



Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Youth Services

Official Policy

Policy Name: Use of Social Media by Staff

Policy #: 01.05.22 **Effective Date:** March 25, 2016

Repeals: None

References: Administration and Finance Policy on the Use of Information Technology Resources
EOHHS Acceptable Use Policy, Version 1.0, dated 11/17/15
DYS Code of Employee Conduct Policy
DYS Information Security Policy

Signature:

A handwritten signature in black ink, appearing to read "Peter J. Forbes", is written over a horizontal line.

3 / 1 / 2016

Peter J. Forbes, Commissioner

Applicability: This policy shall apply to DYS employees, DYS employees with individual contracts and DYS contracted provider employees.

Policy

It is the policy of the Department of Youth Services ("DYS") that employees shall not use any social media site in violation of DYS or other Commonwealth of MA policies, procedures, rules, or regulations; and shall not disclose unauthorized or confidential information about DYS, its youth (whether former or current), or other DYS employees on personal or work authorized social media sites. Conduct already prohibited by such rules, regulations, policies and procedures, including but not limited to the Code of Employee Conduct, applies to social networking, blogging, chats, texting and other on-line activity.

Social networking through social media, including the use of the DYS intranet site, DYS Pulse, may be used for authorized work purposes as described in this policy.

Individuals shall not use their personal social media account(s) for non-work related reasons during work hours or while using work issued equipment.

Procedures

A. Definitions

1. The following definitions shall have the meanings assigned to them in this policy for purposes of interpreting this policy.

Chats/Comments: Digital text communications between two or more persons. The text is generally posted in the order sent for all of the participants to read.

Electronic Devices: Cellular telephones, smart phones, tablets, iPads, digital cameras, mobile computers, netbooks, desktop computers, and other devices, used to store or transfer data, live audio or video, location or other information.

Forum: Discussion areas on websites where people can post messages and make comments. Some allow users to upload images, audio, video and other files.

Friends: On social networking sites, friends are individuals or organizations that you authorize to view the materials that you and others post, and may allow you to view the materials they post.

Peer to Peer: The connection of two or more individuals or organizations through a network. Peer to peer is often associated with file sharing.

Profiles: Information, images, audio, and/or video that a person or organization provides about themselves on a social networking site.

Public Domain: Materials or access available to the public without any special permission or access.

Pulse: The official DYS intranet site which functions to improve communication and collaboration between DYS employees, contracted providers and worksites. This web-based intranet platform allows DYS state and contracted provider employees to interact with each other, access documents and utilize other functions as made available by DYS.

Social Media: A website or platform for individuals and organizations to interact and/or share information and electronic content. Examples include, but are not limited to Instagram, Snapchat, Vine, YouTube, Facebook, LinkedIn, Twitter, Myspace and Tumblr.

Social Networking: The use by individuals of Social Media to communicate and share information with users or members of that site by posting messages including but not limited to making comments, 'liking' and posting photographs.

2. Terms that are defined Policy #1.1.4, "Policy Definitions" shall have the meanings assigned to them in that policy, unless a contrary meaning is clearly intended.
3. Terms not defined in Policy #1.1.4 or in this policy shall have the meanings assigned to them by reasonably accepted standard dictionary definitions of American English.

B. Guidelines for Use of Social Media For Work Purposes

1. Social Networking with Pulse: State and contracted employees with authorized access to the EOHHS Virtual Gateway are encouraged to use DYS Pulse to receive and share information in accordance with this and other applicable policies. State and contracted employees shall receive and use their individual personal username and password for the Virtual Gateway. In addition to the other applicable policy and procedures governing the use of the Virtual Gateway and information sharing generally, the following applies to the use of Pulse.
 - a. Users of Pulse have no expectation of privacy. All posts and messages are subject to review by DYS, are not private and may be removed and deleted at the discretion of DYS.
 - b. Users shall not use Pulse to link to any personal social media accounts or sites inconsistent with DYS policies.
 - c. DYS may terminate the user privileges of any individual using Pulse at any time.
 - d. Users may not post content that would constitute advertising, junk mail, chain letters, or spam.
 - e. Users are cautioned about posting personal information about themselves and shall not post personal or private information about other employees.
 - f. Users shall only use their individual virtual gateway account and not share their username or passwords.
 - g. Any information posted on Pulse may be considered public records and subject to disclosure in accordance with applicable laws.
 - h. Users shall not use Pulse to communicate about or share individual youth case information. This does not apply to photos, art work or other materials where authorization from the youth and, if needed, parent or guardian has been obtained in advance through a written release.
 - i. The following activities are prohibited:
 - i. Profanity;
 - ii. Comments or images regarding alcohol or drug use; or
 - iii. Sexually graphic and explicit material of any kind including nude or sexually suggestive images of the employee.
2. Social Networking for Supervision Purposes: There is no requirement that employees use social media for the supervision of youth. Where Caseworkers, apprehension officers, clinical directors, program directors, assistant program directors, district managers and other employees seek to use social media to assist

with client supervision, they shall obtain authorization in writing from their supervisor to utilize social media in accordance with these requirements:

- a. Employee(s) may use their own personal social media account for supervision purposes but shall not use these accounts to chat, friend, or otherwise communicate with any youth;
 - b. Employee(s) shall not use false names or identities, and must comply with any rules required by the specific site;
 - c. Authorization to utilize social media to supervise a youth shall be noted in the individual youth's JJEMS case management notes including the name of the person authorized to view the account, the name of the supervisor who granted the authorization, and the name of the account being used;
 - d. If using a social media site that allows users to see who is viewing them, employee(s) shall have privacy settings enabled to ensure users cannot see the employee who is viewing them;
 - e. Multiple employees shall not share one account; and
 - f. If information relevant to the youth's case is obtained through social media supervision, the employee(s) shall take a screen shot of such information to include within the youth's file and make any other notifications required by policy and/or law.
3. Social Networking for Investigations. DYS Legal Unit, including the Investigation Unit, DYS Apprehension Officers and designees by the Legal or Investigation Unit may use social media in accordance with these guidelines:
- a. Such individuals shall receive authorization to utilize social media for an investigation involving youth, including authorization to create an investigation profile. Upon approval, the following shall be documented in writing with the supervisor and treated as confidential: name of the person authorized to access the account, name of the supervisor who granted authorization; and name of the account created.
 - b. Employees conducting on-line investigations involving youth must meet periodically with their supervisor to review the use of social media in the investigation.
 - c. Social Media communication with youth shall be approved for the purposes of investigation.
 - d. Except as stated herein, nothing in this policy shall be construed to limit the Investigation Unit or designees from utilizing social media in the course of authorized investigations.

C. Prohibited Uses of Social Media

1. The following shall not be displayed on personal social media sites, sent via personal text messages, photographed or videotaped for personal use:
 - a. Reproductions of the DYS seal, letterhead or other insignia,
 - b. DYS or DYS affiliated buildings, facilities, or vehicles affiliated with DYS including interior or exterior views not already within the public domain; or
 - c. The disclosure of any youth or staff information that would violate any DYS policy, state or federal law or regulation.
2. The following are activities are prohibited during work or non-working hours and may result in disciplinary action up to and including termination from employment if found on any employee's social networking sites, including Pulse:
 - a. Disclosing any confidential or personal information of DYS youth, current or former, including but not limited to names, photographs, or personally identifiable information that can lead to identity of a DYS youth;
 - b. Disclosing any medical information, medical conditions, or diagnosis or any medical information of a DYS youth or any other individual that would violate HIPAA;
 - c. Disclosing any Criminal Offender Record Information (CORI);
 - d. Identifying employees of other law enforcement agencies (local, state, or federal) as law enforcement employees;
 - e. "Friending" clients, detained youth, the parent or guardian of a client or detained youth or any member of a client or detained youth's family;
 - f. Accepting a 'friend' request from clients, detained youth, the parent or guardian of a client or detained youth or any member of a client or detained youth's immediate family except as authorized by this policy;
 - g. Posting anything on a social media site that is a violation of the Code of Employee Conduct, Policy 1.05.04(d), including but not limited to any information about investigations, photos, videos or comments;
 - h. Allowing any DYS youth to access social media sites while in a residential location or any other setting using any employee's access; or
 - i. Harassing, intimidating, or retaliating against any employee causing a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or DYS policy.
3. Failure to report any known violation of this policy may lead to discipline up to and including termination.