

**WHEATON PARK DISTRICT  
ORDINANCE NO 2023-06**

AN ORDINANCE APPROVING A SOCIAL MEDIA POLICY

WHEREAS, Wheaton Park District ("Park District") is an Illinois park district and unit of local government organized under, and operating pursuant to and in accordance with, the Park District Code (70 ILCS 1205/1-1 et seq); and

WHEREAS, Section 8-1(d) of the Park District Code authorizes the Park District "...to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district" (70 ILCS 1205/8-1(d)); and

WHEREAS, the Park District desires to adopt a "Social Media Policy" in the form attached hereto as Exhibit A, and to amend its existing policies to the extent necessary to incorporate said policy.

NOW, THEREFORE be it and it is hereby ordained by the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois, as follows:

Section 1: The Park Board hereby finds that the recitals contained in the preamble to this Ordinance are true and correct and hereby incorporates said preambles in this Ordinance as if fully set forth herein.

Section 2: The Park Board hereby approves the Social Media Policy attached hereto as Exhibit A.

Section 3: This Ordinance shall be in full force and effect from and after its passage, as provided by law.

Section 4: All prior ordinances, resolutions, motions, and orders in conflict herewith are hereby repealed to the extent of such conflict.

Passed this 29<sup>th</sup> day of November, 2023, upon roll call vote as follows:

AYES: *Barrett, Frey, Mac, Pedersen, Vires & Kelley*

NAYS: *-*

ABSENT: *-*

ABSTAIN: *-*

*Paul Kelly*  
\_\_\_\_\_  
President, Board of Park Commissioners

ATTEST:  
*[Signature]*  
\_\_\_\_\_  
Secretary, Board of Park Commissioners

STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF DUPAGE         )

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Commissioners of the Wheaton Park District, DuPage County, Illinois, and as such I am the keeper of the records and files of the Board of Park Commissioners of said Park District.

I further certify that the foregoing is a full, true and complete copy of Ordinance No. 2023-06 titled, AN ORDINANCE APROVING A SOCIAL MEDIA POLICY, adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Wheaton Park District, held in Wheaton, Illinois at 5:00 p.m. on the 29<sup>th</sup> day of November, 2023.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Act and said Code and with all the procedural rules of the Board.

IN WITNESS WHEREOF I hereunto affix my official signature at Wheaton, Illinois, this 29<sup>th</sup> day of November, 2023



Michael J. Benard, Board Secretary  
Wheaton Park District  
DuPage County, Illinois

**EXHIBIT A**  
**SOCIAL MEDIA POLICY**

# Wheaton Park District Social Media

## Purpose

The use of social media allows the Wheaton Park District (the “District”) to expand communications efforts with the community by engaging in conversations that provide and share information in real time related to topics posted by the District on its Social Media sites. It is the intent of this policy that social media platforms used by the District are “limited public forums” as defined by First Amendment case law. The purpose of this policy is to define and outline acceptable use of social media sites and resources in local municipal government.

## Definitions

**Social Media** refers to online platforms, networks, or websites through which users post or share information, ideas, messages and other content (such as photos or videos) and includes but is not limited to media sharing sites and social networking sites such as Twitter, Facebook, Instagram, Snapchat, YouTube, Pinterest, Tumblr, WhatsApp, Flickr, Reddit, Periscope and LinkedIn.

**District Social Media** refers to authorized District-related social media.

**Personal Social Media** refers to non-District Social Media page(s) established by an employee for personal or private activities.

**Third Party Social Media** refers to social media established by or for a third party or non-District group or organization.

**Employee(s)** means anyone employed by the District, whether in a permanent or temporary position, including full-time, part-time and intermittent workers. Per this policy, an Employee also includes members of appointed board or commissions, whether paid or unpaid.

## Applicability

This applies to all District departments and facilities as well as any affiliated government or non-government agency or official permitted by the District to post on the District’s social media sites. This applies to the use of social networking sites in the course of conducting official District business and is not intended to address employees’ personal use of social media networking sites. Employees should also make themselves aware of District policies pertaining to personal use of social media networking sites and the potential ways that use could impact their employment with the District.

## District’s Social Media

The District’s social media program involves establishing an online presence that offers residents and the community various ways to receive District updates, program and event news and general information. The choice of platforms the District uses, does not use, or whether it continues to maintain an interactive social media presence remains at the discretion of the District. The

District's Marketing Department is responsible for the creation, administration, updating and monitoring of official Wheaton Park District social media. No district department or facility shall create a separate social media account without the written approval of the Director of Marketing and the Executive Director.

The Illinois Local Records Act applies to electronic records and may include social media content. To the extent required by law, these records must be maintained pursuant to a relevant records retention schedule for the required retention period on a District server in a format that preserves the integrity of the original record and is easily accessible.

It is the responsibility of the Executive Director or their designee to monitor all District Social Media. These responsibilities include:

1. Maintaining and supervising each social media platform utilized for District social media.
2. Understanding the terms of social media use policies associated with the social media platforms used for the District's social media and consulting the District's attorney if there are any questions regarding the social media platform's terms of use policies.
3. Reviewing the content of the District's social media to ensure that it is in compliance with this policy and furthers the goals of the District.
4. Approving a confidential passwords/security code for the District's social media and limiting the dissemination of such passwords/security codes to authorized individuals.
5. Notifying all relevant parties, including the Board President, and Directors when appropriate, of a security breach affiliated with the District's social media.

### **Employee Usage**

Postings on District social media sites may only be made through official District accounts that are recognizable as being affiliated with the District. Official postings on District social media sites shall only be made by District employees authorized to post as a representative spokesperson of the District. District employees not authorized to act as a representative spokesperson shall not represent themselves as such if posting as a private citizen.

Employees not authorized by the District as an official District representative, who choose to identify as a District employee and/or discuss matters related to the District, staff or patrons on their social media platforms should proceed with caution and discretion. Although a District employee's social media platform may be a personal project conveying individual expression, some people may nonetheless view the District employee as a de facto spokesperson for the District. Therefore, the District respectfully requests that best efforts are made that District employees make it clear on their social media platform that the views being expressed are theirs along and that these views do not necessarily reflect the views of the District. To help reduce the potential for confusion, it is suggested that District employees put the following notice- or something similar- in a reasonably prominent place on their social media platform (e.g., at the bottom of your "about me" page): *The views expressed on this social media platform are mine alone and do not necessarily reflect the views of my employer.*

Social media use activities at or outside of work may affect job performance, the performance of others, staff morale, teamwork, and/or the reputation or business interests of the District. In light of these possibilities, the District expects that Employees observe the following guidelines:

1. Personal use of social media in the workplace may be allowed within reasonable time limits so long as it does not adversely impact the District employee's job performance.
2. Employees should refrain from utilizing social media to discuss information deemed confidential by the District such information shall include but is not limited to private/personal information about community members, patrons, employees, and agents of the District and any information deemed proprietary, trade secrets or information protected by attorney/client privilege.
3. Employees are prohibited from using social media to make statements towards co-workers, employees, patrons, vendors/suppliers, agents of the District or other individuals conducting business with the District that are harassing, threatening, libelous, slanderous, bullying, malicious, discriminating in nature. The District's anti-discrimination and anti-harassment policies apply to the use of social media in the workplace.
4. Employees must adhere to copyright and intellectual property laws as it relates to posting or using material on social media. This includes the use of District's copyrights, trademarks and brands without proper authorization.
5. Employees authorized by the District may prepare content, delete, edit and modify content on the District's social media. Such authorized Employees may create accounts and be provided with access to existing accounts; such access does not establish ownership rights to content or the District's social media accounts. Employees with such authorization must maintain passwords/log-in information which shall be furnished immediately to a supervisor or the Executive Director upon request. The Employee has no personal rights to the District's social media and therefore may be asked at any time by a supervisor or the Executive Director to transfer the status of "owner" or "manager" of the account. All passwords, log-in and status of "owner"/"manager" will be transferred to the Executive Director or his/her designee when an Employee managing the District's Social Media ends their employment with the District.
6. Employees designated to monitor the District's social media will be responsible for ensuring compliance with all applicable District rules, policies and guidelines. Content containing offensive material such as pornography, obscenities, profanity, and/or material that violates the District's anti-discrimination/anti-harassment policies will be removed immediately without advance warning.
7. Employees must identify themselves as employees of the District when posting on any District -sponsored content.

Employees may provide a link from the employee's personal social media platform to the District's website. However, employees shall refrain from posting District materials on their personal social

media platforms without District authorization. The District's official seal and other departmental symbols and logos are the exclusive property of the District, are legally protected and may not be used by others without the District's written consent.

## **Monitoring**

The District reserves the right to monitor, review, block social media content that violates this social media policy. The District will investigate and respond to any reports indicating an employee's violation of this policy. Such violations may lead to discipline up to and including termination. Employees are encouraged to immediately report any violations of this policy to the Executive Director.

Authorized personnel shall not intentionally delete comments left on the District's social media accounts by residents or community members unless they are Prohibited Content as described herein, or do not qualify for First Amendment protection as determined in consultation with the District Attorney. If authorized personnel have any questions as to whether content is prohibited, they should contact the Executive Director.

The District's social media sites are subject to State of Illinois Public Records Laws; therefore, content shall be managed, stored, retrieved and deleted to comply with these laws.

Wherever possible, District social media sites shall link back to [www.wheatonparkdistrict.com](http://www.wheatonparkdistrict.com) for additional information.

## **Prohibited Content**

Social media platforms not only provide the District with a communications venue but often allow for public comment to the District's sites. Any comment made by a member of the public as a social media user is that of the user's opinion only. Publication of the comment does not imply endorsement or agreement by the District, nor does it reflect the opinions or policies of the District.

1. The following list of content is not permitted on the District's social media platforms and such content is subject to removal and/or restriction by the District or their designee.  
Slanderous, libelous, or defamatory content
2. Comments topically unrelated to the particular District post purportedly being commented upon
3. Content that promotes, fosters, or perpetuates discrimination on the basis of a protected class (race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, sexual orientation (including gender-related identity), physical or mental disability, conviction record, and military status or unfavorable discharge from military service.
4. Comments containing vulgar, offensive, profane, or physically threatening language, personal attacks, or unsupported accusations
5. Charitable solicitations or political campaigning
6. Language that promotes or provokes violence
7. Content that violates any cyber-crime or other criminal law

8. Information that may compromise the safety or security of the public or public systems
9. Comments from children under 13 (to comply with the Children’s Online Privacy Protection ACT) - by posting on the District’s site, users acknowledge that they are at least 13 years old
10. Photographs or videos unrelated to the particular post being commented upon
11. Personally identifiable information of any person such as social security numbers, driver’s license numbers, bank accounts, address or telephone numbers, etc.
12. Private information as defined by State or Federal statute, regulations or written District policies adopted in conformance with the law
13. Spamming or repetitive content such as posting the same content more than two times in the same location
14. Sexual content or links to sexual content
15. Solicitations of commercial sales or commercial links
16. Conduct or encouragement of illegal activity
17. Content that violates a legal ownership interest of any other party including trade secrets (information regarding the development of systems, processes, products and technology), internal reports, policies, procedures and confidential communications
18. Content promoting the use of Illegal or banned substances and narcotics
19. Comments in support or opposition to political campaigns, ballot measures or referendums

Each particular private social media platform maintains a “terms of use” agreement. All comments posted to any District social media platform are bound by those terms of use agreements and the District reserves the right to report any user violation to the respective social media platform.

The District reserves the right to remove content from or deny access to any social media platforms if any individual or organization violates this social media policy. **Compliance with Laws**

All District social media platforms shall adhere to applicable federal, state and local laws, regulations and policies. Content posted to any District social media platform by any user is subject to the Freedom of Information Act, record retention laws, and may be subject to e-discovery laws.

## **Disclaimer**

The Wheaton Park District has not evaluated the facts or information contained in public comments and does not endorse any position, product, business or non-official statement that may be on any of its social media sites.