

CLEVELAND PUBLIC LIBRARY

Community Services Meeting
November 15, 2011

**RESOLUTION TO ADOPT THE POLICY ON USE OF CLEVELAND PUBLIC
LIBRARY'S SOCIAL MEDIA SITES**

- WHEREAS, Social media sites offer Cleveland Public Library new opportunities to interact with current and potential Library users; and
- WHEREAS, The Library has established social media sites in order to inform users about Library programs, events, and materials, and to encourage dialogue and the exchange of information and knowledge between users and Library staff about these programs, events, and materials; and
- WHEREAS, The Library's social media sites are intended to be a limited public forum for discussing library programs, events, and materials; now therefore be it
- RESOLVED, The Cleveland Public Library Board of Trustees adopts the Policy on Use of Cleveland Public Library's Social Media Sites, as attached, to be effective December 1, 2011.

CLEVELAND PUBLIC LIBRARY

POLICY ON USE OF CLEVELAND PUBLIC LIBRARY'S SOCIAL MEDIA SITES

Purpose of the Library's Social Media Sites: The Cleveland Public Library ("Library") has established social media sites primarily in order to inform Library users about Library programs, events (including those co-sponsored with other organizations), and materials, and to encourage dialogue and the exchange of information and knowledge between users and Library staff about these programs, events and materials. The Library's Social media sites may also be used to notify the general public of Library employment opportunities. The Library's social media sites are not intended to be traditional public forums for the general exchange of ideas and viewpoints, but a limited forum for discussing library programs, events and materials. Courts have recognized that Libraries are limited purpose public forums, and as such, are only obligated to permit the public to exercise rights that are consistent with the nature of the Library and consistent with the government's intent in designating the Library as a traditional public forum. All postings related to this mission statement (as so determined by the Library in its sole discretion) are permitted except as otherwise stated in this policy.

Agreement: By joining, utilizing and/or posting on the Library's social media sites, you agree to comply with this Policy, and the Cleveland Public Library's Policy on Internet and Computer Use, as applicable.

Definitions:

"Library" shall mean the Cleveland Public Library.

"Posting" shall mean any writing, image, video, download, audio file, and hyperlinks to other websites [or media which is downloaded, referenced, inserted, or] placed upon any Library social media site.

"Social media site" shall include any online forum/site, web application or account created and/or maintained by the Library or its agents, which permits users to communicate with others users through postings, including without limitation, Facebook, Twitter, blogs, chat rooms, wiki, blogs, YouTube, Flickr, and LinkedIn.

Disclaimer:

The Library is not responsible or liable for the content of postings by third parties on any Library sponsored social media site, and postings do not reflect the opinions or positions of the Cleveland Public Library, its employees, or its Board of Trustees.

No Privacy:

You should have no expectation of privacy in postings on Library sponsored social media sites, and by utilizing these sites, you consent to the Library's right to access, monitor and read any postings on the sites. The Library's social media sites may be considered public records under Ohio Public Records laws. If requested, the Library must disclose public records to third party requestors unless certain exemptions apply. The Library in its sole discretion shall determine whether postings on its social media websites are public records and whether exemptions from disclosure apply.

Ownership:

By posting on the Library's social media sites, you give the Library permission to use your name, profile picture, and the content of any posting you make without compensation to you or liability on the part of the Library. This permission ends when you delete your posting.

Postings :

The purpose of the Library's social media sites is to inform Library users about educational opportunities, library programs, events (including those co-sponsored with other organizations) and materials, and to encourage dialogue and the exchange of information and knowledge between users and Library staff about these programs, events and materials. Accordingly, **any postings inconsistent with this stated purpose, as determined by the Library in its sole discretion, may be removed in accordance with the process set forth in this policy.** Examples of postings not permitted include, but are not limited to:

1. Advertisements;
2. Spam;
3. Postings which contain obscene matter;
4. Disparaging, harassing, abusive, profane or offensive postings;
5. Postings that are hateful, threatening, pornographic, that contain graphic or gratuitous violence;
6. Potentially libelous or defamatory postings;
7. Postings which contain privileged, proprietary, or confidential information about any person, business, or entity, including, without limitation, patrons, vendors, the Library or Library partners;
8. Postings which violate or potentially violate local, state, or federal laws, including, without limitation, intellectual property and copyright laws;

9. Posting which discriminate on the basis of race, color, religion, national origin, sex, handicap, age, sexual orientation, creed, or ancestry;
10. Postings which are sexually harassing, including, without limitation, epithets, slurs, negative stereotyping, sexual rumors that show hostility toward individuals based on gender, derogatory comments about individuals' body or appearance, unwelcome sexual compliments, innuendos, suggestions or jokes.
11. Postings which, as set forth in Ohio Revised Code Section 9.03:
 - a. Promote alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity;
 - b. Support or opposes any labor organization or any action by, on behalf of, or against any labor organization;
 - c. Support or opposes the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue.

Violations of this policy:

Postings which the Library in its sole discretion, deems unpermitted under this policy, may be removed in whole or in part by the Library or its agents immediately upon discovery by the Library (or its agent) without prior notice. The Library reserves the right to terminate accounts, ban or block users who have posted in violation of this policy on more than one occasion.

Reporting Violations:

Users may report violations of the Library's social media site's policies to the Library by contacting the administrators of CPL's social media sites by emailing public.relations@cpl.org.

Employee Postings:

Library employees are not prohibited from posting on Library's social media sites during their personal time outside of work. The Library recognizes that public employees do not surrender all their First Amendment rights by reason of their employment and that the First Amendment protects a public employee's right, in certain circumstances, to speak as a citizen addressing matters of public concern. However, when a public employee makes statements pursuant to their official duties, the employee is not speaking as a citizen for First Amendment purposes, and the Constitution does not insulate his or her communications from potential discipline by the Library. Employees must be aware that information they display or comments they make on Library social medial sites may be viewed by other users as representing official Library sponsored information or comments. Therefore, in utilizing Library Social Media Websites, employees must follow the guidelines set forth in the separate employee electronic systems, internet, email, social media policy and guidelines.