

## Social Media Best Practices and Education

The Social Media Best Practices Group has compiled this document to assist AGO staff when working with social media. Social media offers the opportunity to interact with the public and employees in new and dynamic ways that facilitate transparency, interactivity and collaboration. These tools engage populations differently than traditional media and enhance existing communication strategies. We encourage AGO staff who are engaged with social media to educate themselves and their colleagues about effective, responsible, and safe use of these emerging tools. **The best practices do not constitute an AGO policy. Instead, these best practices are intended to provide staff with information that will assist them in their use of social media tools.**

Of course you are required to follow applicable AGO policies, including [II.20 - Social Networking for Business Purposes](#), [II.10 - Internet Services Use](#), and [II.09 - Information Technology Security](#). In particular, it should be noted that AGO policy does not permit personal social networking using state resources.

**Note:** External linked content in this document is provided solely as background information for your convenience. Linked content does not necessarily reflect the viewpoint of the AGO.

### I. Social Media Basics

#### Definition of Social Media

Social media includes online services (available over the internet by computer or mobile device) that allow people to socially network, collaborate, or to share information. Social media services are usually based on participant contributions to the content. Types of social media include blogs, micro blogs, wikis, social and professional networks, video or photo sharing, and social bookmarking. Examples of specific social media include Facebook, Google+ and MySpace (social networking), YouTube (video sharing), Twitter (microblogging), and LinkedIn (professional networking), to name a few.

#### Best Practices with all social media

The AGO recognizes the increasing use of social media for agency business purposes as a way to offer opportunities for outreach, information sharing and interaction. These best practices do not constitute agency policy, but provide general information about the culture of social media and how to be a good citizen of the social media environment.<sup>1</sup> At the same time, this document attempts to identify circumstances

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<sup>1</sup> Some of this document's content is adapted from [Guidelines and Best Practices for Social Media Use in Washington State](#) ("WA Best Practices"), which in turn adapted content from [IBM Social Computing Guidelines](#), [State of Utah Social Media Guidelines](#) and the [Washington State Bar Association Social Media Guidelines](#).

that may implicate office policy. Much of the information included here is useful for personal as well as business use of social media.

**Be aware-** Communication via social media is powerful.

- Social media tools allow information to be communicated almost instantly to a broad audience, perhaps literally around the world.
- Communication via social media (for example on Facebook) is often not anonymous. Privacy settings may not create the level of privacy you intend and even “anonymous” posts may not remain anonymous for long.
- Communications via social media are recorded and widely available.

All staff are encouraged to keep in mind the following principles:

**Be responsible-** You are personally responsible for the material you post. At times you may use social media for agency business purposes; however, even under other circumstances, you may be perceived as speaking on behalf of the AGO. Carefully consider your content; what you publish will be widely accessible for some time and, in some cases, indefinitely. For example, all statements must be true and not misleading.

**Be honest & transparent-** Your honesty - or dishonesty - will be quickly noticed in the social media environment. Don't communicate under anyone else's name or photo. Use your own name. When you are conducting agency business and you are authorized to do so, you may use the AGO or your division's name and logo.

**Correct errors quickly-** If you make a mistake, admit it. Be upfront and quickly provide the correct information. If appropriate, modify an earlier post to make it clear that you have corrected an error.

**Be respectful-** When disagreeing with others' opinions, keep it appropriate and polite. Do not use defamatory or libelous language or engage in damaging innuendo. Do not use abusive, threatening, offensive, obscene, explicit or racist language.

**Be relevant and add value-** The social media environment is full of content. The best way to get yours read is to contribute information that people will value. Social communication from agencies should help citizens, partners and co-workers. It can be thought-provoking and should build a sense of community. If social communication helps people improve knowledge or skills, build their businesses, do their jobs, solve problems, or understand the state better, then it is adding value.

**Stick to your area of expertise-** Provide a unique, individual perspective, for example on what is going on at the AGO, and in other larger contexts. Post meaningful, respectful comments that inform, educate and engage citizens. Do not just repost press releases. Example from [WA Best Practices](#): An environmental agency might post information it has developed regarding endangered species, share information from other sources about natural resources, or comment on another

source's information on carbon footprints, but wouldn't post information about licensing foster homes.

**Respect proprietary information or content and confidentiality-** You (or the AGO) must own or have a clear right to use all content that you publish. Always give people proper credit for their work. Make sure you have the right to use material (text, photos, etc.) with attribution before publishing. It is a good practice to link to others' work rather than reproducing it on your site. If posting photos or videos be sure to have all non-agency staff depicted sign a model release and keep the release on file.

**Respond quickly-** When a response is appropriate, reply to comments in a timely manner. Example: "You are doing a great job at the AGO" - does not need a response, but "You are doing a great job, how can I get involved?" - does need a response. If you allow comments on an official site, be sure you have enough staff time to review the comments on a regular basis and have identified one or more individuals who are authorized to respond on behalf of the AGO.

**Be conversational-** Talk to your readers. When communicating via social media, use the same approach you would when talking to a person on the phone. Bring in your own personality to personalize the voice/tone of the AGO. Use plain language and avoid using government jargon or acronyms. Consider content that is open-ended and invites responses. Encourage comments. Broaden the conversation by referring to others who are commenting about the same topic and allowing your content to be shared or syndicated. When shortening words to save space, utilize commonly used shorthand.

**Abide by social media provider rules-** By joining a particular social network or service, you agree to abide by that provider's terms of service, so review those terms carefully. Also, be a good citizen of the social media world: Learn and adhere to its "unwritten" rules of etiquette.

**Keep social media use in perspective-** Agency business use of social media, including professional networking, should further the AGO's mission and values. If you are authorized to use social media as part of your job duties, be sure your use meets your supervisor's expectations and is targeted to those duties. Whenever you use social media, make sure that your online activities do not interfere with your job or your commitments to the AGO, its clients, or constituents.

### **Professionalism**

All agency-related communication through social media should be professional in tone and content and should be conducted in accordance with all applicable AGO policies, practices and expectations. Employees should exercise good judgment and take personal and professional responsibility for any content they publish via social media. Refer to "Tips for Specific Social Media" below for more information.

Wherever possible, consider at least the following:

- **Authorization-** Employees should not participate on social media websites or other online forums on behalf of the AGO unless expressly authorized to do so, for example by the Communications Director or a division chief.
- **Confidentiality-** The AGO handles significant amounts and types of sensitive information, including client information, health information, and information otherwise protected by law. Whether using social media for agency business purpose or for personal use, employees should take care not to post or release proprietary, confidential, sensitive, or personally identifiable information or state government intellectual property. Social networking and social media are not an appropriate forum for any type of confidential communications. Employees using social media should also be aware of and adhere to State Information Technology Security Standards. See [State Technology Manual](#), Section 140.
- **Links-** Users should take extra care in posting links. For example, consider possible ramifications or perceptions in light of the intended use when posting links to commercial sites on behalf of the AGO.<sup>2</sup>
- **Identify yourself clearly-** When creating social media accounts that require individual identification and when posting or exchanging information on social media forums, authorized users speaking on behalf of the agency should if possible identify themselves, by: 1) Full Name; 2) Title; 3) Agency/Division; and 4) Contact Information.
- **Employee Privacy-** Remember that employees have no expectation of privacy in the use of state Internet resources. The AGO may monitor state Internet usage at such times and in such circumstances as appropriate. Furthermore, there is no expectation of privacy when publishing information via social media concerning the agency or its clients.
- **Permitted use-** Staff may use social networking only for approved business purposes, including professional networking, to support the agency's mission provided they follow the AGO policy. See [II.20 - Social Networking for Business Purposes](#). Use of social networking for personal purposes is not permitted when using state resources (which includes but isn't limited to time, equipment, and contact lists).

### Tips for Specific Social Media Tools

#### Facebook

- Be generally familiar with Facebook's terms of service. All or some of the following may apply to your use:

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<sup>2</sup> Adapted from [WA Best Practices](#)

- [Statement of Rights and Responsibilities](#) (these are the standard terms that apply to individual accounts)
- The additional [Pages Terms](#)
- [Amended Pages Terms](#) for State and Local Governments in the United States

Other terms or policies may also apply, such as the [Privacy Policy](#) or [Facebook Principles](#)

- Be aware that Facebook changes its terms and its functionality with some frequency and may do so without notice to users. Such changes may or may not affect your use, but you are responsible for that use and for compliance with the applicable terms.
- Under Facebook's terms, only one account can be created for each individual although you may associate additional email addresses with your account. Any use of your AGO email address must be for agency business purposes only. If you do not have a Facebook account, you can create one with your AGO email, but that account may then only be used for agency business purposes, unless you associate a personal email address with the account. If you already have a personal Facebook account, you may use an associated AGO email account to log in for business purposes but, to comply with Facebook terms of service, you must still use your personal Facebook account to access Facebook for business.
- Be sure to keep any official state pages separate from personal pages. Facebook allows an account holder to create multiple pages for various purposes without any obvious "linkage" among them.
- Allow comments to create two-way conversation; interactive Facebook pages are more effective. At the same time, be aware of any records retention, public disclosure, or first amendment/public forum issues that comments might raise and consult with the appropriate assistant attorney general when warranted.
- Post a comment policy that establishes appropriate limitations on the "forum" you are creating. You should be prepared to moderate the comments and should reserve the right to delete inappropriate content in accordance with the posted comment policy and the Public Records Act. In addition, commenters should be reminded that all comments are subject to public disclosure. Be sure to consult with the appropriate assistant attorney general on how to accomplish these tasks.
- Determine if you have the resources to respond to direct messages and who should respond.

## Twitter

- Tweets are limited to 140 characters, but ideally should be shorter to allow others to [re-tweet](#) without having to remove some of your content.
- Use a URL shortener/tracker such as [tiny.url](#), [bitly](#), or [Twitter's own tool](#) to save space and also to count "click-throughs," a way of measuring the number of times a site or page has been accessed.

- Consider selectively following back those who follow you, except if they have an inappropriate photo or tweets. As a practical tip, you can only direct message those that follow you and you follow back and many people consider following back considerate. Consider noting that “follows” do not mean endorsements.
- Re-tweet other users’ tweets when the content is relevant and may be of interest to your followers.
- Thank those who re-tweet your tweets with an [at reply](#) (@ reply).
- Use [hashtags](#) (#) when appropriate to make your tweets more searchable.
- Respond quickly to [direct messages](#) (those that aren’t spam).

### YouTube

- Obtain and keep on file a model release for any non-agency staff in the video. Depictions of children require a model release from a parent or guardian; in general, depictions of children should be avoided.
- Follow all applicable copyright laws.
- Use terms in the title, description and key word sections to make video more searchable.
- To spread content to the widest possible audience, allow video to be embedded on other sites.

### Blogs

- Be clear about who is posting each post.
- Use hyperlinks to link to more information as appropriate; consider posting a disclaimer regarding any linked content.
- As with Facebook, allow comments to create a two-way conversation; interactive blogs are more interesting. At the same time, be aware of any records retention, public disclosure, or first amendment/public forum issues that comments might raise.
- Again as with Facebook, post a comment policy that establishes appropriate limitations on the “forum” you are creating. You should be prepared to moderate the comments and should reserve the right to delete inappropriate content in accordance with the posted comment policy and the Public Records Act. In addition, commenters should be reminded that all comments are subject to public disclosure. Consult with the appropriate assistant attorney general on how to accomplish these tasks.
- Post regularly to build credibility and keep content fresh.

### Wikipedia

- Source all your content or it will be removed by the moderators.

## Suggestions and Best Practices for Personal Use of Social Media

These best practices do not constitute agency policy, but provide general information about the culture of social media and how to be a good citizen of the social media environment. Much of the information included in these best practices is useful for both personal and business use of social media.

This section pertains primarily to the personal, off-duty use of social media. Remember that personal social networking using state resources is not permitted. The goal here is to educate you and provide you with suggestions on how to avoid pitfalls when using social media outside of work.

Remember that social media is just another platform on which various communications occur. As an employee of the AGO, be aware that your statements and postings on social media may implicate your professional ethical obligations or compliance with AGO policies.

It is important to keep in mind that social networking generally does not allow anonymity. Even if you think comments on your personal social networking sites are restricted to your selected contacts (“friends”), this information can sometimes be accessed by others, or can be captured by a contact and passed on. Similarly, comments you believe you have deleted may continue to exist in backup files or elsewhere.

See also [“A Deputy Tweets, An Attorney General’s Headache: Balancing Personal Social Media with Public Service”](#) by Idaho Assistant Chief Deputy AG Brian Kane, published on the NAAG web site. As Kane says, “Social media brings the world to your doorstep, but it also brings you to the world.” Many of this article’s excellent points are covered elsewhere in these guidelines. Also consider the following observations and tips:

- As public servants, we are under a microscope.
- A bad social media misstep can result in front page news or the loss of a job. (This has happened in other states’ AGOs).
- Conduct or language that would be unacceptable in another forum is similarly unacceptable on personal media sites. For example, divulging confidential information, or using derogatory language based on a person’s race, gender or other protected status that would be unacceptable in person, is similarly unacceptable on personal social media sites.
- Don’t be misled by the casualness of social media contacts; keep your guard up.
- Use of social media requires an AGO employee to strike a balance between usefulness and the risk of unintended consequences.
- Avoid the use of office titles, addresses, or references in any social media interaction other than official AGO communications.
- Your title follows you everywhere - folks know who you work for, so your social interaction is a direct reflection on the AGO.



- Consider using one networking site for professional contacts and another for social activities, if allowed by the terms of service. Keep your title and work info off your social sites.
- Be aware of perceptions created by who your “friends” are.
- Remember that humor (particularly sarcasm and satire) often do not work online. For every person who gets the joke, there will be 10 people who don’t and are offended.
- Be aware of geotagging, location metadata indicating the time and location where photographs were taken. Also, some social media applications may track your location. Stay aware and consider possible consequences of this.
- Be aware that personal updates on personal social sites made during working hours - such as on a mobile device - may convey the perception of inappropriate behavior.

## II. Legal practice and Investigations

### Tips For Investigating On Social Media

Use of social media for investigation or litigation purposes may provide the AGO useful information. However, attorneys and staff should consider the following guidelines to ensure we remain within the law and Rules of Professional Conduct.

#### Tips for investigators and paralegals

- Follow best practices and tips above.
- Do not create a fake name account or be deceptive of who you are or who you represent. Do not pretend to be someone else.
- Do not “friend” people to access information. If you cannot access the information without communicating and becoming a friend, then you cannot access the information through social media means. Proceed with caution if you can access information that would not be available to the general public, for example through being a “friend of a friend” on Facebook.
- Take screen shots or otherwise capture websites or social media pages often because content can change or be removed.
- Check the following for any social media sites for information that may help or hinder your case:
  - Plaintiff(s)
  - Client(s) - named defendant
  - Primary Witnesses
  - Expert Witnesses
  - Opposing counsel
  - Jurors
- You may wish to issue ROGs, RFPs, or CR 34 requests for social media information if it is not publically available. However, most courts will require specific relevance and consider whether there is any expectation of privacy.



- Consider sending a preservation notice to opposing counsel if a plaintiff's social media site is set to not show information to the public.

If connected to the AGO network, click [here](#) for more articles and cases relating to investigator and paralegal use of social media.

### Tips for attorneys and others involved in litigation

- Maintain professionalism at all times; the Rules of Professional Conduct follow you online.
- Avoid the use of office titles, addresses, or references in any social media interaction other than official AGO communications.
- Don't let social media destroy your credibility.
- Do not attempt an ex parte contact through social media. The Rules of Professional Conduct prohibit "friending" or otherwise interacting with judges you appear in front of via social media. Be as aware of the appearance of impropriety as well as actual impropriety.

### III. Professional Networking

Consider these best practices when using social media for professional networking in the AGO.

- Know and follow all applicable AGO policies. As noted above, use of social media for personal purposes is not permitted. See also [AGO Policy on Bar Association & Legal Professional Association Activities](#), [Internet Services Use](#), [Use of State Resources](#).
- Be aware of and follow any other applicable laws or rules, such as [state ethics laws](#) and [rules](#), the [Rules of Professional Conduct](#) for attorneys, the terms of service of social media providers, and intellectual property laws.
- Be aware that the lines among personal, business, and professional networking uses of social media are sometimes blurred. Accordingly, be discreet in your use of social media for professional networking. In addition, it is advisable to avoid clicking on unrelated links found on social media sites, unless necessary for business purposes. Be aware, also, that some links found on social media sites will spread viruses or malware.
- Avoid using your home computer or personal mobile device for any professional networking that may implicate records retention or public disclosure issues.
- Select appropriate sites for professional networking. Consider the following:

#### Know Your Platforms

Social media is messy. Across Facebook, LinkedIn, Twitter, and other social networks, we are connected to a mix of family, close friends, college buddies, high school classmates, co-workers, bosses, former bosses, I-met-you-at-a-party-once acquaintances, and people we've never even seen face-to-face. It's important to understand the particular platform that you're using, as well as the type of relationship you have with a person, before attempting to leverage that connection for professional gain.

Each social media platform has a certain reputation or focus. For instance, LinkedIn is generally a business site, while Twitter is more "laid back" or open and users may mix professional and personal content. Respect the way that people use these sites. Although use of Facebook Pages by business and government is widespread, adding a professional acquaintance as a friend on Facebook can be invasive, especially if that individual is a traditionalist who uses Facebook purely for personal contact with friends and family. Likewise, asking an old friend for a recommendation on LinkedIn might create awkwardness if the person has no experience with you in a professional capacity.

Excerpted from "[5 Rules for Professional Social Networking Success.](#)"

- Be aware of AGO and supervisor expectations as to:
  - Amount of time used
  - What topics and content are appropriate
  - What connections ("friends" or contacts) are appropriate

You may find the following links helpful:

- a. [The Social Network that Gets Down to Business](#), New York Times, September 29, 2010 (LinkedIn)
- b. [Representing EPA Online Using Social Media](#)
- c. [Representing EPA Online Flow Chart](#)
- d. [IBM Social Computing Guidelines](#)
- e. [Intel Social Media Guidelines](#)
- f. [Sharing Mayo Clinic - Guidelines for Employees](#)
- g. [Designing Social Media Policy for Government](#), Center for Technology & Government, September 2010
- h. [Friends, Followers, and Feeds: A National Survey of Social Media Use in State Government](#), National Association of State Chief Information Officers, September 2010

#### IV. Determining Personal versus Professional Use

Use of social media at work is intended for agency business purposes (including professional networking) only. See [Social Networking for Business Purposes AGO](#)

[policy II.20](#). Under this policy, professional networking that supports the mission of the AGO is permitted, but other use by individuals is deemed personal use and is prohibited.

Examples:

1. An AGO employee uses LinkedIn to locate resources for a topic being considered for an upcoming CLE. This use supports the AGO's mission and is permissible.
2. An AGO employee uses LinkedIn to search for employment opportunities outside of the AGO. This use is for the benefit of the individual employee, not the AGO, and is thus prohibited as a personal use of social media.

Note: Be careful not to create an "accidental client," which might occur if someone is seeking legal advice on a social media site (whether you are visiting the site in a professional or personal capacity) and you post a response that could be construed as legal advice. Use appropriate disclaimers.

## V. Records Retention and Public Records

Use of social media for business purposes does not change records retention requirements. Many social media records are transitory and can be deleted immediately; however, all records with a retention value are subject to the appropriate records retention schedule. See the AGO policy on [Records Retention and Destruction](#). Consider whether any special steps are needed to preserve social media records that should be retained. Consult ISD and/or the appropriate assistant attorney general for further guidance. Specific applications may be available to help you capture content.

Similarly, use of social media does not change what is required when a public records request is made. All records will be searched and provided if responsive and not exempt.

Note: AGO-established social media sites that accept public comments should include appropriate limitations on the "forum" created. Disclaimer language should allow comments to be moderated and reserve the right to delete inappropriate content in accordance with the posted comment policy and the Public Records Act. (Deleted comments should be retained offline if they have a retention value.) In addition, commenters should be reminded that all comments are subject to public records requests. Be sure to consult with the appropriate assistant attorney general on how to accomplish these tasks.

You may find the following links useful:

- a. Records Management Implications of Implementing Social Media Tools: Thoughts From the Archivists' Legal Counsel
  - i. <http://www.archives.gov/records-mgmt/pdf/raco2009-baron.pdf>
- b. Should Governments Archive Social Media Posts?
  - ii. <http://www.futuregov.asia/articles/2010/feb/09/should-govts-archive-social-media-posts/>
- c. Government and Social Media: The Legal Issues to Consider - Slideshare Presentation
  - iii. <http://www.slideshare.net/walterneary/legal-issues-for-governments-that-use-social-media>
- d. Secretary of State's Guidance on Social Media Records
  - iv. [http://www.sos.wa.gov/\\_assets/archives/RecordsManagement/RMAdviceSheetBlogsTwitter.pdf](http://www.sos.wa.gov/_assets/archives/RecordsManagement/RMAdviceSheetBlogsTwitter.pdf)

## VI. Policy Development

If your division or work unit is developing its own social media policy or guidelines, consider the following resources:

- a. Developing an Acceptable Use Policy  
<http://ace/Committees/SMW/SMBPW/Shared%20Documents/Best%20Practices%20Materials/Reference%20Materials/SocialMediaAUP.pdf>
- b. [Connecticut Law Tribune](#), October 25, 2010  
[Employment and Immigration Law: Be Careful When Reining in Social Media Use.](#)
- c. [Entrepreneur](#), May 21, 2010  
[Is Your Social Media Policy Clear?](#)
- d. AGO Social Media Work Group Legal and Policy Issues Checklist  
<http://ace/Committees/SMW/Shared%20Documents/Social%20Media%20Legal%20-%20Policy%20Issues%20Checklist.docx>

## VII. Reference and Additional Materials

- a. Governor's Office - Guidelines and Best Practices for Social Media Use in Washington State: <http://www.governor.wa.gov/media/guidelines.pdf>
- b. Use of social media for community building:  
<http://www.slideshare.net/CometBranding/social-media-panel-ida-conference-09>

- c. 100 Inspiring Ways to Use Social Media In the Classroom  
<http://www.onlineuniversities.com/blog/2010/05/100-inspiring-ways-to-use-social-media-in-the-classroom/>
- d. Twitter for Educational Purposes - Slideshare Presentation  
<http://www.slideshare.net/maggiiev/twitter-for-educational-purposes-a-tutorial-presentation>
- e. Reading Blogs at Work: Why You Should Do It & How You Can Make it Worthwhile  
[http://www.readwriteweb.com/archives/reading\\_blogs\\_at\\_work.php](http://www.readwriteweb.com/archives/reading_blogs_at_work.php)
- f. Everything you always wanted to know about blogging as an educational tool  
<http://www.slideshare.net/donutage/everything-you-always-wanted-to-know-about-blogging-as-an-educational-tool>
- g. Corporate Blogging: 7 Best Practices  
<http://www.businessknowhow.com/internet/corporate-blog.htm>

*This Best Practices Document was produced by participating members of the AGO Social Media Workgroup: Lisa Balcom, Christina Beusch, Gina Comeau, Alison Croft, Anna Deines, Bill Frymire, Janelle Guthrie, Lisa Hilligoss, Sarah Lane, Teri Metcalf, Jenny Singleton, Kelly Wood, and Rich Zwicker; led by Martin Singleton and Suzanne Shaw.*