GENESEE COUNTY ROAD COMMISSION

Serving the motorists of Genesee County for more than 100 years

211 W. Oakley Street
Flint, MI 48503-3995
Website: www.gcrc.org
Board meetings: first and third Tuesdays at 10:00 A.M.

Phone: (810) 767-4920
Toll Free: (800) 249-4027
Fax (810) 767-5373 – Administration
Fax (810) 767-3634 – Maintenance

From:	Randall Dellaposta, Managing Director RSD Eric Johnston, P.E., Deputy Managing Director EJ
To:	Board of County Road Commissioners
Re:	Social Media Policy - Amended
Date of Meeting:	February 04, 2025
Date Prepared:	January 29, 2025
Synopsis:	The Genesee County Road Commission (GCRC) has developed social media accounts that help inform the public about its work and mission. This Policy on Social Media applies to all GCRC social media profiles, web pages, and accounts.
Recommendation:	The Board of County Road Commissioners adopt the amended Social Media Policy.

Genesee County Road Commission
Social Media Policy – GCRC Managed Accounts Policy

Board Approved Date	2/4/25
Dept#	70
Amendment #	#1

The Genesee County Road Commission (hereinafter referred to as "GCRC") has developed social media accounts that help inform the public about its work and mission. This Policy on Social Media applies to all GCRC social media profiles, web pages, and accounts.

The GCRC is committed to fully complying with the freedom of speech clause of the First Amendment of the U.S. Constitution and other similar legal obligations surrounding free speech. The law allows the GCRC to turn off all comments on its social media sites and may choose to do so on a prospective basis. Suppose the GCRC decides not to turn off all comments. In that case, there may be times when what some people perceive to be offensive comments left by members of the public will remain visible on the GCRC's social media sites because such comments are legally protected speech. Comments left on the GCRC's social media sites reflect the views of the commenters, not the views of the GCRC.

The GCRC is also essential in assuring the accuracy and consistency of information associated with its social media sites. This policy establishes guidelines for the public's use of the GCRC's social media sites that balance these interests.

By posting or commenting on any social media platform used by the GCRC, users participate by their choice, taking personal responsibility for their comments, usernames, and any information they provide. By accessing, posting, or commenting on a GCRC social media platform, they acknowledge having been advised of, understanding, and agreeing to the below terms of use. A link to these terms and conditions will be displayed through a link on the GCRC's social media accounts.

Duties of the GCRC Communications Coordinator

Only the GCRC's Communications Coordinator is authorized to add content for GCRC social media under the Managing Director's direction. The Communications Coordinator will monitor GCRC's social media accounts to ensure adherence to this Policy and keep a log of removed comments.

Requests for Emergency Assistance

To better serve the community, the GCRC utilizes social media platforms to provide information to the public quickly. However, anyone experiencing an emergency or who needs emergency services should call 9-1-1 for immediate assistance. Requests for emergency services will not be addressed through any GCRC social media platform, and a response by the GCRC or any emergency service provider is not guaranteed.

Limited Public Forum/Content Moderation

The GCRC's social media platforms are established to communicate with the public, provide information on matters of public interest, and relay official GCRC content. The GCRC invites members of the public to view and, where possible and permitted, provide comments or other engagement on its social media posts. As previously stated, the law permits the GCRC to turn off all comments on a prospective basis. If it chooses not to do so, it may hide and/or delete content that is not protected speech under the First Amendment and relevant case law. As a general rule, the GCRC will not conceal and/or delete comments solely because they are critical of the GCRC or its officials. The GCRC may discontinue any or all of its social media platforms at any time and for any reason.

The GCRC regulates its social media platforms for the following reasons:

1. Information appearing on a GCRC social media platform appears to carry the approval of the GCRC. Unauthorized posts can confuse the public as to whether the GCRC endorses the information or if the information forms the GCRC's official position on a topic and,
2. The GCRC's social media platforms are not intended to and do not operate as a traditional open public forum for the public to express its opinions and views.

If comments are not turned off, the public is encouraged to submit content that is on topic, but content should address a specific topic of discussion.

As a limited public forum, content posted on a GCRC social media platform may be removed in a viewpoint-neutral manner per this policy and also preserved as a public record. The GCRC will not edit or delete any content unless authorized by this policy or as allowed by law. Additionally, third parties may have control of a social media platform. They may act to edit or delete content independently of the GCRC and without the consent, authority, or control of the GCRC.

Practical and legal considerations may sometimes constrain, prevent, or prohibit the GCRC from discussing certain topics, including, but not limited to, litigation and pending investigations.

Prohibited Content

By accessing, posting, or commenting on a GCRC social media platform, a user acknowledges that they understand and agree that their comments and others' comments are subject to archiving and that their comments and others' comments are subject to removal, in whole or in part, from the GCRC's social media platforms if they contain prohibited content. Specifically, the GCRC may hide or delete:

1. 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;
2. Comments expressly advocating direct violence or other illegal activity;
3. Comments that expressly encourage or advocate the GCRC to illegally discriminate based on race, religion, color, creed, sex, sexual orientation, national origin, veteran status, ethnicity, age, disability, gender identity, 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 discovered fact;
7. Personally identifiable information or sensitive personal information that, if released, would violate federal or state law;
8. Information that may compromise public safety or security of the public or a security system;
9. Information that may directly interfere with or compromise an ongoing investigation;
10. Confidential or exempt information in violation of state or federal law;
11. 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 the GCRC that the property was posted in a comment on the GCRC's social media account.

Request for Reconsideration of Removal of Content

When the GCRC hides or deletes content from a social media platform, anyone aggrieved by the decision may seek to have the decision reconsidered by submitting a written request for reconsideration to the GCRC within five business days via email at _____ or by mail at _____. A request for reconsideration must contain the following:

1. The name and contact information of the aggrieved individual.
2. The reason(s) why the individual believes they are aggrieved.
3. The reason(s) why the individual believes the item should be allowed pursuant to this policy.
4. Any other basis to establish a right to publish the content on the social media platform.

The aggrieved will receive a written decision on the request for reconsideration within five business days (excluding GCRC holidays) of receipt of the request, identifying the basis for the decision for removal. The GCRC's decision on a request for reconsideration shall be final.

The right to request reconsideration pursuant to this section does not apply to a GCRC employee providing comments on a social media platform in their official capacity or as a representative of the GCRC. It will only apply if the employee is acting in their capacity as a private party and when exercising the rights accorded a person under the Constitution and the laws of the United States.

When a user violates the terms or conditions of this policy on three or more occasions within a 12-month rolling period, the GCRC may block or ban the offending user from the social media account where the violations occurred.

If a user is blocked, the GCRC will (a) reasonably attempt to notify the user, (b) describe the violations(s), and (c) explain the appeal process. If the appeal is successful and/or the user has not violated this policy three or more times within a rolling 12-month, the GCRC will unblock or reinstate a user to the social media account. If the appeal is not successful, the GCRC's decision is final.

Accountability

The GCRC commits to regularly training its employees on this policy and relevant freedom of speech case law and holding them accountable if they violate this policy or related law.

No Endorsement

Following or "friending" persons or organizations is not an endorsement by the GCRC and is only intended as a means of communication. Any references or links to a specific entity, product, service, or organization posted on a GCRC social media platform should not be considered an endorsement by the GCRC or its departments, employees, officers, or elected officials.

The GCRC does not review, sponsor, or endorse any other website(s) linked to its website or a GCRC social media platform. The views and opinions of authors expressed on those websites do not necessarily state or reflect the opinion of the GCRC and may not be quoted or reproduced to state or imply any endorsement or approval of any product, person, or service by the GCRC, its employees, officers, or elected officials.

The GCRC is not responsible for content that appears on external links.

The GCRC is not responsible for and does not guarantee the authenticity, accuracy, appropriateness, or security of any link, external website, or content.

Waiver of Liability

By using or posting content on a GCRC social media platform, the user, for themselves, their successors, and assigns, releases, holds harmless, and agrees to indemnify the GCRC, its officers, employees, and officials from all actions, claims, liabilities, and damages of whatever kind and

Board Approved Date	
Dept#	
Amendment #	# 1

nature arising out of or in connection with the individual's use of a GCRC social media platform. This includes liability for various actions, including but not limited to defamation, invasion of privacy, false light, breach of contract, procurement violations, and violations of due process, for which the GCRC accepts no responsibility based on the actions of others or for creating a social media platform.

The GCRC cautions users that they have no expectation of privacy while using a GCRC social media platform; however, the GCRC will make a reasonable effort to protect confidential and sensitive government information and personal information.

Social Media Platform Standards, Rules, and Community Guidelines

All comments and information posted on GCRC social media accounts shall be subject to the particular social media platform's Standards, Rules, and Community Guidelines. The GCRC reserves the right to report any violation to the social media platform involved, with the intent of the social media platform taking appropriate and reasonable responsive action.

Severability and Savings

If any part or provision of this policy or the application to any person or circumstance is held to be illegal, invalid, unenforceable, or unconstitutional, the remaining provisions shall be valid and binding upon all users of the GCRC's social media platforms; the other parts or provisions or application of this policy which can be given effect without the illegal, invalid, unenforceable, or unconstitutional part or provision or application are therefore deemed severable.

Timothy Elkins 2/4/25
Timothy Elkins Date:
Chairperson, Board of County Road Commissioners of Genesee County

2/4/2025
Randall Dellaposta Date:
Managing Director

Adopted: 2/4/2025