

Social Media Guidelines

for Public and Academic Libraries

Approved by the ALA Intellectual Freedom Committee in June 2018

Policy Intent

The American Library Association has adopted the [Library Bill of Rights](#) and [interpretations](#) of the *Library Bill of Rights* to provide library governing authorities, librarians, other library staff, and library users with guidelines on how constitutional principles apply to U.S. libraries.

This document provides a policy and implementation framework for public and academic libraries engaging in the use of social media. The following information is provided solely as a guideline for creating a social media policy and is not intended as a comprehensive list of requirements or legal advice. Please consult legal counsel and your governing body for the approval of your policy statements.

Definitions

Social media

“Social media” is defined by [Merriam Webster Dictionary](#) as “forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).” Libraries participate in social media for many reasons but primarily to communicate information about library services and resources, and to engage with their communities. Social media sites may have their own terms of service, privacy, acceptable behavior, and stated consequences for violating those terms of service. Users can post their own content or respond to what has already been posted.

Designated public forum

Libraries are under no legal obligation to participate in social media, nor are they required to host public conversations. A library could choose, for instance, to solely participate in one-way communication, that is, to make announcements and not seek or respond to questions or comments. But once a public library or publicly funded academic library does invite conversation, it may be considered to have established a designated public forum. As of 2018, the courts are just beginning to consider and decide cases raising the claim that the hosting of public conversations in social media by government entities creates a designated public forum subject to the strictures of the First Amendment. Lower court cases considering the issue have held that a designated public forum is created when social media is opened for public comment by a governmental entity. Those cases, however, are still winding their way through the court appeals process and currently there is no definitive ruling from the United States Supreme Court. Nonetheless, there is a strong argument that opening social media for public comment creates a designated public forum as it does in the analogous situation where a governmental entity opens a meeting room or exhibit space for public use.

The Supreme Court of the United States has defined a “designated public forum” as a forum set aside by government for expressive activities. As with a traditional public forum, designated public forums are subject to “strict scrutiny,” meaning that First Amendment principles apply. While libraries may impose time, place, or manner regulations (which do not readily apply to the online environment), the courts closely examine any content-based speech restrictions to determine whether they violate the rights of the speaker. Viewpoint discrimination is prohibited in any forum.

To avoid having a library’s platform hijacked by content unrelated to the library mission (including commercial or simply irrelevant speech), libraries should carefully and narrowly craft their public declarations of purpose and acceptable behavior as tied to the mission of the library. Narrow declarations of purpose can be broadened if necessary, but restricting the scope of broader declarations may create challenges.

Guidelines

Following best practices, a library’s social media policy should consider the following issues. Not all issues below apply to every library, and omissions and additions can be made based on the library’s individual needs.

Purpose and scope

The library should make its social media policy publicly available on its website and link to the policy from social media platforms whenever possible.

There is a range of possible community engagement levels available to libraries; some examples are listed below:

1. The library posts information related to its services and operations for its constituents and does not seek out or respond to comments.
2. The library posts information and will conduct occasional calls for survey responses or comments. The library reserves the right to close comments at a predetermined time and not in response to the commentary received.
3. The library invites people to post or comment occasionally on various issues.
4. The library engages with its community regarding matters related to library resources and services.
5. The library serves as a forum for the discussion of many issues related to its collections, programs, and spaces.

Statements may also address the larger purpose of the library and its governing body, such as “Our library’s mission is to promote the value and importance of library services, programs, spaces, and collections, and of libraries in general.”

Audience

As a best practice, the library should identify its intended audience. An academic library may limit its intended audience to university faculty, students, staff, administrators, and alumni. It can be expanded further to include specialized communities outside of the university, such as scholars within a particular discipline, or even the general public. Public libraries may identify their audience as those people residing within their official service area.

Staff responsibilities

All library staff responsible for contributions to library social media platforms should be thoroughly trained, not only in best practices for individual social media platforms, but in the mission, values, and positions of the library and its governing body or parent institution. A social media account serves as the digital face of the library and should maintain the same level of customer service provided in the physical library. In order to provide a guide for staff and protect the library when interacting with users online, the library should outline appropriate staff behavior and responsibilities in its social media policy. All staff should apply these guidelines in a consistent manner.

Staff contributors should use a tone consistent with their organization's communication and marketing strategy, whether posting original content or communicating directly with a user. Be friendly, sincere, and energetic. Social media content should be written from the point of view of the "We," which represents the library as a whole and not as an individual staff member. As the online face of the library, staff members should remain professional at all times and should refrain from expressing their personal views when posting on the library's behalf.

Library staff should protect patron privacy and confidentiality whenever possible. Social media platforms should not be used to collect information about the library's users. Information shared by patrons on the library's social media should not be kept by the library or used for other purposes. Library social media policies should also refer users to the privacy policies of the host social media platform and clearly inform users when posts will be publicly available. Staff should be trained and aware of basic cybersecurity practices. Librarians and library staff should refer to the Committee on Professional Ethics' ["Questions and Answers on Ethics and Social Media"](#) for additional information.

Reconsideration

Social media policies should provide recourse for individuals to express complaints or concerns about content posted on the library's social media. This establishes an objective and uniform framework for all involved while protecting the creative freedom and skills needed to engage library communities. The procedure for handling complaints and for reconsidering social media content should be clearly enunciated in the policy statement and applicable to everyone. The policy should stress that no posts will be

removed without following the approved procedure and no content should be removed upon the authority of a single staff member or administrator.

Acceptable behavior

Libraries should clearly state their social media behavior policy on all of their social media platforms and prominently display that policy on their websites. Much like the code of conduct/usage that patrons must abide by when visiting the library, a social media policy clearly defines acceptable and unacceptable behavior, as well as what steps will be taken by library staff should the patron not adhere to policy guidelines.

Unacceptable behavior that may result in the removal of a post or the temporary blocking of a user could include speech that is not protected by the First Amendment, such as copyright violations, obscenity, child pornography, defamatory or libelous comments, or imminent or true threats against the library, library staff or other users. As a best practice, policies should state that unprotected speech of this type is not permissible to insulate the library from any potential liability as a facilitator of the public discussion. However, libraries should be aware that enforcement of such policies to ban unprotected speech could prove difficult as library staff would be put in the position of determining whether particular speech fits within the legal definition of the unprotected speech category, a determination generally relegated to the legal court system.

In crafting their social media policies, libraries should be further aware that removing posts that do not fit within the definition of unprotected speech, for example, on the basis that they are controversial, constitute profanity or may be offensive to other users could expose the library to litigation as the courts have found those categories of speech to be protected by the First Amendment and terms such as “controversial” and “offensive” to be subjective.

A library can urge its users to adhere to the established acceptable use policies of the host platform and to engage in civil discourse, but as a governmental entity subject to the strictures of the First Amendment (unlike the private entity that may be the host platform), the library will have an obligation to regulate its social media pursuant to First Amendment law and cannot restrict speech on the basis that the private entity might do so. Courts likely would find that the library or other governmental entity could not avoid its obligations under the First Amendment by using a private platform.

Consequences

Libraries should clearly state the consequences for posts that do not meet the library's social media policy, which should be drafted in consultation with legal counsel. Best practices include developing a procedure through which libraries notify patrons of why they are being blocked, provide an appellate process within the library for the patron to challenge the removal, and determine an acceptable time period for the patron to proceed through a reinstatement procedure. Permanently blocking a patron from the social media site based on prior comments could be considered a prior restraint in violation of the First Amendment.

The social media content of a public library or publicly funded academic library can be subject to an open records, or Freedom of Information Act, request. All user's posts that are removed for any reason whatsoever should be securely retained in accordance with your organization's retention schedule. The policy for how long a library retains these social media posts should be clearly stated in its social media policy and reviewed by legal counsel.

Library administrators should clearly communicate their social media policies and legal obligations to their vendors.

Disclaimer

Libraries should state that comments expressed on any social media platform do not reflect the views or positions of the library, its officers, or its employees. Social media users should exercise their own judgment about the quality and accuracy of any information presented through social media.

Privacy

Library staff should make a good-faith effort to understand the privacy practices of the social media platforms which they use and the implications for patron privacy. If the library cannot guarantee privacy, it should explicitly say so in its policy, for example: "The library may occasionally refer to public comments made on social media. However,

it will not collect, sell or knowingly transfer to any third party any personally identifiable information related to social media engagement with the library. Please be advised that [platform] has its own privacy policies, which can be found here [link] and should be carefully reviewed.” Libraries can take advantage of the tools offered by social media applications to manage outdated content or posts that do not comply with the library’s social media policy.

Some states or institutions may have record-retention policies that require the protection and maintenance of some data. These should be reviewed with legal counsel.

Additional information

The staff of the [Office for Intellectual Freedom](#) is available to answer questions or provide information to librarians, trustees, educators, and the public about social media policy and practice. Areas of assistance include policy development, First Amendment issues, professional ethics, and privacy. Inquiries can be directed via email to oif@ala.org or via phone at (312) 280-4226.

Conclusion

The Intellectual Freedom Committee recommends that libraries participate in social media after thoughtfully reviewing the guidelines presented here, and adopt a social media policy in consultation with legal counsel that reflects their institution’s intent and capacity. Social media presents an opportunity for libraries to engage with users and to make significant contributions to shared knowledge. This robust civic engagement leads to an informed citizenry and a healthy society, while also demonstrating the great value of our institutions.

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<http://www.ala.org/advocacy/intfreedom/socialmediaguidelines>