

# 1110 Social Media Use

## STANDARD

Social media has become a significant communication medium in our world. Board guidelines for using these sites and applications require that confidentiality and privacy of Individuals being served is maintained.

## AUDIENCE

All Staff

## AUTHORITY

HIPAA Privacy and Security Rules, [45 CFR § 164](#)

## DEFINITIONS

**Social Media** – means websites or applications that enable linking with other people, sharing information, and communicating. Popular examples include Facebook, Twitter, Instagram, Snapchat, and LinkedIn.

## PROCEDURES

- 1) **Agency-Sponsored Social Media Use.** a) The Superintendent and/or designee may approve the establishment of one or more agency-sponsored social media pages or accounts.
- b) Any personnel responsible for social media management must be appropriately trained on this standard
- c) Agency-sponsored accounts must enable accessibility features (alt-text for images, closed captions for videos) and comply with WCAG 2.1 AA standards where feasible. f) All agency-sponsored posts and comments shall be archived in compliance with Ohio public records law
- d) The agency should include a social media privacy policy in an appropriate location on each social media platform

### Social Media Privacy Policy

The following statement will be posted on website ([www.miamicountydd.org](http://www.miamicountydd.org)) with links directly to the statement posted in our profiles on the agency's Facebook, Instagram, YouTube, LinkedIn and all other future social media accounts, directing users to read the policy on our website.

## NOTICE TO PUBLIC:

### 1. General Notice

This is the official Miami County Board of Developmental Disabilities social media page. We welcome questions and commentary. Please note that comments expressed on this page do not necessarily reflect the opinions or position of the Board, or agency management or employees.

### 2. Oversight and Enforcement

- a. As a result, the Board reserves the right to remove any comments that contain:

- Confidential information
- Trademark or copyright violations
- Profanity
- Racist, sexist, obscene or derogatory comments
- Threatening or harassing comments
- Posts or links that promote or suggest illegal behavior
- Commercial endorsements or spam

Violators of this policy may have their comments removed from the Board's social media sites. Continued violations of this policy may prompt the Board to restrict an individual's future ability to comment on the Board's social media sites.

This policy does not apply to communications protected by the U.S. or Ohio Constitution.

### 3. Notice of Monitoring

- a. Social media accounts may only be monitored during business hours. If messages are received during non-business hours, they may not receive a response until the next business day.
- b. If you are a person or family served by the Miami County Board of Developmental Disabilities and need immediate assistance after hours, please call our After Hours Help Line at (937) 440-3001.

e) Prior to placing an image or other personally identifiable information on the agency website, social media, print publication, or for any other marketing purpose, the following shall occur: i) For individuals served, a properly completed HIPAA authorization must be obtained and retained (see sample form in appendix), and

ii) For individuals served, a media release shall be completed and retained (see sample form in appendix).

f) In anyone comments on an agency post or page and discloses PHI, the agency reserves the right to remove the comment from the person to protect the privacy of those we serve. When appropriate and in most cases, the social media manager will reply to the

comment to offer public acknowledgement of the comment with a general statement thanking the person for reaching out, sharing that we must follow federal privacy laws and cannot continue the conversation online, then directing them to contact us directly to discuss their concern or the matter via phone or email with the agency's main number: 937-440-3000 or email: info@miamicountydd.org.

## 2) Personal use of Social Media by Employees.

a) **Employee Use During Work Hours.** During work hours, employees should focus on work-related activities. Employees should not engage in social media during work hours and personal social media use with agency equipment is prohibited, unless the employee is logging into social media specifically to share an item from the agency's social media pages.

b) **Employee Use Outside of Work Hours.** Any statement or image on social media has the potential to become a public communication, so employees of MCBDD must follow the following guidelines: i) **Sharing of work-related activities.** Employees should limit the sharing of any MCBDD related information that they would deem acceptable to be made public, for example, on the front page of a major newspaper. (1) Examples of information that are appropriate to share on social media include: (a) The employee's excitement and satisfaction with the work and mission of MCBDD. (i) Details of an upcoming public event sponsored by the Board, such as a local "Special Olympics" day. (ii) The name of a friend who is a co-worker at the Board.

(2) Information that is NOT appropriate to post include: (a) The name or image of an Individual receiving services from the agency, unless in compliance with a HIPAA-compliant release of information form and media release form.

(b) Information about the Agency or its employees that are knowingly untruthful, in violation of law or in violation of an Agency Policy, Standard or Procedure. Employees are directed to seek the express consent of the superintendent for all other Agency information published.

(c) Comments or displays about coworkers, supervisors, individuals & families, or the agency that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the agency's workplace policies against discrimination, harassment, or hostility on account of age, race, religion, sex, gender, gender identity, ethnicity, nationality, disability, military/veteran status, or other protected class, status or characteristics.

(d) Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the agency. Unprofessional communication also includes that which the agency could demonstrate has a substantial risk of negatively affecting the agency's reputation, mission, or operations, such as slander, defamation, or other legal cause of action.

(3) Employees are not prohibited from making any communication that is protected and regulated by the National Labor Relations Board. Employees are further encouraged but not required to limit communications on social media to those that would portray them in a professional manner.

ii) **Friending/Connecting/Linking.** Employees are discouraged from "friending", "linking", "following", or otherwise connecting, on any social media platform, to any an Individual served by MCBDD, nor a parent or guardian. MCBDD expects employees to maintain an acceptable professional boundary.

iii) **Messaging.** (1) Employees must not use social media for MCBDD communications, especially if they involve PHI. This is prohibited since the organization does not have a Business Associate agreement with any social media platform.

(2) Employees who receive unsolicited communications via social media from or about an individual served, or about an individual seeking services, must not respond using social media. Any necessary response must be done in person, via phone, or secure email. If possible, the unsolicited message should be deleted from the social media platform. Any such incident should be reported to the Privacy Officer for investigation.

3) **Social Media and Workplace Harassment.** Harassing communications about coworkers on social media can constitute workplace harassment, even if done outside of the office and/or outside work hours. If you feel that you are the target of workplace harassment, report according to the anti-harassment policy.