



SOCIAL MEDIA

THE RECORDS MANAGEMENT CHALLENGE



SOCIAL MEDIA AS RECORDS



SOCIAL MEDIA AS RECORDS

- “Records” defined in RC 149.011(g):

Any document, device, or item, regardless of physical form or characteristic, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

- Evaluate social media tool and its impact on records management obligations



IS THIS A PUBLIC RECORD?



Anchorage School District shared a link.

March 14

Jim Browder announces retirement; school board names Ed Graff next superintendent. Read more here.

Archives | Anchorage School District

www.asdk12.org

"We all want what is best for this district and our students however, given my family's medical situation, I've determined retirement is the best option," Browder told the board.
"Unfortunately in life, things happen that we cannot plan or



IS THIS A PUBLIC RECORD?



My daughter is currently enrolled at Cook Inlet Head Start, and will be attending kindergarten this year in August! During a parent teacher conference they suggested that she skip kindergarten into first grade! How do I go about seeing if she qualifies to do so?

Like · Comment · March 18 at 4:27pm near Anchorage, AK



Anchorage School District Samantha, we would still want to do our regular kindergarten screening with her to determine if she should jump up to first grade. The screenings take place at the beginning of the school year. Call the elementary school you are zoned for and they can give you more information about the screening.

March 19 at 12:22pm · Like



Thank you

March 19 at 2:36pm via mobile · Like



Write a comment...



IS THIS A PUBLIC RECORD?



American Craft Week

Help American Craft Week reach all 50 states this year. Share this photo and invite the galleries, craft artists, festivals, museums, art districts and tourism folks you know in Alaska to join the celebration! Register events at <http://americancraftweek.com/>





IS THIS A PUBLIC RECORD?



Hi Eden...Tracy said you have a steam carpet cleaner that you really like. So she said to ask what kind it is? SOOOO?? It was so good to see you guys!!

[Like](#) · [Comment](#) · Friday at 10:59pm



ARE THESE PUBLIC RECORDS?



Anchorage School District

September 23

Outdoor art (6 photos)

Adele George's exploratory art classes at Mirror Lake Middle School took learning outdoors to create works-of-art using natural objects. Check out some of their creations!



Like · Comment · Share

1 Share



Anchorage School District

October 8

Inlet View Elementary School student Michael Halpern teamed up with Chef Drew from Kincaid Grill to teach students how to cook healthy meals. Michael was Alaska's Healthy Lunchtime Challenge winner and visited D.C. this summer where he met the President and the First Lady!



Anchorage School District shared a link.

June 9

Check out this KTUU interview with Huffman Elementary School's Cassie Welch about her mission to raise money for diabetes. Keep up the great work, Cassie!



Cassie Welch Pedals for Cure to Diabetes

www.ktuu.com

Determined to defeat diabetes, 10-year-old Cassie Welch is on a mission to stop the disease one bike ride at a...

Like · Comment · Share

26 2



DISTRICT SOCIAL MEDIA POSTS

- FERPA prevents unauthorized disclosure of personally identifiable information (PII) from students' education records
 - Is this PII?
 - Is this an education record?
 - Does it meet a FERPA exception?



DISTRICT SOCIAL MEDIA POSTS

- District should refrain from posting unless and until district has done one or both of the following:
 - Obtained prior written parental consent to disclose the information and/or
 - Properly designated the information as “directory information”



PUBLIC RECORDS REQUESTS

- Public Records Requests can be Made Through Social Media
- Consider Social Media Features and Components
 - Two-Way Communication
- Who will monitor the social media tool?
- How will you respond and document public records requests?



MANAGING AND RETAINING SOCIAL MEDIA RECORDS



CAPTURE OF CONTENT

■ Why Capture Content?

- May Need to Retain Due to Record Value
- To Fulfill Public Records Requests
- Litigation Hold
- Disposition of Content in Accordance with Records Retention Policy.

■ Capturing Content is Difficult

- Social Media Platform Developed Tools
- Third-Party Tools
- In-house Applications

■ How will you find captured content?



OWNERSHIP & CONTROL OF DATA

- **Most Social Media Tools Owned by Third-Party Companies**
- **Terms of Service Agreements**
 - **Internal Policy Clarifying Authority to Enter into Agreements**
 - **Negotiate**
 - **Consult Legal Counsel & IT**
 - **Consider Retention and Disposition of Content**



PRESERVATION

- Records Must Be Retained in an Organized and Accessible Manner (O.R.C. 149.351 & 149.43 (b)(2))
- May Not Be Reliable to Leave Records in Third-Party Environment
- Some Platforms Provide Preservation Tools
- Use of Third Party Tools for Capture
- Social Media Not Just Posts (Embedded Files, Links, Photos, Videos, Etc.)



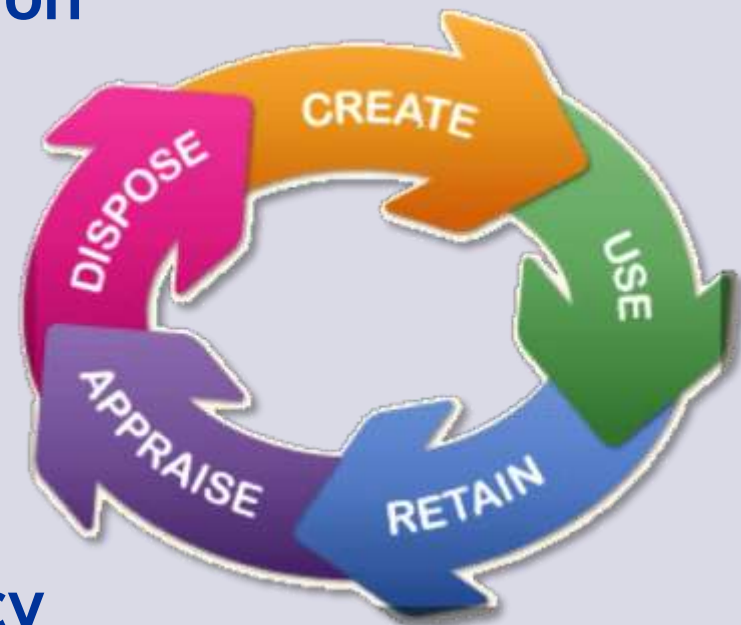
RETENTION OF RECORDS

- What are you posting? Your plan will help answer retention questions.
- Identify schedules that fit what you are posting
- If no schedules fit, create retention schedules
- Assign someone to manage the records according to the schedule
- Remember, in most cases, the site controls the data. It is likely the social media site will only allow access for a limited time.



IMPLEMENTATION OF RETENTION POLICY

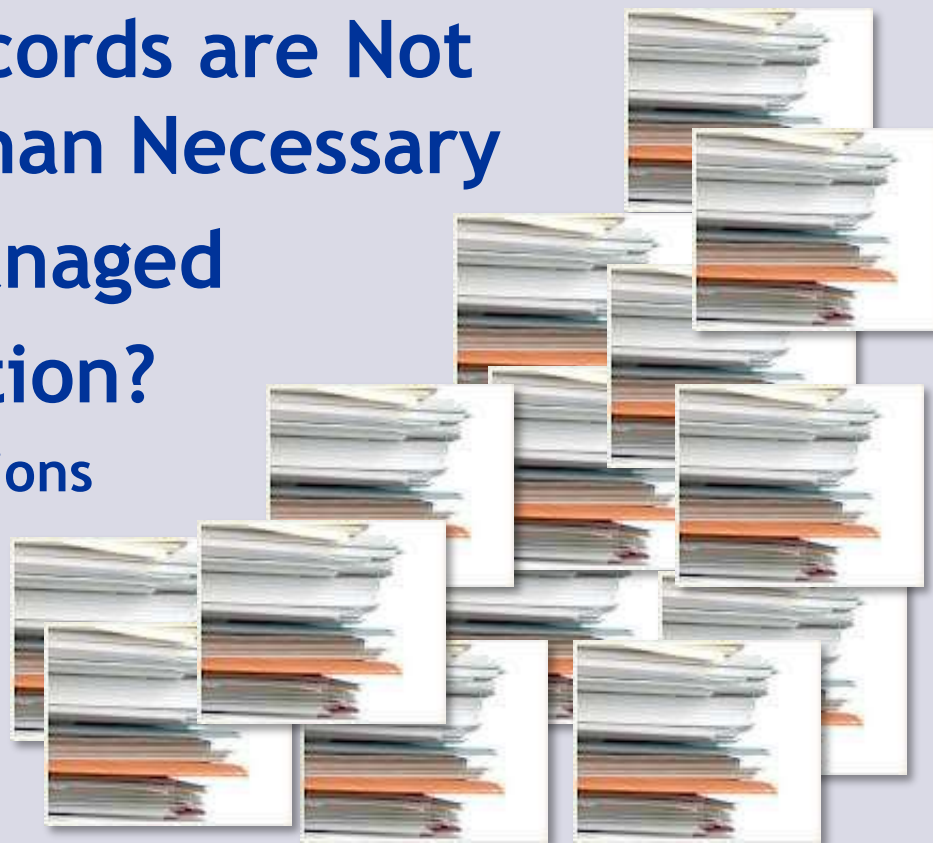
- Application of Existing Retention Schedule(s) vs. Creating New Retention Schedule(s)
- Inventory of Data and Records Created Across Social Media Platforms.
- Communication Managed in Accordance with Existing Policy
- Work in Conjunction with Policies Governing Employee Use.





DUPLICATION OF CONTENT

- Critical to Ensure Records are Not Maintained Longer Than Necessary
- Copies Have to be Managed
- What Causes Duplication?
 - Different Naming Conventions
 - Employee Turnover
 - Lack of Employee Access
 - Use Controls





MANAGEMENT OF NON-RECORD CONTENT

- Information Transmitted via Social Media May Not be a Record
- Non-Record Content Needs to be Managed
- Issues if Not Managed Properly:
 - Difficulty in Information Retrieval
 - Wasted Records Storage
 - Additional Discovery Burden



DISPOSITION OF CONTENT

- Social Media Presence = Posting Captured, Forwarded, and Used by Others
- Use Caution when Posting Content
- Removal of Obscene Content
- Information Posted on Social Media should be Considered Available Indefinitely



MANAGING CITIZEN CONDUCT



CITIZEN CONDUCT

- Creation of Citizen Conduct & Removal of Inappropriate Content Policy
- Consider what Information Needs to be Retained to Document the Removal of Content
- Consider a Disclaimer
- Understand that by Enabling Two-Way Communication You May get Negative Feedback





~~TO COMMENT OR NOT TO COMMENT, THAT IS THE QUESTION~~

How would you handle vulgar, offensive, advertising, or spam comments?

A) Delete them

- Not meet definition of record
- Retention schedule
- Post notice on site about how you will treat comments

B) Leave them up on the site

- Consider a disclaimer



SAMPLE NOTICE

This site is intended to serve as a mechanism for communication between the public and the _____ on the listed topics. Any comments submitted to this page and its list of fans are public records subject to disclosure pursuant to Section 149.43 of the Ohio Revised Code.

The comments expressed on this site by non-state commentators do not necessarily reflect the official views of _____. Comments posted to this page will be monitored during regular business hours. _____ reserves the right to remove inappropriate comments containing, but not limited to, the following types of content:

- Vulgar, profane or offensive language and sexual content or links to sexual content
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, age, religion, sex, national origin, military status, disability, genetic information or sexual orientation
- Spam or solicitations of commerce
- Content that advocates illegal activity
- Endorsement or advertisement of a vendor's products or services
- Content that supports or opposes political views, campaigns or ballot measures
- Infringement upon copyrights or trademarks
- Information that may tend to compromise the safety or security of the public or public systems



LINKS, ENDORSEMENT, ADVERTISING



If this ad appears on your Facebook page, why should you care?

- Impression that your organization endorses the product/person
- Link could go to an outside site that has a virus or is otherwise objectionable
- Impression that your organization makes money on the ad



WHAT CAN I DO ABOUT ADS?

■ Disclaimer to set expectations:

- For your convenience, this site may contain hypertext or other links to external Internet sites that are not provided or maintained by _____. Please note that _____ cannot guarantee the accuracy, relevance, timeliness, or completeness of these external sites.
- In addition to material posted by _____, this page may include ads and suggestions for other profiles to view selected by [insert social media site] and links to third party sites included in user comments. The inclusion of these ads, profiles, and links is outside of the control of _____ and are not an official endorsement of any product, person, or service, and may not be quoted or reproduced for the purpose of stating or implying endorsement or approval of any product, person, or service. _____ does not receive any revenue from any of these links or sites.



QUESTIONS???