**Social Media:**

 **Sample Policy and Procedure[[1]](#footnote-1)**

1. **Statement of Policy and Purpose**
	1. **Policy Statement**

[*Head Start Agency*] HSA employees, interns, contractors, and volunteers are prohibited from posting personally identifiable information of HSA’s children and families on the internet without prior written authorization from [Insert Authorizing Personnel’s Title Here] in accordance with HSA’s Protections for the Privacy of Child Records Policy and Procedure. Any social media use by HSA employees, interns, contractors, and volunteers that adversely affects HSA children and families may result in disciplinary action up to and including termination.

* 1. **Purpose**

In its continuing effort to fulfill its organizational mission, HSA is committed to high standards of integrity and to compliance with all applicable laws and regulations. All HSA Board members, Policy Council members, employees, interns, contractors, and volunteers are expected to meet high standards of professional behavior when using social media forums. To assist HSA Board members, Policy Council members, employees, interns, contractors, and volunteers with making responsible decisions about the use of social media, HSA has established this policy to outline guidelines for the appropriate business use of social media. This Policy and Procedure applies to all HSA Board members, Policy Council members, employees, interns, contractors, and volunteers.

1. **Definitions**

For purposes of this Policy and Procedure the terms below shall have the following definitions:

*Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with HSA, as well as any other form of electronic communication. Forms of social media include, but are not limited to, written text, audio recording, photography, and video recording.

Personally identifiable information (PII) means any information that could identify a specific individual, including but not limited to a child’s name, name of a child’s family member, street address of the child, social security number, or other information that is linked or linkable to the child.

1. **Procedure[[2]](#footnote-2)**
	1. **Social Media Use Training**
		1. Training Development. HSA will develop and implement training regarding the use of social media, including HSA’s policies for the use of social media information during the pre-hiring process, the prohibition on posting personally identifiable information of HSA children or families on the internet without prior written authorization during the term of an individual’s employment or service to HSA, and an individual’s obligation to protect the confidentiality of personally identifiable information after the term of their employment or service to HSA has expired or terminated.
		2. Annual Training. All HSA employees, interns, contractors, and volunteers will be annually trained on the requirements relevant to the appropriate use of social media in accordance with this Policy and Procedure and HSA’s applicable related policies and procedures including, but not limited to, HSA’s Protections for the Privacy of Child Records Policy and Procedure.
		3. Recertification. HSA will require all HSA employees, interns, contractors, and volunteers to retrain and recertify their commitment to the appropriate use of social media not less than annually.
		4. Training Records.
			1. HSA employees, interns, contractors, and volunteers are required to comply with this Social Media Policy and Procedure by signing and returning the certification attached to this document as Attachment A.
			2. HSA will maintain records indicating the completion of such training in each employee’s, intern’s, and contractor’s personnel file.
	2. **Board of Directors and Policy Council Standards of Conduct**
		1. Prohibition on Posting PII. HSA’s Governing Board recognizes the paramount importance of maintaining HSA’s reputation for integrity. As such, HSA’s officers, directors, and Policy Council members are prohibited from posting PII on the internet without prior written authorization from [Insert Title of Authorizing Personnel Here] in accordance with HSA’s [Cross Reference HSA’s Standards of Conduct Policy].
		2. Certification Records. HSA’s officers, directors, and Policy Council members are required to comply with this Social Media Policy and Procedure by signing and returning the certification attached to this document as Attachment B.
	3. **Use of Social Media Information for Pre-Hiring Decisions**
		1. Screening Applicants. HSA may observe content and information made available by candidates through social media. HSA may judge candidates on the basis of all available social media information in accordance with HSA’s [Cross Reference HSA’s Pre-Hiring Policy].
		2. Compliance with Laws. In making its hiring decisions, HSA will assure compliance with Title VII of the Civil Rights Act of 1964 and all applicable and current federal and state laws relevant to the scope of information HSA may use to make its hiring decisions.
	4. **Guidelines for Social Media Use During Employment**

HSA employees, interns, contractors, and volunteers are prohibited from posting anything on the internet in the name of HSA or in a manner that could reasonably be attributed to HSA without prior written authorization from [Insert Title of Authorizing Personnel Here]. When using social media, HSA employees, interns, contractors, and volunteers should abide by the following guidelines:

1. Work Provided Equipment. Understand that all data and information that is entered, received, stored, or transmitted via HSA’s electronic resources, including hardware provided by HSA, may be monitored and is the property of HSA and employers, interns, contractors, and volunteers should not have an expectation of privacy with respect to such data and information.
2. Personal Equipment during Work Time. Access social media only on personal devices and/or cell phones and only during lunch/break times.
3. Postings.
	1. HSA employees, interns, contractors, and volunteers are strictly prohibited from posting PII of HSA children and families unless authorized to do so in accordance with HSA’s Protections for the Privacy of Child Records Policy and Procedure.
	2. Exercise good judgment. HSA does not wish to interfere with the personal lives of its employees, interns, contractors, or volunteers, but HSA employees, interns, contractors, and volunteers should be aware that their personal on-line life may be perceived as linked to their professional life.
	3. When making posts on the internet, always make sure that information being posted is not posted with knowledge of falsity or with reckless disregard for the truth.
	4. When posting on the internet, only express your personal opinions. Never represent yourself as a spokesperson for HSA. If HSA is a subject of the content being created, be clear and open about the fact that your views do not represent those of HSA. If you do publish a blog or post online related to the work you do or subjects associated with HSA, make it clear that you are not speaking on behalf of HSA. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily represent the views of HSA.” If you become aware of a post that may require an official response from HSA or could otherwise become an issue for HSA, contact and inform [Insert Title of Personnel Here and the appropriate departments such as *Human Resources and Marketing Departments*] for proper handling.
	5. Carefully read HSA’s [Insert the Titles of Appropriate HSA Policies and Procedures regarding code of conduct, harassment, etc.] to ensure social media postings are consistent with the guidelines included therein.
	6. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may lead to disciplinary action up to and including termination. It is a violation of this policy to electronically communicate in a manner which is obscene, harassing, abusive, or threatens an individual’s safety, in accordance with HSA’s policies on harassment.
	7. If posting complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating to employees, contractors, interns, or volunteers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to maliciously harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or HSA policy.
4. Connections. HSA employees, interns, contractors, and volunteers should use caution when “friend requesting” or contacting in any manner via social media, with a HSA child, family/parent of a child, childcare providers, or others who they serve through their work at HSA to assure no harm will be done to a family, the child or others who they serve through their work at HSA.
5. Media. HSA employees, interns, contractors, and volunteers should not speak to the media on HSA’s behalf. All media inquiries should be directed to [Insert Title of Authorizing Personnel Here].
	1. **Social Media Use Post-Employment**
		1. Confidentiality Form. HSA employees, interns, contractors, and volunteers are required to sign a confidentiality form prior to the start of their service with HSA. The confidentiality form includes the prohibition on posting PII on the internet without prior written authorization. Such prohibition shall survive the termination or expiration of HSA employees’, interns’, contractors’, and volunteers’ employment, internship, contract, or service agreement, as applicable.
		2. Confidentiality Records. HSA’s employees, interns, contractors, and volunteers are required to comply with HSA’s confidentiality requirements by signing and returning the form attached to this document as Attachment C.
	2. **Parental Use of Social Media**
		1. Parental Confidentiality Form. HSA requests that its parents refrain from posting any PII pertaining to other children in the HSA program on the internet without prior written authorization, in the form attached to this Policy and Procedure as Attachment D.
		2. Copies. HSA shall provide parents with a copy of the form attached to this Policy and Procedure as Attachment D.
		3. Certification. HSA shall require a parent to acknowledge receipt of the request by signing, dating, and returning the form attached to this Policy and Procedure as Attachment D.
	3. **Reporting Requirements**
		1. Known or Suspected Violations. HSA employees, interns, contractors, and volunteers are encouraged to report known or suspected deviations of this policy. HSA prohibits taking actions against any HSA employee, intern, contractor, or volunteer for reporting possible deviations from this policy or for cooperating in an investigation.
		2. Retaliation. Any employee, intern, contractor, or volunteer who retaliates against another employee, intern, contractor, or volunteer for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.
	4. **Disciplinary Actions**

If HSA has reasonable cause to believe that a HSA employee, intern, contractor, or volunteer has deviated from this policy, HSA may take appropriate corrective and/or disciplinary action which may include requesting the individual remove the post in question or termination.

**The Social Media Policy and Procedure shall be reviewed periodically and updated consistent with the requirements established by the Board of Directors, Program’s senior management, and federal and state law and regulations.**

## **Responsible Parties:**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Executive Officer

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ATTACHMENT A**

**Certification of Commitment to COMPLY WITH
Social media policy and procedure**

I hereby acknowledge and certify that I have received and reviewed a copy of the [*Head Start Agency*] Social Media Policy and Procedure and I understand that it represents a mandatory policy of [*Head Start Agency*].

By signing this form below, I agree to abide by the [*Head Start Agency*] Social Media Policy and Procedure during and after the term of employment, internship, contract, volunteering term or agency or while otherwise authorized to serve on [*Head Start Agency*]’s behalf. In addition, I acknowledge that I have a duty to report any suspected or known violation of the [*Head Start Agency*] Social Media Policy and Procedure to my supervisor or through the normal chain of command. I acknowledge that I may also report the information directly to the Compliance Officer or any other member of senior management.

*Please return this completed, signed Certification of Commitment to the Compliance Officer.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Printed Name

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title/Position

**ATTACHMENT B**

**Certification of Commitment to COMPLY WITH
Social media policy and procedure**

I hereby acknowledge and certify that I have received and reviewed a copy of the [*Head Start Agency*] Social Media Policy and Procedure and I understand that it represents a mandatory policy of [*Head Start Agency*].

By signing this form below, I agree to abide by the [*Head Start Agency*] Social Media Policy and Procedure during the term of my Board membership, Policy Council membership or while otherwise authorized to serve on [*Head Start Agency*]’s behalf. In addition, I acknowledge that I have a duty to report any suspected or known violation of the [*Head Start Agency*] Social Media Policy and Procedure to my supervisor or through the normal chain of command. I acknowledge that I may also report the information directly to the Compliance Officer or any other member of senior management.

*Please return this completed, signed Certification of Commitment to the Compliance Officer.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Printed Name

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title/Position

**ATTACHMENT C**

**CERTIFICATION OF COMMITMENT TO COMPLY WITH CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION ON SOCIAL MEDIA**

I hereby acknowledge and certify that I have received and reviewed a copy of [*Head Start Agency*]’s Confidentiality of Personally Identifiable Information on Social Media Form and understand that it represents a mandatory policy of [*Head Start Agency*].

By signing this form below, I agree that during and after the course of my employment, internship, contract, or agency or while otherwise authorized to serve on [*Head Start Agency*]’s behalf as a volunteer or otherwise, I am prohibited from posting personally identifiable information of [*Head Start Agency*] children and families on the internet unless expressly authorized to do so in accordance with [*Head Start Agency*]’s Head Start Protections for the Privacy of Child Records Policy and Procedure. In addition, I acknowledge that I have a duty to report any suspected or known violation of this confidentiality form to my supervisor or through the normal chain of command. I acknowledge that I may also report the information directly to the Compliance Officer or any other member of senior management.

*Please return this completed, signed Certification of Commitment to the [ ].*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Printed Name

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title/Position

**ATTACHMENT D**

**PARENTAL REQUEST TO MAINTAIN CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION**

Date:

To: [Name(s) of parent(s)/guardian(s)]

From: [Name of designated official]

Parent/Guardian Address:

Parent/Guardian Telephone Number:

Dear [Mr./Ms.] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

 [*Head Start Agency*] requests your cooperation in refraining from posting personally identifiable information of other children enrolled in [*Head Start Agency*] without first obtaining written consent of *[Head Start Agency*] to disclose such information.

If you would like to post personally identifiable information about another [*Head Start Agency*] child on the internet (this includes, but is not limited to: the child’s image, name, family member’s name, street address, social security number, or other information that is linked or linkable to the child), please notify [*Head Start Agency*]. We will contact a parent/guardian of the child and inform them of your request. If the parent/guardian grants permission for the posting, [*Head Start Agency*] will notify you of such permission.

We appreciate your cooperation with us as [*Head Start Agency*] strives to continue to handle personally identifiable information of our children and families in a manner that promotes both safety and comfort.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Name of Designated Official]

1. The Authors of these materials include attorneys at the law firm of Feldesman Tucker Leifer Fidell LLP. The sample documents offer general guidance based on federal law and regulations and do not necessarily apply to all Head Start programs under all facts and circumstances. Further, these materials do not replace, and are not a substitute for, legal advice from qualified legal counsel. [↑](#footnote-ref-1)
2. Authors’ note: Using the following sample as a guide, health centers should tailor the procedure to reflect their own structures and operations. [↑](#footnote-ref-2)