

Title 2. Employment – Chapter 218 SOCIAL MEDIA POLICY

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218.1 Purpose and Policy

218.1-1. The purpose of this policy is to regulate social media accounts, including a social networking web page, blog or microblog, that is administered on behalf of the Tribe or a Tribal entity.

218.1-2. It is the policy of the Tribe to permit entities and persons to administer social networking web pages, blogs, microblogs and other social media accounts on behalf of the Tribe or a Tribal entity in accordance with kalihwiyo, “The use of the Good Words about ourselves, our nation and our future.”

218.1-3. This policy is not intended to provide a right for employees to use the internet or social media while at work for personal use. Supervisors retain discretion to permit or prohibit the personal use of Tribal computers in accordance with Chapter 215, Computer Resources Ordinance.

218.2 Adoption, Amendment, Repeal

218.2-1. This policy was adopted by the Oneida Business Committee by resolution BC #06-08-11-C and amended by resolution BC-02-25-15-C.

218.2-2. This policy may be amended pursuant to the procedures set out in Tribal law by the Oneida Business Committee or the Oneida General Tribal Council.

218.2-3. Should a provision of this policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this policy which are considered to have legal force without the invalid portions.

218.2-4. In the event of a conflict between a provision of this policy and a provision of another policy, law, ordinance, regulation, rule, resolution, or motion, the provisions of this policy shall control. Provided that, nothing in this policy is intended to repeal or modify any existing law, ordinance, policy, regulation, rule, resolution or motion.

218.2-5. This policy is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

218.3. Definitions

218.3-1. This section shall govern the definitions of words and phrases used within this policy. All words not defined herein shall be used in their ordinary and everyday sense.

(a) “Administrator” shall mean a person(s) designated by an entity, as responsible for adding, changing or removing content from that entity’s social media account. This shall not include persons that only submit material to others so that it may be posted to the social media account.

(b) “Blog” shall mean a website maintained with regular entries of commentary, descriptions of events, announcements, news or other material such as graphics or video.

(c) “Entity” shall mean any organization, division, branch, board, committee, commission or office of the Tribal government or a Tribal enterprise that performs specific functions or operations on behalf of the Tribe. “Entity” does not mean Tribally-owned corporate boards and/or corporations.

- (d) “Guest” shall mean a party that subscribes to a social media account in order to receive access to the content of an account and/or leave comments on an account.
- (e) “Judiciary” shall mean the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B to administer the judicial authorities and responsibilities of the Tribe.
- (f) “Microblog” shall mean a blog that allows administrators to send brief text updates or micromedia, such as photos or audio clips, which are then published, either to be viewed by anyone or by a restricted group which can be chosen by the administrator.
- (g) “Profile page” shall mean a web page accessible to the public or to guests, which provides personal information about the entity that created the social media account.
- (h) “Social media account” shall mean any social networking web page, blog or microblog, or any chat room, message board or web pages that serve similar functions.
- (i) “Tribal” or “Tribe” shall mean the Oneida Tribe of Indians of Wisconsin.
- (j) “Tribal social media account” shall mean a social media account administered on behalf of the Tribe or a Tribal entity.

218.4. Establishing a Tribal Social Media Account

218.4-1. The entity proposing to maintain a Tribal social media account shall register the social media account with the Tribal Secretary’s Office (Secretary’s Office). Tribal social media accounts already established on the date this policy becomes effective shall register such social media accounts with the Secretary’s Office, in accordance with this policy, within forty-five (45) days of the effective date of this policy.

218.4-2. In order to register a Tribal social media account, an entity shall submit the following materials to the Secretary’s Office:

- (a) A description of the social media account.
- (b) The user ID and password that provide access to change the content on the social media account.
- (c) A list of administrators that are authorized to add, remove or change content on the social media account.
- (d) Signed forms from each administrator acknowledging that he or she has read and understands the Computer Resource Ordinance and this policy.
- (e) Standard operating procedures governing the maintenance of the Tribal social media account.
- (f) Any guidelines created by the entity, in addition to this policy, which will be posted on the Tribal social media account and establish specific protocol for the social media account.

218.4-3. When an entity submits required materials to the Secretary’s Office and other applicable Tribal laws and policies are complied with, a Tribal e-mail address shall be provided for the Tribal social media account.

- (a) Entities that have established a social media account prior to the date this policy becomes effective shall have thirty (30) days from receipt of the Tribal e-mail address to transfer the social media account to that e-mail address, except as provided in 218.4-3(b).
- (b) When an entity is unable to transfer its social media account to the provided Tribal e-mail address, the Secretary’s Office may either:
 - (1) permit an entity to continue to operate the social media account utilizing its current e-mail address; or
 - (2) require the entity to close the current social media account and create a new social media account, using the Tribal e-mail address provided.

218.4-4. After the Tribal social media account is established, the entity shall provide the Secretary's Office with any security questions and answers that have been created to gain access to the social media account in the event access by password is denied.

218.5 The Website Steering Team and Secretary's Office

218.5-1. There is hereby created a Website Steering Team which shall be an advisory body to the Secretary's Office and shall assist the Secretary's Office with the administration of the Tribe's website and this policy. The Website Steering Team shall consist of representatives from the Tribal Secretary's Office, Communications Department, Management Information Systems (MIS), the General Manager's Office and may also include representatives from other Tribal Departments, including but not limited to, the Kalihwisaks and Marketing.

218.5-2. *General Duties.* The Website Steering Team shall:

- (a) monitor Tribal social media accounts to ensure they comply with this policy.
- (b) periodically send links for all active Tribal social media accounts to all administrators of Tribal social media accounts and promptly inform all administrators when a Tribal social media account is taken offline.
- (c) receive complaints regarding a Tribal social media account and forward those complaints to the appropriate entity for investigation.

218.5-3. *Records.*

- (a) The Website Steering Team shall be responsible for maintaining the following records:
 - (1) All reported incidents or complaints.
 - (2) Information on all guests that have been removed or blocked from a Tribal social media account, as detailed in 218.6-11.
- (b) The Secretary's Office shall be responsible for maintaining the following records:
 - (1) A list of all active and inactive Tribal social media accounts.
 - (2) The current password and user ID for each active Tribal social media account, which shall also be periodically verified by the Secretary's Office.
 - (3) A list of all authorized administrators.
 - (4) The e-mail address used to establish each Tribal social media account.
 - (5) The security questions and answers created for a Tribal social media account.
 - (6) Standard operating procedures and any guidelines submitted by an entity for each Tribal social media account.
 - (7) Dates a Tribal social media account was approved, made inactive and/or removed.

218.5-4. The Website Steering Team may make recommendations to the Tribal Secretary regarding the removal of a Tribal social media account that is in violation of this policy.

218.6 Administrators

218.6-1. Persons that may be administrators of a Tribal social media account include:

- (a) Elected or appointed members of that Tribal entity; and/or
- (b) Tribal employees; and/or
- (c) External consultants that are hired by the Tribal entity.

218.6-2. Administrators of Tribal social media accounts shall obey the terms of use and/or the terms of service of the hosting website that provides the social media account.

218.6-3. Administrators are responsible for ensuring that all content visible on a Tribal social media account or that can be accessed through the social media account is also in compliance with the terms of use and/or terms of service of the hosting website, this policy, applicable

standard operating procedures, any guidelines created by the entity and any other applicable Tribal, state or federal laws. Any non-compliant content shall be removed by the administrator as soon as it is discovered on a Tribal social media account.

218.6-4. Administrators may adjust the settings of a Tribal social media account such that only administrators may publish regular content, however, if they allow others to post comments on the social media account, only registered guests may post comments on the social media account. Administrators are responsible for reviewing all comments posted by guests.

218.6-5. Every Tribal social media account shall have a minimum of three (3) administrators, and each entity shall notify the Secretary's Office any time a person is added or removed from a list of authorized administrators and any time a user ID or password for the social media account is changed.

218.6-6. Administrators are responsible for ensuring that all links in a Tribal social media account are current.

218.6-7. Administrators of a Tribal social media account shall change the password for the social media account at least:

- (a) Every one hundred eighty days (180) days; and
- (b) Each time an administrator is removed or becomes ineligible to be an administrator for a Tribal social media account in accordance with 218.6-14 or 218.8-1.

218.6-8. Each entity shall ensure that any Tribal social media account for which it is responsible is updated at least once every three (3) months. If the social media account cannot be regularly updated, the entity shall remove the content or take the social media account offline, and shall promptly notify the Secretary's Office and the Website Steering Team that the site is inactive.

218.6-9. No more than three (3) mass communications to guests, from or for any Tribal social media account, except a microblog, shall be sent in any seven (7) day period. Administrators of a microblog shall post messages on a regular basis, but shall post no more than three (3) messages in any twenty-four (24) hour period. These limits may be altered when both of the following occur:

- (a) An administrator creates an alternative to the mass communication limits set in this section through a standard operating procedure, which is approved by the Website Steering Team.
 - (1) If the standard operating procedure results in mass communication that is harmful to the Tribe's reputation, the standard operating procedure shall be modified at the Website Steering Team's request.
- (b) The administrator posts a link to the approved standard operating procedure on the profile page of the social media account.

218.6-10. *Adding Guests.* Administrators may "add" guests to a Tribal social media account, either by accepting requests from others, or by sending requests to others. Administrators may only send an "add" request to a specific party once within any twelve (12) month period. Administrators of Tribal social media accounts shall neither add as a guest nor become a guest of:

- (a) a person or organization who is or appears to be falsely representing another person or organization.
- (b) any person or organization that promotes, blatantly demonstrates or advertises sexual or illegal content or behavior.
- (c) political organizations or any group that is recognized for making a specific political statement, except for the following:
 - (1) Other tribes or tribal entities, Native American student or youth organizations

and associations, the Native American Rights Fund (NARF), the National Congress of American Indians (NCAI), and the National Indian Gaming Association (NIGA).

(2) A specific political organization or group not provided for under this policy that receives approval from the Secretary's Office based on a request from an administrator.

218.6-11. *Removing or Blocking Guests.*

(a) Except as provided in (c), an administrator shall issue a warning to a guest of a Tribal social media account when a guest:

(1) violates any of the hosting website's terms of use in relation to the Tribal social media account, including posting prohibited comments; or

(2) engages in offensive or inappropriate conduct through the Tribal social media account.

(b) Guests who have received a warning under (a) above shall be removed or blocked from a Tribal social media account if they violate (a)(1) or (2) after receiving a warning.

(c) Guests may be removed or blocked without warning for:

(1) Threatening, insulting or harassing the Tribe, Tribal entities, administrators or other guests of the social media account; and/or

(2) Using the Tribal social media account to send out unsolicited information unrelated to the social media account to other guests; and/or

(3) Posting confidential or non-public information that invades the privacy of another.

(d) Where an administrator finds it necessary to remove or block a guest, the administrator shall:

(1) report the incident, along with the following information, to the Website Steering Team:

(A) The screen name, user ID, real name, or any other identifying information, if known, of the offending guest; and

(B) The reason for removing or blocking the guest, including supporting evidence, if possible; and

(C) Any other relevant and available information.

(2) if necessary, report the offending guest to the hosting website or to the Oneida Police Department or other appropriate law enforcement agency.

(e) The Website Steering Team shall notify any employee's supervisor when an employee is blocked or removed as a guest from a Tribal social media account. The employee's supervisor shall determine whether the employee should be disciplined in accordance with the Personnel Policies and Procedures.

218.6-12. Administrators shall not disclose a guest's identifying information, unless disclosure is necessary to:

(a) comply with applicable law, including 218.6-11(d) above;

(b) protect the rights of the Tribe or the rights of an individual; or

(c) prevent or respond to an emergency to ensure the safety of an individual or the public.

218.6-13. *Oneida Gaming.* Oneida Gaming may create additional regulations to govern Tribal social media accounts operated by or on behalf of a Tribal gaming entity, such as restricting the activities of an administrator while on the floor of a casino owned by the Tribe.

218.6-14. *Ceasing to Be a Tribal Social Media Account Administrator.*

(a) Tribal Employees. When an employee ceases to work for the Tribe, or changes

positions such that being the administrator for a specific social media account is no longer reasonably related to his or her job requirements, that person may no longer be an administrator of that social media account.

(b) Appointed and Elected Members. When an appointed or elected member of a Tribal entity should leave office for any reason, that person may no longer be an administrator of that social media account on behalf of that Tribal entity.

218.6-15. *Tribe's Official Websites.* The Oneida Business Committee granted the Tribal Secretary the responsibility for oversight of the Tribe's official websites, including the Oneidanation.org and oneida-nsn.gov domains, and for any other domains that represent the Tribe as a whole.

218.7. Content of a Tribal Social Media Account

218.7-1. All content visible on a Tribal social media account or that can be accessed through the social media account shall comply with the terms of use and/or terms of service of the hosting website, this policy, applicable standard operating procedures, any guidelines created by the entity and any other applicable Tribal, state or federal laws. Content on a Tribal social media account shall be professional, courteous and respectful.

218.7-2. The following content shall not be posted on a Tribal social media account, either by an administrator or a guest:

- (a) Content that promotes personal purposes, including, but not limited to:
 - (1) campaigning activities for the purpose of endorsing a political candidate.
 - (2) soliciting business opportunities, customers, goods or money for personal benefit.
 - (3) promoting or advertising a company, organization, product or service. However, this section shall not prohibit the posting of impartial, objective information about a company, organization, product or service.
- (b) Content that condones drugs, illegal activity, illegal use of weapons, violence, obscenity or inappropriate nudity.
- (c) Content that invades a person's privacy.
- (d) Content that is copyrighted, patented or trademarked or that was created by another, unless the proper authorization to post such content has been received.
- (e) Content that could be construed as speaking on behalf of the Tribe, except as authorized by the Communications Department.
- (f) Content that reveals proprietary, sensitive or confidential information.

218.7-3. *Comments.* Guests may post comments on a Tribal social media account.

- (a) Guidelines for the acceptance and posting of comments from guests shall be posted on the social media account.
- (b) Foul language, vulgarity, personal attacks, threats and potentially libelous language shall not be posted on a Tribal social media account.
- (c) An administrator shall remove comments that violate this policy or the posted guidelines.
- (d) Guests shall be encouraged to report other guests who violate this policy or the Tribal social media account's posted guidelines.
- (e) Comments that are, or appear to be, patently untrue shall be removed. However, the veracity of the comment shall also be verified. If it is true, the comment shall be re-posted, if it does not violate the rules of the Tribal social media account.

218.7-4. Profile pages for a Tribal social media account shall list the entity as the user, and shall provide information only about the entity.

218.7-5. A logo for the entity or a Tribal seal or logo may be posted on a Tribal social media account's profile page. Other photographs, logos, graphics or depictions posted on a Tribal social media account are subject to review by the Website Steering Team.

(a) The Website Steering Team may provide a copy of a Tribal seal or logo, or other photographs, graphics or depictions, to any administrator that requests such material.

(b) The Tribal seal, the Tribal flag, and any other depiction or logo that is specifically associated with the Tribe or with a particular Tribal entity shall not be altered in any way.

(c) The Secretary's Office may direct any administrator to refrain from or cease using any logos, photographs, graphics, depictions or art, if it is found that such are being used inappropriately.

218.7-6. Each Tribal social media account shall include the following language on the profile page:

This [*insert type of social media account*] is registered with the Tribal Secretary's Office of the Oneida Tribe of Indians of Wisconsin.

218.7-7. Each Tribal social media account which posts comments from guests shall include the following language on the profile page:

The Oneida Tribe of Indians of Wisconsin shall not be responsible for the comments posted to this [*insert type of social media account*]. Any comments reflected in this [*insert type of social media account*] are those of the author or authors, and do not necessarily reflect the viewpoints of the Tribe [or the [*insert name of the entity, if any*]].

218.8 Violations

218.8-1. Administrators who violate this policy may be removed as an administrator of a Tribal social media account by the appropriate entity.

218.8-2. When an administrator, entity or Tribal social media account violates the provisions of this policy, the Secretary's Office shall send written notice to the appropriate entity, notifying that entity of the responsibility to comply with this policy. If this policy is not complied with after the written notice is issued, the Secretary's Office shall request that the entity take the social media account offline. If the entity does not comply, the Secretary's Office may take the social media account offline, and shall notify the entity that it must re-register with the Secretary's Office prior to creating another Tribal social media account.

218.8-3. The Tribe reserves the right to advise the Oneida Police Department or other law enforcement agency of suspected crime documented or referenced on a Tribal social media account, and to provide evidence as necessary. When a realistic threat is issued on a Tribal social media account against any person or entity, the administrator shall forward the information to the Oneida Police Department or other law enforcement agency.

218.8-4. Any adverse action imposed by the Tribal Secretary or Secretary's Office may be appealed to the Judiciary in accordance with Tribal law.

End.

Adopted – BC-06-08-11-C
Amended – BC-02-25-15-C