval of the Executive Director. No person or entity shall engage in any of the following conduct without written permission from the Executive Director or designee: modify and/or use the text, images or other JPA websites' content from a web server; distribute the JPA's web content; or mirror the JPA's information on a non-JPA server.

47.1.16 Notice to the JPA: Communications through JPA websites, by e-mail or

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otherwise, shall in no way be deemed to constitute legal notice to the JPAs or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the JPA or any of its agencies, officers, employees, agents, or representatives. No communication through the JPA websites shall be deemed to constitute legal or official notice for any purpose.

- 47.1.17 **Errors, Omissions, Warranty, Damages:** The JPA is neither responsible nor liable for any viruses or other contamination of a user's system due to access of its websites, nor for any delays, inaccuracies, errors, or omissions arising out of the user's access of the websites or with respect to the material contained on the websites, including without limitation, any material posted on the websites. The websites and all materials contained on it are distributed as is without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The JPA is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the websites and/or the materials contained on the websites, whether the materials contained on websites are provided by the JPA or a third party.
- 47.1.18 **Indemnification:** To the extent permitted by applicable law, by using JPA websites, the user agrees to defend, indemnify, and hold harmless the JPAs, their agencies, officers, employees, representatives, and agents from and against all claims and expenses, including attorney's fees, arising out of the user's use of the websites or materials and information contained on the JPA websites.

SECTION 47: Website and Social Media Policy
POLICY TITLE: Social Media Policy
POLICY NUMBER: 47.2
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Social Media Policy

47.2.1 **Purpose:** This Policy establishes Social Media guidelines as a means of conveying information about the JPA and its events and activities.

- The JPA has an overriding interest and expectation in deciding what is spoken on behalf of the JPA through the use of Social Media.
- Social Media and Social Media Sites are content created by individuals, organizations, and/or entities, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Comments include information, articles, pictures, videos, or any other form of communicative content posted on such sites.

47.2.2 **General Policy:** The establishment and use of JPA Social Media sites are subject to approval by the Executive Director or designee. Use of Social Media shall be administered by a designated coordinator. In approving the use of a Social Media site, staff shall use the following guidelines, including but not limited to:

- The purpose of the site, which may include the dissemination of general information about the JPA or the dissemination of information regarding a specific JPA service, program, activity, event or project.
- The JPA will be directly responsible for monitoring and creating content on the site.
 - Social Media sites should make clear that they are maintained by the JPA and that they follow this Policy.
 - To the extent possible, the use of Social Media will link back to the website for forms, documents, online services and other information necessary to conduct business with or utilize the services of the JPA.
 - The JPA website at www.RGS.ca.gov will remain the primary and predominant Internet presence.

47.2.3 **Comment Policy:** As a public entity, the JPA must abide by certain standards to serve its constituents in an unbiased manner.

47.2.3.1 The purpose in establishing a Social Media presence is to disseminate information about the JPA.

47.2.3.2 Comments containing any of the following forms of content shall not be permitted and are subject to removal and/or restriction:

- Comments not related to the business of the JPA, including random or unintelligible comments;
- Violent or pornographic content and/or language;
- Content that promotes, fosters or perpetuates discrimination on the

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basis of race, creed, color, age, religion, sexual orientation, gender, or national origin, or any other protected class of individuals;

- Content which threatens or defames any person or organization;
- Content that is hateful or incites violence;
- Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- Conduct in violation of any federal, state or local law;
- Encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems; or
- Content that violates a legal ownership interest, such as a copyright, of any party.

47.2.3.3 Removed Content: Any content that is removed based on these guidelines must be retained by the JPA for a reasonable period of time, including the time, date, and identity of the poster, when available.

- A comment posted by a member of the public on the Social Media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the JPA, nor do such comments necessarily reflect its opinions or policies.
- The JPA reserves the right to deny access to the Social Media site for any individual who violates this Policy, at any time and without prior notice.
- The JPA shall monitor the respective site for comments requesting responses and for comments violating this policy.
- When a JPA employee comments or responds to a comment in his/her employment capacity, said comments or responses shall be made only from an official account established by the JPA for such purposes. No JPA employee making comments or responses in his or her employment capacity shall share personal information about himself or herself, or other JPA employees.

47.2.4 Social Media Sites Use to Disseminate Information Regarding a Specific Service, Program, Activity, Event, or Project: In addition to the general provisions of this Policy, the following shall apply to the JPA's use of Social Media:

- A JPA-designated coordinator will monitor content on service, activity, event, program, or project-specific Social Media sites to ensure adherence to this Policy.
- The designated coordinator will advise staff of any concerns regarding content or comments and determine acceptance or removal of such comments.
- The JPA reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law. Any content removed based on these guidelines must be retained by the JPA's coordinator for a

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reasonable period of time and shall follow any applicable requirements of the JPA's document retention policy for retaining content.

- The JPA's content requirements must be displayed to users or made available by hyperlink.
- The Social Media pages shall adhere to applicable federal, state, and local laws, regulations and policies.
- Comments on topics or issues not relating to service, activity, event, program, or project that is the subject of a particular Social Media page may be removed.
- Employees representing the JPA on a Social Media page must conduct themselves at all times as a representative of the JPA in accordance with all policies.