



State of Wisconsin Department of Administration

Tony Evers, Governor
Kathy Blumenfeld, Secretary

DOA Social Media User Policy

Purpose

Wisconsin residents and stakeholders utilize social media for news, communications, and updates from the State of Wisconsin and Wisconsin Department of Administration (DOA) social media accounts. DOA maintains several social media accounts to inform the public about our work and mission. Comments left on DOA social media sites reflect the views of the commenters, not the views of this agency.

DOA is committed to fully complying with the freedom of speech clause of the First Amendment to the U.S. Constitution and other similar legal obligations surrounding free speech. On occasion, comments left by members of the public and perceived to be offensive may remain visible on DOA social media posts, if such comments are legally protected speech.

DOA has an important interest in assuring the accuracy and consistency of information associated with our social media sites. These terms and conditions establish guidelines for the public's use of our social media sites in a way that balances these values.

Definitions

1. "Social media" means digital content created by DOA and communicated on platforms that allow sharing, commenting, and engagement by the public. Examples of social media accounts we use include Facebook, Twitter, Instagram, YouTube, and LinkedIn.
2. "Comments" include any digital content, information, links, images, videos, or any other form of communicative content posted in reply or response to a social media account post posted by DOA on a DOA social media site.
3. "User" means a member of the public who views or interacts with DOA social media account(s).

Expectations

1. The leaders of DOA believe that honest, civil, and productive discussions provide the best environment for citizens and other stakeholders to understand the work of their government.
2. We ask commenters to consider that our social media feeds may be viewed by youth and other impressionable people. Please avoid profanity, slurs, personal attacks, bullying, or use of false information.

Accountability

DOA commits to regularly training DOA employees on this policy and relevant freedom of speech caselaw pertaining to managing DOA social media channels, and also commits to hold staff accountable if they violate said policy or law.

General Guidelines

1. These terms and conditions apply to all DOA social media sites. Where possible, a link to these terms and conditions will be made available as a hyperlink or posted as text in either the bio or another section of DOA social media accounts.
2. Users should know that social media posts made by DOA, comments and replies to those posts, and any direct or private messages submitted to DOA may be public records subject to applicable public records release.
3. DOA social media accounts are not monitored 24/7 and social media accounts should not be used to seek emergency services. Anyone in need of emergency help should call 9-1-1.
4. A response to comments or messages sent to DOA social media accounts is not guaranteed.

Content Moderation

Limited Public Forum

DOA social media accounts are created and maintained as limited public forums under the caselaw pertaining to the freedom of speech clause of the First Amendment to the U.S Constitution. We invite members of the public to view and, where possible and permitted, provide comments or other engagement on our social media posts. However, the law permits us to hide and/or delete comments that are not protected speech under the First Amendment and relevant caselaw.

Prohibited Content

As indicated above, we may hide or delete:

1. Comments expressly advocating direct violence or other illegal activity;
2. Comments containing or linking to obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive, appeals to prurient interest, and lacks serious literary, artistic, political, or scientific value;

3. Comments that expressly encourage or advocate our agency to illegally discriminate based on race, age, religion, gender, national origin, disability, sexual orientation, veteran status, or any other legally protected class;
4. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, or browser;
5. Duplicate comments posted repeatedly within a short period of time;
6. Comments containing actual defamation against a specifically named person or organization, either as determined by a court or comments that are patently defamatory by easily discoverable facts;
7. Comments that contain images or other content that violate the intellectual property or copyright rights of someone else, if the owner of that property notifies us that the property was posted in a comment on our social media account.

Retention

When a comment containing any of the above content is posted to a DOA social media account, a copy or electronic record of that content may be retained or archived pursuant to the State of Wisconsin records retention policy, along with a brief description of the reason the specific content was deleted. Once documented, the prohibited content will be removed, where possible. If prohibited content is removed, DOA will (a) reasonably attempt to notify the user; (b) describe the violation(s); and (c) explain the appeal process.

Repeated Violations

Repeated violations of these terms and conditions may result in the blocking or banning of the offending user on the social media account where the violations occurred. If a user is blocked or banned, DOA will (a) reasonably attempt to notify the user; (b) describe the violation(s); and (c) explain the appeal process.

Appeal

1. If a user's comment is hidden or deleted, or the user is blocked or banned, pursuant to these terms and conditions, the user has the right to appeal that decision by sending an email to doacommunications@wisconsin.gov , or a letter to DOA Office of the Secretary, PO Box 7864, Madison, WI 53707-7864.
2. Upon receipt of an appeal, DOA will determine whether the comment(s) at issue contained content protected by law, and not prohibited by the policy described herein, or whether the banning or blocking of the user was reasonable. If the appeal is successful, the comment may (if possible) be restored for public view, the user may be permitted to repost the comment, as long as it does not violate section 2e (see above), or the block or ban of the user will be lifted. Upon a determination that the comment was removed appropriately, or that the block or ban of the user was reasonable, the user will be notified that the appeal was denied.