

**RESOLUTION OF THE TOWN COUNCIL OF CLERMONT, MARION  
COUNTY, INDIANA ADOPTING A  
SOCIAL MEDIA POLICY FOR ELECTED OFFICIALS**

The Town Council of The Town of Clermont, Marion County, Indiana (the "Council") met at a duly called and authorized meeting of the Council on the date set forth below, such meeting being regularly scheduled meeting of the Council and such meeting being called pursuant to the Council's notice stating the time, place and purpose of the meeting received by all the Council Members, and the following resolution was made seconded and adopted by a majority of the elected Council Members which constituted a majority of the Council:

**WHEREAS**, Indiana Code Chapter 36-1-3 (Home Rule Statute) permits a unit in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental or internal affairs, which are not prohibited by the US or Indiana Constitutions, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity; and

**WHEREAS**, pursuant to IC 36-5-2-2 the Town Council of the Town of Clermont Marion County, Indiana is the legislative and fiscal body of the Town of Clermont (the "Town") and is authorized to adopt ordinances and/or resolutions for the administration of the Town of Clermont's legal and financial affairs; and

**WHEREAS**, the Town finds it in the best interests of the Town to adopt a social media for elected officials, and

**NOW THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Clermont, Marion County, Indiana that the attached document shall constitute the Town's Social Media Policy.

**IT IS FURTHER RESOLVED** that this Resolution shall be effective upon passage.

YEA

NAY

Sum M. Topp  
Michael A. Adam  
John O.  
Kathy Lemo  
Frank Lemaire

A handwritten signature in blue ink, reading "Pao", is written across the bottom line of a sheet of lined paper. The paper features five horizontal ruling lines. A vertical blue ink line is drawn from the top of the page down to the signature, ending with a small hook at the bottom.

Approved and Adopted this 10<sup>th</sup> day of April, 2025.

Sue M. Topf  
Sue Topf  
President of the Clermont Town Council

**ATTEST:**



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Larry Beiter  
Clerk/Treasurer of the Town of Clermont

## **Town of Clermont Social Media Policy**

The Town of Clermont engages with the public through digital means such as its website and third-party social networking sites. Social media use by the town is intended to extend traditional channels of constituent engagement, increase transparency, raise awareness about important initiatives and news, build community, and promote the town's programs, services and efforts.

Social media is a 24/7 medium and engagement by the public is welcomed at any time. However, given the need to manage town resources, responses and content moderation should only be expected on an infrequent basis. At all times, when interacting with external users, administrators of the town's social media accounts are to be civil and follow the usage guidelines established by the social networking platform.

### **Scope**

This document is created as a baseline for town social media policies and/or guidelines. It is intended as a starting point and, where appropriate, supplemental to already existing town-created social media policies. This guideline applies to all town employees, officials, contractors, and volunteers creating or contributing to social media on behalf of the town, except as herein provided.

There shall be no postings of content that:

- Criticizes town employees or operations in a manner that undermines public trust.
- Discloses confidential or sensitive information without proper authorization.
- Violates Indiana's public records or privacy laws.

### **Violations**

- Employees violating this policy may face disciplinary actions, including termination.
- Elected officials may be subject to public and council review for violations but are not bound by employment-related disciplinary measures.

### **Special Considerations for Elected Officials**

- Elected officials have unique roles as both representatives of the town and as individuals with protected First Amendment free speech rights.
- While using personal accounts, elected officials should clearly distinguish between personal views and official town statements.
- Town council members and other town elected officials are town representatives and their personal opinions on issues are protected by the First Amendment. However, town elected officials should avoid any type of statement that is inappropriate, offensive and/or deplorable language unbecoming of an elected representative of the town of Clermont.

- Other town elected officials shall be guided by the policy that they speak for the town only when doing so in their elected capacity on matters delegated to their particular elected office by state statute or town ordinance.
- The statements of town elected officials on social media shall constitute official governmental town action, if and only if:
  - the town elected official possesses actual authority to speak on the town's behalf; and
  - the elected official purports to exercise that authority.
- A disclaimer shall be placed on all elected officials' town social media platforms as follows: "The views expressed are strictly my own and do not represent the views of the Town of Clermont."

### **Guidelines Statement**

Creating social media accounts should be a business decision based on the town's specific needs. Prior to creation of a social media account, the Communications/Technology Commissioner must notify the town council for its awareness and advisement.

### **Personally Identifiable Information**

No personally identifiable information, as defined by IC 4-1-6-1(2), shall be posted on social media sites by the town.

### **Usage**

The town may designate more than one person to maintain a list of social media account(s), account username(s) and password(s). The town shall also keep a list of all those with access to all social media accounts.

Should a town user with administrative privileges to a social media account(s) be removed as administrator or leave employment, all passwords should be changed to maintain town control.

Town users must not post any materials or images that are copyrighted.

The town should post its social media policy commenting guidelines on the town's website and on the social media outlet.

If comments do not follow established commenting guidelines, a record of these comments must be made before hiding or removing. These records are subject to record retention policies and subject to the Access to Public Records Act.

## **Social Media Customer Use Policy/User Generated Content**

When engaging with the town or sharing content (photos, videos, etc.) on its social media platforms, users are subject to the Terms of Service (TOS) of the host site. Content and comments shared should adhere to the standards outlined in this Customer Use Policy, the host site TOS and should follow all copyright and trademark laws. Review the host site TOS prior to engaging with the town. While the town anticipates accepting a majority of the comments on its page, it is not responsible for content generated by users, and posted comments and images do not necessarily represent the views of the town.

## **Customer Use Policy and Commenting Guidelines**

Comments and content will be monitored on an infrequent basis. The town reserves the right to remove user generated content or comments that violate any of the following criteria:

- The use of obscene, threatening, discriminatory, or harassing language.
- Personal attacks on individuals or groups that contains offensive content or language which targets racial, ethnic, or religious groups, gender, sexual orientation, or disability status.
- Disclosure of information which is confidential by law or regulation.
- Comments advocating illegal activity or posts violating copyrights or trademarks.
- Advertisement or promotion of commercial products, services, entities, or individuals.
- Endorsement or opposition of any person campaigning for election to a political office or promoting or opposing any ballot proposition.
- Spaming, trolling, or making duplicative comments by the same user or multiple users.
- Sharing fake, outdated, off-topic, and/or discrediting content that is not factual.

While the town asks everyone to be civil, it may not see every inappropriate comment right away. If you see something that violates the customer use policy, please report those to the town and the host site. Content removed from the town's social media platforms will be archived, in accordance with the social media policy and related archiving practices.

The town is not responsible for personal content, as defined by IC 4-1-6-1(2), posted by other users and any such information is posted at his or her own risk. Town personnel will remove personal information, such as Social Security numbers, address, phone number, or driver's license numbers, when properly identified, but the town is not responsible for any damages caused by delays in removing the information.

## **Freedom of Information Act (FOIA) and Indiana Access to Public Records Act (IAPRA)**

Upon posting, the content the town shares on social media becomes public domain. With limited exceptions, such content is therefore not exempt from FOIA or IAPRA requests. FOIA and IAPRA requests should be submitted through official town channels (the clerk-treasurer's office) and in accordance with state statute and local ordinance.

## **Disclaimer**

Posts by the agency may include content or hypertext links to information created and maintained by public or private sources. When viewing content or a link outside of the town's domain, users are subject to security and privacy policies of the host website.

- Liking and following an account, user, or page by the town of third-party sites does not constitute an endorsement.
- Liking, commenting, or sharing specific content by the agency does not constitute an endorsement of the global third-party content.
- The town is not responsible, nor can it control, content on third-party sites.
- The town does not control, nor guarantee, the accuracy or completeness of information contained in external content or hypertext links linking to or from third-party websites.
- Third-party content and links are not intended to reflect the opinion of the town, its officers or its employees.
- The town does not guarantee that externally-linked content, hypertext links, or websites comply with accessibility requirements of the Rehabilitation Act of 1973.

All social media inquiries should be directed to the town's Communications/Technology Commissioner at [admin@clermont.in.gov](mailto:admin@clermont.in.gov).