

Web-Based Communications Policy

1.7.7

PURPOSE

The purpose of this policy is to permit City Departments and employees to use “City Maintained Web-Based Communications”, as described below, to further the business of the City.

“Web-Based Communications” include, but are not limited to, web-culture communities and hosted services, such as social-networking sites, photo and video sharing sites, wikis, blogs and folksonomies, the semantic web and artificial intelligence. The City’s use of Web-Based Communications may enhance civic engagement, including, but not limited to, permitting members of the public to comment on City Maintained Web-Based Communications, as defined below. Use of City Maintained Web-Based Communications is for limited topics related to official City business only, and is not intended to create a public forum. Comments by members of the public on City Maintained Web-Based Communications must directly relate to the subject matter of the particular City Maintained Web-Based Communication or may be removed pursuant to this Policy.

SCOPE

This Policy applies to all City Departments and employees and is applicable to any Web-Based Communication that is used by the City of San Jose, including City intranet and Internet technologies, as well as social networking and other technology sites that are the property of an outside host or company (“City Maintained Web-Based Communications”). Please note the City has a separate [Use of Email, Internet Services and Other Electronic Media Policy](#) that is applicable to all City officials and employees.

POLICY

1. Establishment and Maintenance of a City Maintained Web-Based Communication
 - a. Each City Maintained Web-Based Communication must be approved by the City Manager’s Office or designee. Requests to establish a City Maintained Web-Based Communication should be made by emailing webrequests@sanjoseca.gov or calling 408-535-8170.
 - b. Use of any City Maintained Web-Based Communication must further a specific purpose of the City that is articulated in writing. Forms are available in the [Intranet’s Communications and Marketing section](#).
 - c. Adequate resources must be devoted to each City Maintained Web-Based Communication to ensure it is maintained and managed in accordance with this Policy and all other applicable laws and policies.
 - d. A Web-Based Communications Moderator must be designated for point of contact with the City Manager’s Office; however, the subject matter of each City Maintained Web-Based Communication will be the sole responsibility of the department producing and using the City Maintained Web-Based Communication. Department directors have primary responsibility to ensure adherence to this Policy.
 - e. The Web-Based Communications Moderator, and any other employee responsible for managing the City Maintained Web-Based Communication, must be familiar with

Web-Based Communications Policy**1.7.7**

the requirements of this Policy and will be responsible for reviewing subject matter, including the linked subject matter of embedded hyperlinks, on the particular City Maintained Web-Based Communication for consistency with this Policy and any administrative guidelines promulgated by the City Manager.

- f. Each City Maintained Web-Based Communication must include an introductory statement which clearly specifies its purpose and subject matter.
 - g. Each City Maintained Web-Based Communication must clearly indicate that it is maintained by the City of San Jose and must have City of San Jose contact information prominently displayed.
 - h. To the extent possible, each City Maintained Web-Based Communication must include the following notice in a prominent place: "The views of the individuals posting comments do not necessarily represent the views of the City of San José."
 - i. To the extent possible, each City Maintained Web-Based Communication with embedded hyperlinks to external sites must include "jump pages" informing viewers that they are leaving the City's official Web site. Each City Maintained Web-Based Communication must include the following disclaimer in a prominent place: "The City of San Jose does not guarantee the authenticity, accuracy, appropriateness or security of the link, web site or subject matter linked thereto."
 - j. All subject matter and comments posted on a City Maintained Web-Based Communication must be reviewed and evaluated periodically by the Web-Based Communications Moderator or his or her designee.
2. All City Maintained Web-Based Communications must adhere to the following City policies, statements and guidelines:
- a. [Use of Email, Internet Services and Other Electronic Media Policy](#) [City Administrative Policy No. 1.7.1.]
 - b. [E-Government Policy](#) [City Administrative Policy No. 1.7.5.]
 - c. [Information Security Policy](#) [City Administrative Policy No. 1.7.6.]
 - d. [Code of Ethics](#) [City Administrative Policy No. 1.2.1.]
 - e. [Public Records Policy and Protocol](#) [City Administrative Policy No. 6.1.1.]
 - f. [Records Retention and Disposition](#) [City Administrative Policy No. 6.1.5.]
 - g. City Web Site Statements:
 - i. Statement of Purpose
 - ii. Privacy and Disclosure
 - iii. Security
 - iv. Disclaimer

Web-Based Communications Policy**1.7.7**

- h. The City Manager's existing guidelines for web design and development, web accessibility and external linking. Contact the City Manager's Communications Office to obtain these guidelines.
3. All City Maintained Web-Based Communications must clearly indicate that any subject matter posted, including information users make available through privacy settings, is public and may be subject to the California Public Records Act and, consequently, disclosure by the City.
4. [City Administrative Policy 6.1.5, Records Retention and Disposition](#) and approved records retention schedules apply to records related to City Maintained Web-Based Communications where the City has control over those records. If the City has control over retention, records must be maintained for the retention periods indicated on relevant retention schedules of the City and be readily accessible. Retained records include material not posted by the City or removed by the City because the subject matter is prohibited based on the criteria described in this Policy.
5. Users of any City Maintained Web-Based Communication shall be notified that its intended purpose is to be a limited public forum and serve as a mechanism for communication between the City and members of the public. The following subject matter will not be allowed for posting on City Maintained Web-Based Communications:
 - a. Comments not topically related to the particular subject matter being commented upon;
 - b. Comments in support of or opposition to political campaigns or ballot measures;
 - c. Obscene language or subject matter;
 - d. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - e. Subject matter that threatens or defames any person or organization;
 - f. Sexually explicit subject matter or links to sexually explicit subject matter;
 - g. Solicitations of commerce;
 - h. Participation in or encouraging participation in illegal activity;
 - i. Information that compromises the safety or security of the public or public systems;
or
 - j. Subject matter that violates intellectual property rights or other legal ownership interest of any other party, including but not limited to copyright, trade secrets, trademarks and publicity rights.

Web-Based Communications Policy

1.7.7

- 6. The City reserves the right to restrict or remove any subject matter that is in violation of this Policy or any other applicable law or policy.

Approved:

/s/ Ed Shikada
Assistant City Manager

November 8, 2011
Date

/s/ Alex Gurza
Deputy City Manager

November 8, 2011
Date