



**Maine State Government  
Dept. of Administrative & Financial Services  
Office of Information Technology (OIT)**

**Social Media for State Business Policy**

**1.0. Statement**

- 1.1. Subject to appropriate safeguards, State Agencies may use *Social Media* to communicate with citizens, and other stakeholders. This Policy details the proper usage of using Social Media for State business.

**2.0. Definitions**

- 2.1. *Communications Officer*: The individual who oversees internal and external communication, and public relations, for their Agency/Office. This typically includes issuing press releases, responding to media inquiries, etc.
- 2.2. *Social Media*: Set of Internet tools for enabling a community of participants to collaborate. It includes blogs, wikis, microblogs, such as Twitter™, networking tools, such as Facebook™ and LinkedIn™, video sharing tools, such as YouTube™, and bookmarking tools such as Del.icio.us™.
- 2.3. *Social Media Officer*: The Agency individual who oversees all Agency Social Media participation. This individual is responsible for authorizing employees to post on State sites, and the contents of such postings.
- 2.4. *Web Coordinator*: The Agency individual who maintains the Agency's website management plan. A website management plan identifies roles and responsibilities, site monitoring, evaluation, content maintenance, oversight, user feedback, and other aspects of an Agency's website.

**3.0. Applicability**

- 3.1. This policy applies to:
- 3.1.1. All Maine State Executive Branch personnel, both employees and contractors; and
- 3.1.2. All Maine State Executive Branch Social Media participation for business purposes.

**4.0. Responsibilities**

- 4.1. *Agency Management*:
- 4.1.1. Ensures that their personnel are aware of, and compliant with, this Policy.

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- 4.1.2. If the Agency chooses to utilize Social Media for state business, then designates its Social Media Officer.
- 4.1.3. Collaborates with OIT in owning, interpreting, executing, and enforcing this Policy.
- 4.2. *OIT Management:*
  - 4.2.1. Collaborates with Agency Management in owning, interpreting, executing, and enforcing this Policy.
  - 4.2.2. The OIT Account Managers liaise with the Agency business partners.
- 4.3. *Social Media Officer:*
  - 4.3.1. Authorizes specific Agency staff to post, update, and monitor the Agency's Social Media presence.
  - 4.3.2. Monitors externally-submitted contents before posting them publicly; and
  - 4.3.3. Indicates when the Social Media tool is owned and/or hosted by a third-party that has its own Privacy Policy and/or Terms of Service.
- 5.0. Directives**
  - 5.1. Each Agency Head determines who fills the Social Media Officer role within their Agency, based on their specific Social Media needs. There is no requirement that an entire position be dedicated to this role. For example, an Agency with a smaller Social Media presence may decide to assign the Social Media Officer role to the Agency Communications Officer and/or the Agency Web Coordinator.
  - 5.2. The Social Media Officer oversees all Agency Social Media, and authorizes Social Media usage consistent with this Policy, and the Agency Head's direction. Agency employees consult with their Social Media Officer prior to engaging in Social Media.
  - 5.3. At the discretion of the Agency Head, legal counsel should be sought prior to the Agency engaging in Social Media.
  - 5.4. Business use of Social Media is limited exclusively to that which is explicitly sanctioned by the Agency Head, and the Social Media Officer.
  - 5.5. Each Agency user must read and accept the terms of use of the particular Social Media tool, and comply with them.
  - 5.6. All Social Media contents are subject to the:
    - 5.6.1. State's [Records Retention Law](#)<sup>1</sup>
    - 5.6.2. [Section 508 of the Rehabilitation Act of 1973](#)<sup>2</sup>
    - 5.6.3. State's [Freedom of Access Act](#)<sup>3</sup>

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<sup>1</sup> <https://www.maine.gov/sos/arc/records/state/index.html>

<sup>2</sup> <https://section508.gov>

<sup>3</sup> <https://www.maine.gov/foaa/>

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- 5.7. *All posted material is public record.* The Agency must institute a process to save and retain all postings, outgoing and incoming, in accordance with the State's Records Retention Law. This requirement applies regardless of the form of the record (digital text, photos, audio, video, etc.). Agencies *shall not* rely upon the Social Media provider's in-house policies for this purpose.
- 5.8. In addition to the above-listed laws, the Social Media content must also comply with all other applicable Federal, State, and Agency laws, regulations, statutes, and policies, including, but not limited to, harassment, discrimination, confidentiality, ethics, workplace violence, codes of conduct, privacy, handling of confidential information, etc.
- 5.9. For any Business Use of Social Media, the Agency must ensure that:
- 5.9.1. Any Social Media account used by the Agency is established in the name of the Agency.
  - 5.9.2. Any information posted is authorized by the Social Media Officer.
  - 5.9.3. Only employees authorized by the Social Media Officer post information on behalf of the Agency, on the Agency-approved Social Media accounts.
  - 5.9.4. No personal opinions are posted under Agency accounts.
  - 5.9.5. Any scandalous, libelous, defamatory, or pornographic material, if posted, is removed as soon as discovered.
  - 5.9.6. The Social Media Officer monitors the Social Media site/app to ensure compliance with this Policy, and all other applicable State and Agency policies.
- 5.10. Agencies must create and publish a Terms of Comment which describes how the Agency will manage user contributions, to the extent allowed by the Social Media tool. The Terms of Comment must detail the review criteria for acceptable comments, such as on-topic, non-duplicative, not obscene or offensive etc.
- 5.11. Agencies linking from a State web page to a non-State Social Media tool must indicate to users that the latter tool is *not* an official Maine State government asset, and that a third party's policies apply.
- 5.12. Social Media participants must abide by laws of copyright and fair use. Entire articles or publications cannot be reprinted without prior written permission from the owner. No more than a short excerpt should be quoted of copyrighted work, and, wherever possible, a link to the original should be provided. A citation link should be provided when referencing a law, regulation, policy, or another website.
- 5.13. Social Media providers may insert advertisements into Agency pages. State laws prohibit Agencies from endorsing products and/or vendors. In addition, the DotGov registration program guidelines (applicable for sites hosted within the Maine.gov and other DotGov domains) prohibit ad campaigns and endorsements. Thus, the Agency must limit its association with advertising by
- 5.13.1. Amending the Terms of Service of the Social Media provider, if possible; or

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- 5.13.2. Explicitly and prominently noting in the Agency page that the advertisements inserted by the Social Media provider do *not* constitute endorsements by the Agency.
- 5.14. There is *no* expectation of adult personal privacy in the use of Social Media for Agency business. Social Media tools usually collect adult personal information, and downstream, disseminate and monetize such adult personal information in a myriad of ways. Agency users of Social Media for State business must be cognizant of this, and further note that such dissemination and monetization cannot be controlled by the Agency, and/or the State.
- 5.15. All Social Media content must comply with the [Children's Online Privacy Protection Act \(COPPA\)](#)<sup>4</sup>.
- 5.15.1. Generally, COPPA prohibits the collection of personal data from children (defined as individuals under the age of 13) without verifiable parental consent. This means making reasonable effort to ensure that before personal information is collected from a child, a parent of the child:
- 5.15.1.1. Receives notice of the site's personal information collection, use, and disclosure practices; and
- 5.15.1.2. Authorizes any collection, use, and/or disclosure of the personal information.
- 5.15.2. The Federal Trade Commission provides specific [guidelines](#)<sup>5</sup> regarding compliance with COPPA.
- 5.15.3. Any content directed to children must be explicitly labeled as such. The Federal Trade Commission provides specific [guidelines](#)<sup>6</sup> regarding how to determine if content is directed to children.

### 6.0. Document Information

- 6.1. Initial Issue Date: 3 August 2010
- 6.2. Latest Revision Date: 14 February 2020
- 6.3. Point of Contact: [Enterprise.Architect@Maine.Gov](mailto:Enterprise.Architect@Maine.Gov)
- 6.4. Approved By: Chief Information Officer, OIT
- 6.5. Legal Citation: [Title 5, Chapter 163: Office of Information Technology](#)<sup>7</sup>
- 6.6. Waiver Process: [Waiver Policy](#)<sup>8</sup>

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<sup>4</sup> <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title15-section6501&edition=prelim>

<sup>5</sup> <https://www.ftc.gov/tips-advice/business-center/guidance/childrens-online-privacy-protection-rule-six-step-compliance#step4>

<sup>6</sup> <https://www.ftc.gov/news-events/blogs/business-blog/2019/11/youtube-channel-owners-your-content-directed-children>

<sup>7</sup> <https://legislature.maine.gov/statutes/5/title5ch163sec0.html>

<sup>8</sup> <https://www.maine.gov/oit/sites/maine.gov.oit/files/inline-files/waiver.pdf>