

# Social Media Policy

## Version History

Version 1.0 – July 12, 2016 Adopted Policy

**Purpose** – Texas Emergency Services Retirement System (TESRS) Social Media Policy was created to explain how the agency uses social media sites and to list our policy considerations. These considerations and policy serve as a compendium of state law, the Texas Administrative Code (TAC) and federal law that apply to the use of social media by Texas agencies.

**Scope** – These guidelines apply to the use of social media for conducting official state business by Texas State agencies and institutions of higher education.

**Policy Considerations** – the decision to use Social Media Tools is a business decision based on an agencies specifics needs and the appropriate scope of its use.

### 1. Accessibility

- a. To accommodate users with disabilities, Facebook has a community page that can assist users about the built in features and technologies that can be of assistance, to learn more please visit: <https://www.facebook.com/help/141636465971794/>
- b. The Facebook mobile site <http://m.facebook.com> is a suggested accessible alternative to the TESRS Facebook page.

### 2. Privacy – only public information is permitted to be posted on any TESRS social media site(s).

- a. If communication on TESRS social media(s) involves or requires private communication that and any further communication between applicable parties will be redirected through official channels.
- b. TESRS is not responsible for content posted by others to TESRS social media site(s). Users of these sites that enter personal information do so at their own risk; TESRS is not responsible for the public display of such private information. TESRS reserves the right to remove postings to its social media sites that contain personally identifiable information, but neither TESRS, nor its licensors or contractors are responsible for any damages caused by delays in such removal.

### 3. Open Records Requests – Postings from the public on TESRS social media sites becomes public record. This information may be subject to public information requests. For more information about public information requests, please refer to the [TESRS Open Records Policy](#).

### 4. Records Retention – Social media content will be retained online for at least the required period of time in accordance with TESRS's Records Retention Schedule.

### 5. Third Party Policies and Terms of Service – TESRS social media sites are third party sites and have terms of service and policies that are not governed by TESRS or the State of Texas.

These third party sites are not official TESRS websites and the third party's terms of service and policies apply.

6. **Moderation and Monitoring** - Published content on all TESRS social media sites in subject to monitoring.

User-generated posts will be rejected or removed if possible when the content of a post:

- a. is off-subject or out of context
- b. contains obscenity or material that appeals to the prurient interest
- c. contains personal identifying information or sensitive personal information, as defined in Tex. Code Bus & Com. Sec. 521.001 et. seq.
- d. contains offensive terms that target protected classes
- e. is threatening, harassing or discriminatory
- f. incites or promotes violence or illegal activities
- g. contains information that reasonably could compromise public safety
- h. advertises or promotes a commercial product or service, or any entity or individual (Note that non-commercial links that are relevant to the topic or another comment may be acceptable.)
- i. promotes, endorses, or denigrates political campaigns or candidates

In above cases, TESRS will normally reject or remove the content without notifying the poster.

The views expressed in comments reflect those of the author and do not necessarily reflect the official views of TESRS or the Texas state government.

7. **Intellectual Property** - Social media content may sometimes include photographs, audio or video. TESRS will ensure that we have a right to post all social media content and that we are not infringing on intellectual property rights of others.

- a. [1 TAC 206.54\(1\)](#) provides rules regarding the copying and using of information by website owners linking to state agencies.
- b. Intellectual property rights of content provided by the public will be governed by federal copyright law, the terms of service of the social media provider and the agency's copyright policies.
- c. The Digital Millennium Copyright Act (DCMA) provides for a limitation of liability for alleged copyright infringement. If you have questions or concerns, please contact us at [info@tesrs.texas.gov](mailto:info@tesrs.texas.gov)

8. **Linking** - Although public social media tools are not state websites, agencies are encouraged to adhere to Title 1, Texas Administrative Code (1 TAC) Chapter 206. For more information on our linking policy, please refer to [Website Linking and Privacy Policy](#)

#### References

- [Texas Administrative Code Title 1, Chapter 206](#)
- [Texas Business and Commerce Code, Chapter 521](#)
- [Copyright Act of 1976 \(including the Digital Millennium Copyright Act\)](#)