



## Hesperia Recreation and Park District Social Media Policy

### Content and Comment Moderation Policy

As a public agency, the District abides by certain standards to serve all constituents in a civil and unbiased manner. As such, the District has implemented these Social Media Comment and Content Moderation policies.

Please note that Comments posted on these pages do not represent the opinions of the Hesperia Recreation and Park District. Hesperia Recreation and Park District does not have control over advertisements or hyperlinks by the social media site's owners, vendors, or partners.

The District will review all posted comments and/or remove inappropriate or offensive comments or commenters, as provided below. The District has activated all available filters for its social media platforms.

The District reserves the right to moderate, monitor, remove, prohibit, restrict, block, suspend, terminate, delete, discontinue, or reject comments and access to such comments if they are:

- i. *Images, text, video, audio files, and other content are subject to the Copyright Law of the United States of America and related codes, policies, and directives. For questions regarding copyright issues, see the Copyright and DMCA policy below or contact District's legal counsel.*
- ii. *District social media accounts are not to be used for promoting or opposing any person campaigning for public office and such comments will be removed.*
- iii. *Posts shall not violate copyrights and trademarks.*
- iv. *To the extent not removed by the platform's filters, the District will remove comments and/or commenters who use vulgar, profound, or inappropriate language; and*
- v. *The District will remove spam accounts from social media pages.*

- vi. *Profane, obscene, pornographic, abusive, threatening, racist, defamatory, or contain violent language.*
- vii. *Trolling (posts that are deliberately offensive, provocative, or disruptive and intended to hijack content, deflect information off-track).*
- viii. *Messages that are a violation of existing law or regulation.*
- ix. *Violations of the intellectual property rights of others.*
- x. *Spam (unsolicited messages that are usually intended as advertising or messages that are repeatedly posted on the same site).*
- xi. *Attacks or calls-to-action for attacks on specific protected groups under local, state, or federal law.*
- xii. *Intended to harass, threaten, or abuse an individual or are defamatory, derogatory, or are personal attacks on any District official, employee, resident, or businessperson.*
- xiii. *Hateful or discriminatory comments regarding or comments that promote, foster, or perpetuate discrimination or harassment on the basis of race, ethnicity, religion, gender, disability, sexual orientation, political beliefs, or a protected class under local, state, or federal law.*
- xiv. *Links or comments containing sexually explicit content material.*
- xv. *Links to malicious software or sites.*
- xvi. *Cyber-stalking or threats to an individual or organization, or intended to collect or post private information and data without disclosure (e.g., doxxing).*
- xvii. *Messages that relate to confidential, private, or proprietary information.*
- xviii. *Messages that are inappropriate, in poor taste, or otherwise contrary to the purposes of our site or the business of the District.*
- xix. *Self-promotion.*
- xx. *Solicitation of funds.*
- xxi. *Unsolicited business proposals and inquiries.*
- xxii. *Reports of criminal or suspicious activity (contact the police department directly with this type of information).*
- xxiii. *Encouragement of illegal or unlawful activity.*
- xxiv. *Any form of legal and/or administrative notices or processes.*
- xxv. *Posts not in compliance with the District's own terms and conditions of use of social media.*
- xxvi. *Posts that attempt to or do take over a thread in ways that are contrary to these terms and conditions (including random or unintelligible posts).*

### **Limitations on Use**

The public is warned that there is no reasonable expectation that the District nor any emergency services of the District will respond to any social media posting. The public is warned that medical or legal information on the site is intended as information only. District's uses of social media are not intended to, do not create, nor may they be relied upon to create, any rights enforceable by law by

any party in a civil or criminal action, and do not create any obligation or duty of care.

The District reserves the right to terminate its official District social media sites at any time without notice. The use of social media by the District is not intended to create any contract with anyone at any time or in any way nor is any use of social media by the District intended to create any expectation of action to be taken by the District.

### **Privacy**

The District cannot guarantee nor enforce privacy policies on third-party sites. The District will periodically review the privacy policies of third party social media sites to make a risk assessment as to the continued use of such third-party offerings.

The District cannot control and is not responsible for unofficial and other content on social media sites.

### **Disclaimer**

- A. Any unofficial or non-authorized content and all content posted by a member of the public on the District's social media site are the opinions of the person making the post. Appearance of content on the District's social media sites does not necessarily imply endorsement of, nor agreement by, the District, nor does such content necessarily reflect the opinions or policies of the District.
- B. The District reserves the right to deny access to District social media sites for any individual who violates this Policy, at any time and without prior notice.
- C. For any social media site approved by District, District may develop additional usage or other standards to optimize District's use of such third-party site.
- D. Any content posted on a social media site may also be subject to third-party, site-specific rules or policies. The District reserves the right to report any such violations of a third-party site's rules or policies. The District also reserves the right to report any post to law enforcement.
- E. Notwithstanding, any deleted posts shall be retained pursuant to the District's records retention policy.
- F. The deletion of any post must be approved by the General Manager.

## ADA Policy

HRPD has attempted to design its online public activities accessible to and by everyone. We have made every effort to ensure our website's compatibility with commonly used assistive technologies. We will continue to maintain our website in compliance with the Americans with Disabilities Act to every extent reasonably possible.

HRPD does not operate or control its social media sites and is not able to control the terms and conditions of the social media site provider.

If you have questions about ADA on our website or social media, please contact District management at: [admin@hesperiaparks.com](mailto:admin@hesperiaparks.com).

Although not an endorsement of any of the following services, we are aware of several tools that might be of aid to those with disabilities or alternative public access needs in an internet setting:

**Facebook** - <http://m.facebook.com> (the mobile site version of Facebook) Facebook also has a list of keyboard commands available.

**YouTube** – YouTube provides captioning.

**Google** – Google offers a range of accessibility features depending on the product you are using. There is also the ability to request a sign language interpreter through Google Hangouts.

The foregoing list is informational only and is not intended to be an endorsement by the Hesperia Recreation and Park District of any particular provider or product.

## Language Translation Policy

Translation of HRPD websites and pages may occur through a variety of third-party services that we do not control. These translation services should be considered only as a convenience to our website/social media visitors and not as any warranty, assurance, guarantee, or promise by HRPD as to the accuracy of any translations provided. The translations provided by these third-party sites may not produce an accurate or precise translation any nor all of the time and are likely just an approximation of our original content. Any translations you receive should only used as a rough guide. The official text is the English version of our website/social media. If you rely on information from one of these third-party translation providers, you are doing so at your own risk.

HRPD shall not and will not be liable for damages or losses of any kind arising out of, or in connection with, the use or performance of such translation activities and services, including but not limited to, damages or losses caused by reliance upon the accuracy,

reliability, or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of such information.

Please be aware that when you request a translation from a third-party service, you are leaving the HRPD website.

If you have any questions about information on our website, please contact District staff at [info@hesperiaparks.com](mailto:info@hesperiaparks.com).

## **Copyright Policy**

Images, photographs, written works, and graphics used by us on our website and social media sites, unless otherwise noted, are the property of HRPD and are protected under both United States and International Copyright Laws. Our images, photographs, written works, and graphics may not be reproduced, copied, transmitted, or manipulated without the written permission of HRPD. Use of any image or content from our social media sites as the basis for any other, literary writing, photograph, or illustration (in any format) is a violation of the United States and International Copyright laws.

For questions pertaining to our intellectual property rights or for permission to reproduce our social media please contact District management at [admin@hesperiaparks.com](mailto:admin@hesperiaparks.com).

## **Privacy Policy**

This Privacy Policy explains the online information practices of HRPD only. It does not apply to non-HRPD websites that you are able to reach from this website nor to any social media sites. We encourage you to read the privacy policies of those other sites in order to learn how they collect and use your information.

HRPD takes your privacy seriously. We do not collect personally identifiable information about you when you visit our web site or use our services unless you choose to provide that information to us.

### **What This Privacy Policy Covers**

This Privacy Policy covers our website and social media's treatment of personally identifiable information that we obtain when you are on this website/social media and when you use our website's services. This policy does not describe information collection policies on other sites, including social media sites or those linked to or from this website.

### **What Type of Information We Collect**

Hesperia Recreation and Park District may automatically collect aggregate information about the use of its site/social media, including which pages are most frequently visited, how many visitors we receive daily, how long visitors stay on each page, and social media insights.

### **How We Use the Information We Collect**

The personally identifiable information we collect from and about you may be used to provide e-mail-based newsletters and other information to you as you request and to notify you from time to time about services offered by us or other entities associated with us.

In the event of a known security or virus threat, we may collect information on the internet content you view.

### **With Whom We Share Information**

We may disclose information about you if we have a good-faith belief that we are required to do so by law or legal process, to respond to claims, or to protect the rights, property, or safety of the HRPD or others.

We may disclose personally identifiable online information that you have provided to us with representatives within the Hesperia Recreation and Park District and related entities, other government agencies, or other named entities. In order to address, meet, and combat security and virus threats, we may also share some information we collect automatically, such as IP addresses, with other government agencies.

The law may require us to share collected information with authorized law enforcement.

### **Children and the Collection of Information**

We do not intentionally collect information from children under the age of 13. We will comply with the Children's Online Privacy Protection Act (COPPA) at all applicable times.

### **Changes to This Privacy Policy**

Hesperia Recreation and Park District may revise and update this Privacy Policy at any time. Your continued usage of this site means you accept those changes.

### **Contact Information**

Questions or comments regarding this Privacy Policy should be sent by email to: [admin@hesperiaparks.com](mailto:admin@hesperiaparks.com).

## Digital Millennium Copyright Act (DMCA) Policy

HRPD has a designated agent authorized to receive notification of alleged copyright and trademark infringement claims in accordance with the Digital Millennium Copyright Act (DMCA). We will promptly respond to notices of alleged infringement that comply with the DMCA, 17 U.S.C. § 512 (c). There are many ways to respond to such claims. We may, for example, temporarily remove or disable access to the material that is the subject of inquiry until a resolution or determination is reached. We will make a good faith effort to contact the owner or creator of any questioned content so that they may make a counter notification pursuant to sections 17 U.S.C. § 512(g)(2) and (3) of the DMCA.

Some content on our website or in a social media context may be posted according to the “fair use” doctrine of copyright law for non-commercial news reporting, education, and discussion purposes. If you have a concern regarding the use of protected intellectual property on our website or social media page, please contact our District management at [admin@hesperiaparks.com](mailto:admin@hesperiaparks.com).

### DMCA Agent Designation Form

A notice of claimed infringement delivered to our Designated Agent must include the following (pursuant to 17 USC §512 (c)(3)(A)):

- A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed;
- Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
- Identification of the material that is claimed to be infringing or to be the subject of the infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to help us locate the material;
- Information reasonably sufficient to permit us to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted;
- A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law;
- A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

HRPD will comply with the appropriate provisions of the DMCA in the event that a counter notification is received by our Designated Agent.