

Reaching Across Illinois Library System (RAILS) Social Media Comment and Posting Policy

The Reaching Across Illinois Library System (RAILS) utilizes various social media tools to present matters of interest to RAILS members and others. The following is intended to inform users of the policies for posting comments and other information on all RAILS social media websites/pages.

We welcome posts and comments from our members and others interested in engaging with RAILS or with other members of our system. However, our social media sites are not intended to be public forums and the comments and discussions that take place on these sites will be moderated by RAILS for compliance with this policy and for compliance with a specific social media site's terms of use. The posts and comments expressed on these sites do not necessarily reflect the opinions of RAILS.

RAILS reserves the right not to post or to remove any comments, photographs, links, or posts that it deems to be inappropriate, including:

- Posts containing personal attacks, insults, profanity, obscenity, threatening language, or harassment;
- Posts that discriminate against specific individuals or groups on the basis of race, religion, national origin, or any other unlawful reason;
- Spam and commercial posts;
- Content that violates a copyright, trademark, or any other law;
- Private, personal information about an individual, group, or entity published without consent of that individual, group, or entity;
- Comments that are not relevant to the original topic, and
- Content in support of or opposition to political campaigns or ballot measures.

The RAILS Executive Director or his or her designee reserves the right to deny access to any/all of our social media sites for any individual who violates this policy or applicable laws, at any time and without prior notice. Further, RAILS reserves the right to amend this policy at any time, without notice.

Please be advised that content or posts on RAILS social media sites that relate to RAILS business may be a public record subject to disclosure under the Freedom of Information Act and retention under state records retention laws.

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RAILS reserves the right not to post or to remove any comments, photographs, links, or posts that violate any of the following provisions of this policy, it deems to be inappropriate, including:

- Posts containing personal attacks, insults, profanity, obscenity, or sexual or pornographic content, threatening language, or harassment;
- Threats to any person;
- Posts that promote discrimination against specific individuals or groups on the basis of race, age, religion, national origin, gender, or any other unlawful-protected class reason;
- Spam and/or links to malware/viruses
- Promotion of any commercial activities not related to RAILS business/commercial posts;
- Content that violates a legal ownership interest (copyright or trademark)
- Conduct that violates any federal, state, or local law or encourages illegal activity, or any other law;
- Private, personal information about an individual, group, or entity published without consent of that individual, group, or entity;
- Comments that are not relevant to the original topic, and
- Content in support of or opposition to political campaigns or ballot measures.

The RAILS Executive Director or his or her designee reserves the right to deny access to any/all of our social media sites for any individual who repeatedly violates this policy or applicable laws, at any time and without prior notice. Further, RAILS reserves the right to amend this policy at any time, without notice.

Users who enter private or personal information on RAILS social media sites do so at their own risk, and RAILS is not responsible for any damages resulting from the public display of, or failure to remove, private or personal information.

Commented [TJ1]: I'm not sure I understand what this means – are you requiring all comments to be approved before they are published?

Commented [TJ2]: There have been a lot of legal changes since 2016 when this policy was first adopted that have found public bodies in violation of the First Amendment for removing profanity or other First Amendment protected content/comments.

So, I've updated this section consistent with these more recent cases. It will further restrict RAILS' moderation of its social media sites because courts have become active in restricting how government removes protected speech from its social media sites.

Commented [TJ3]: This one is questionable – there is a case pending before the 7th Circuit on this very issue that will decide whether a government can prohibit "off topic" comments. There is some risk that this type of restriction could be found to violate the First Amendment – we won't know until that case comes out.

You could take the position that you leave it in here for now, but if the 7th Circuit determines this is not legal, modify the policy. I'm hopeful the 7th Circuit will get it right and allow governments to include this type of language but you just never know...

Commented [TJ4]: You need to be careful about using a "step" approach – i.e., you shouldn't ban someone for one violation but you could ban or block someone for repeated violations of the policy.

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