

Social Media Considerations for Alders

Introduction: This document serves as a tool for alders managing both official City of Madison social media/Alder District pages/accounts and personal/campaign social media pages/accounts during campaign season (from December 1st until the day after the Spring Election), and year-round. If you have a social media account that you do alder business or campaign on, this document is designed to assist you.

Alder social media accounts are subject to public records requests if one or more of the following are true:

- A record is a public record if it relates to governmental business. This rule applies regardless of whether an alder is using a personal account, district account, text messaging, or any other means of communication. If the alder is conducting alder business when managing their social media account/page - by responding to private messaging, commenting on social media posts and p/or posting about district updates, it is a public record subject to disclosure under the public records law.
- Any accounts where alders conduct alder business are subject to inspection, and should a public records request be received, alders will be required to turn over responsive records from any platform.

At all times, alder social media accounts are considered a City resource if one or more of the following are true:

- The social media accounts were set up by the City of Madison Information Technology department
- The social media accounts were opened using a City-issued District email address
- The social media accounts were created by a personal email, but alder is conducting any alder/City business
- The social media account was used initially as a campaign account but then used to conduct alder/City business after being elected

If your social media account fits any of the above criteria, the Common Council Office **strongly suggests** that you distinguish between the social media accounts or pages you are conducting alder business on and those you are conducting campaign activities on by considering and implementing the following:

Personal and Campaign Pages/Accounts: Personal and campaign pages/accounts on which alder business is not being conducted are considered **private accounts**. Public funds and City resources may not be used for private purposes, including campaign purposes. **If you opened your personal and/or campaign page/account with your district email, we strongly advise you to change the email to your personal email** to better manage campaign communications and to help keep campaign communications separate from alder communications.

We recommend that any separate page/account for campaign purposes is clearly identified as an account for campaign or election purposes and follows any further guidance issued by the City. Alders'

personal and campaign pages/accounts must be kept separate from any official alder accounts or accounts using City resources.

Official City of Madison Social Media/Alder District Pages/Accounts: Official City of Madison social media accounts and any accounts used for alder business should not restrict who may join, like, follow or view the page or account (other than requirements of the social media platform itself).

If you opened your account with your district email, it is a de facto official account using City resources and is subject to the same regulations as official City alder accounts or the alder blogs; regardless of whether you used a district account or a personal account to open a social media account you are using for alder communications.

If you opened your Alder District page/account with your personal email, it is not required, but it is encouraged to change your account information to your district email, in order to better manage communications with your constituents and to help keep campaign communications separate.

Public Records: Alders are considered Record Custodians of their City social media pages/accounts and of any private social media accounts in which they are conducting governmental business. Every time a page is used for alder business, the alder is responsible for maintaining those records under Wisconsin public records statutes and the City's retention schedule. If an alder deletes or edits their own post or content, we strongly recommend the alder take a screen shot of the original version and retain a copy as part of their duties as Records Custodian of their own records. If an applicable, approved social media policy of the City allows for deleting or hiding comments of visitors to the page, the alder must take a screenshot and store the original version(s) before editing or deleting, and retain a copy. The current [City social media content policy](#) describes the limited circumstances where a comment or post can be deleted or hidden. This policy may be revised as needed to comply with public records laws, retention schedules, and any changes in the retention practices of the platform. See [APM 3-6](#) for further information about City records management.

50-Piece Rule during Campaign Season: No incumbent who is a candidate in a Spring Election may use public funds or City resources "for the cost of materials or distribution for 50 or more pieces of substantially identical material" distributed from December 1 until the day after the Spring Election.

***A social media post is considered 1 piece, similar to a blog post.**

- **Permissible Content Includes:**
 - Specific matters pending before the Common Council, City boards, commissions and committees, or City agencies prior to the end of the election period
 - Upcoming City meetings and City-sponsored events
 - Posts for neighborhood meetings for development proposals
 - Posts for public informational meetings and public hearings regarding alcohol establishment license applications
 - Posts concerning city operations
 - Answers to communications of constituents per Wis. Stat. 11.1205(2)(a)

- Actions taken by a state or local government administrative officer pursuant to a specific law, ordinance or resolution which authorizes or directs the actions to be taken per Wis. Stat. s. 11.1205(2)(b)
- **Prohibited Content:**
 - **Campaign announcements and news (never permissible)**
 - News that is not related to pending City matters or operations
 - Links to community events and announcements that are not City-sponsored
 - Posting events and highlights unrelated to City matters

The 50-Piece Rule does not apply to elected officials who have filed a Notification of Non-Candidacy and do not campaign for election.

Further Considerations:

- 1.) **Posting:** We recommend that official City of Madison social media/Alder District pages/accounts disable the ability of visitors to make posts, so that only the alder will have the ability to post content to the alder's page/account. More guidelines regarding **commenting** and **messaging** are below.
- 2.) **Campaign Inquiries:** Responding to campaign inquiries on Official City of Madison Social Media/Alder District pages/accounts:
 - We recommend that alders do not respond to the public regarding campaign inquiries from any accounts on which you are conducting alder business. Instead, we recommend reaching out or responding to the individual(s) from your personal or campaign pages/accounts.
 - It is a best practice to include disclaimers in the "ABOUT" section on Facebook, such as "This is my personal account. Looking for my alder account? Go here: (insert link.)" Likewise, content on personal or campaign pages should reflect that separation. Please DO NOT link from any account on which you are doing alder business to a campaign or personal account.
- 3.) We recommend following these **naming conventions for accounts you do alder business on:**
 - Facebook Page name format example: City of Madison Alder District 15
 - Twitter handle format example: naming convention must incorporate district number, not use personal names, and should be standard for each alder's twitter account:
 - a. Twitter handle examples: @Madison_District8Alder,
@District8Alder_CityofMadison
 - Twitter display name format: It is recommended but not required that Twitter display names not use personal names. Naming convention must incorporate district number and should be standard for each alder's twitter account:
 - a. Twitter name example: City of Madison Alder District 8
- 4.) **No campaign activities** for the alder on their official City social media accounts, or on any accounts using district emails or opened by City IT, or promotion or endorsement of any other political candidate for office or cause on the ballot, because City resources cannot be used for this. See [MGO 3.35\(5\)\(b\)](#).

- 5.) **No promotion of commercial businesses**, whether yours or others, or use of the page for personal financial gain, as stated in the City's [Code of Ethics](#) and [MGO 3.35 \(5\)\(b\)1](#).
- 6.) **Promoting or sharing a post, event or other content from a nonprofit organization**. Alders should make decisions according to the City's Code of Ethics ([MGO 3.35](#)) and **web linking policy** ([APM 3-13](#)). This is because the alder's official social media page is a City resource. It is a best practice to avoid sharing, linking or retweeting any content that directs people to a donation link unless you're sure it does not violate the ethics code. Consult the City Attorney to learn if the donation is for an Affiliated Organization under [MGO 4.29](#) or meets the criteria of [MGO 3.35\(5\)\(a\)2](#). If unsure, consult the City Attorney for ethics advice or instruction to pursue an Advisory Opinion of the Ethics Board.
- 7.) **Commenting**: On Facebook pages, commenting cannot be turned off. Therefore, the alder will have no control over what others say in the comments beneath their post.

Responding to comments:

- **No deleting or hiding of comments** unless allowed by the [City's current social media comment policy](#), or future policies that allow this. If so, take and save screenshot as required in the Public Records section of this guidance document.
 - **No blocking of users** (i.e. blocking a person from viewing/accessing your account or page).
- 8.) **Private messaging (PM) and direct messaging (DM)**: Recommendations for private messaging (PM) and direct messaging (DM) on accounts used for alder business:
- Alders should avoid using the PM or DM features on these platforms.
 - If these features cannot be disabled, alders should set up an automatic response similar to that used for comments (directing people to the alder's City email where records can be maintained for public records purposes).
 - If automatic responses cannot be set up, decide whether to ignore all private messages or respond manually to all messages with a canned response instructing the sender to contact the alder via email or phone.

There is a pilot plan in place for a new Common Council Social Media Policy, so more guidance on social media use will be available in the near future. If you have any further questions, please email Lorissa Bañuelos, Council Community Engagement Strategist, at lbanelos@cityofmadison.com.