Social Media AND *Electronic Communications*
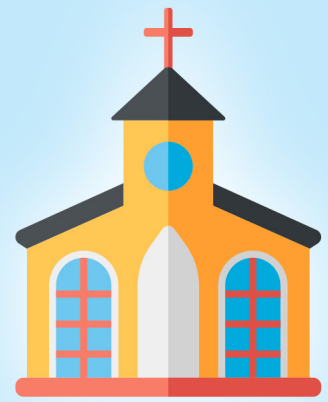
POLICY GUIDELINES FOR CHURCHES

MAXIMUM MINISTRY.
MINIMUM LIABILITY.

NCLL
NATIONAL CENTER
FOR LIFE AND LIBERTY

INTRODUCTION

The internet has completely changed the world in which we live and do business. And, like it or not, it has also changed how our churches and Bible-believing ministries operate. Many people will never drop a dime in an offering plate, opting instead to give their tithes and offerings through an online giving portal. Church attendees are more likely now to use tablets or iPhones during Sunday's sermon than to use a printed Bible. Screens and PowerPoints are replacing hymnbooks and the weekly announcements that used to be made from the pulpit. YouTube video clips are being seamlessly integrated into our pastors' messages.

Along with altering how our churches operate on Sunday morning, most churches and ministries are now using internet-based communications to promote their ministries and communicate with those affiliated with their ministries. In fact, very rarely will your church have visitors who have not first checked out the church's website or Facebook page. And while the use of electronics and social media vastly increases opportunities for communication, service, and gospel ministry, it also poses liability, privacy, and security risks that need to, and can be, mitigated by developing and implementing an electronic communication and social media policy.

Developing a policy to govern your ministry's use of electronic communications involves much more than restricting employees from using Facebook while at work; it involves establishing expectations and setting boundaries so the ministry may harness the power of social media to provide effective, relevant, and nearly real-time communication without the fear of negative consequences. Think of it as laying down train tracks for your employees and volunteers along which your ministry must travel: if you stay on the rails, you can go far and accomplish much; but veering off the track can get your ministry into trouble.

The following resource from the National Center for Life and Liberty is provided to help your ministry identify those areas that should be addressed in your ministry electronic communications and social media policies. In most cases, the ministry may set whatever policies it chooses for each of the areas addressed in this resource; however, with some topics, specific policies are recommended that are best practices for limiting a ministry's liability. One such example is the policy that photos and videos of minors should not be posted on any church website, blog, or social networking site without written permission of minors' parents or guardians. Failure to obtain parental permission could potentially risk a minor's safety and increase the ministry's liability.

RISKY BUSINESS

Ministries need to be aware of and quickly shut down communications that might put people or the ministry at risk. The following are issues most likely to cause problems in a ministry setting, and ministry policies should be drafted with the prevention of these four practices in mind:[1]

- **Release of Private/Confidential Information:** this can happen when using photos/videos, particularly of minors, taken at church activities and posted on the ministry's website or social media pages, as well as the online sharing of private or confidential health, financial, or other information about ministry participants. These communications create a target for online financial hackers and identity thieves and put the ministry at risk for violating an individual's privacy rights. Configure the privacy settings on your ministry's social networking sites so that information that should remain private (church photo albums, member online pictorial directories, church-only announcements, etc.) does not become available to the general public. In most cases, the default setting on sites is to allow information to be public.

- **Copyright Violations:** this can happen in the posting of copyrighted graphics, photos, sermons, scripture versions, and music on the ministry's website and social media pages without appropriate authorization.

- **Damage to Ministry Reputation:** this can happen when inappropriate posts or comments are left on the ministry's social media sites or blogs and are not properly managed or responded to or when staff members, including volunteers, use internet-based communications inappropriately when acting on behalf of (or what appears to be on behalf of) the ministry.

- **Sexual Abuse/Harassment:** this can happen by inappropriate communication via social media messages or posts, texts, email, video chats, or other internet-based communications between staff and ministry youth, between staff members, or between staff and persons outside the ministry.

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[1] Keep in mind that many of the issues addressed in this resource may also arise in non-electronic communication.

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1. Staff members' personal, non-ministry-related communications

Include the following:

• The ministry's conduct expectations for personal electronic communications and the extent to which private use of social media and electronics by staff, volunteers, members, and/or students is governed by the policy (the NCLL recommends that ministries require that all electronic communications conform to the ministry code of conduct, particularly the provisions prohibiting harassment and predatory or other sexually inappropriate communications)

• The extent to which staff may engage in personal communication at work—email, texting, web surfing, use of e-readers and tablets, and social networking (including initiating and responding to posts, texts, online messages, etc.)

• How personal communications on social media by staff members, volunteers, members, and others affiliated with the ministry may or may not impact a person's standing or status with the ministry

2. Ministry-owned websites and social media sites

Include the following:

• who is responsible for interacting (posting and/or approving posts and responding to posts or messages) with the ministry's websites and social media pages

• how often posts or "status updates" should be added or updated

• types of content that should be posted, being careful to consider the above-listed issues that raise problems for ministries and the issues described below with regard to copyright, safety, confidentiality, and privacy

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• guidelines for posting comments and questions for visitors to the site (a sample comment policy is included at the end of this resource)

• guidelines for photo/video use when posting (making sure that individuals whose photos and videos are posted on your website/blog have signed a photo/video permission and liability release)

• copyright guidelines for online postings—in particular, making sure that the church has permission, either from the creator of the copyrighted work, a license, or by means of the fair-use doctrine, to be using any copyrighted works

• a restriction on posting anything that may violate confidentiality and privacy of protected classes of information and what those classes are (the NCLL advises against posting any of the following types of information online, even if they are or were presented as prayer requests):

— health-related concerns, such as a person's health condition, surgeries, doctor's appointments, hospitalizations, etc., without consent of the person whose health is at issue

— the identity of individuals other than staff members—especially minors

— relationship concerns (couples with marital struggles, employee/employer relationship issues, teens having difficulty with parents, etc.)

— vacation/travel plans of members/staff (which would let everyone know the family or members of the family are not home and potentially a much easier target for a break-in)

— financial needs or data of members or anyone else—including an individual's potential or actual job loss

— member or visitor photos or videos without permission

— political communications that could put the ministry's tax exemption at risk

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3. Ministry-related email, phone calls, and text communications from staff or volunteers

Address the following:

• Group communications

— Guidelines for sending group emails or texts to other staff or volunteers

— Guidelines for sending group texts to non-staff persons in the ministry, such as other members or youth

— Requirement that all group communications comply with code-of-conduct and any applicable ministry policies

• One-on-one communications

— Prohibition of one-on-one electronic communications between staff/volunteer adults and minors

— Requirement that all communications that need to go to one minor also go to a parent and/or another staff member on a group email/text

— Requirement that all communications comply with code-of-conduct and any applicable ministry policies

4. <u>Ministry-Owned Electronic Device Usage</u>

Address the following:

• guidelines for use of ministry-owned and provided cell phones, computers, and tablets, including the extent to which they may be used for personal use (taking into consideration the tax consequences of personal use)

• a statement that communication services and equipment provided by the ministry and messages transmitted and stored by them are the sole property of the ministry; that the staff member or volunteer has no expectation of privacy in any of those communication devices or files or any content stored thereon; and that the ministry may access and monitor such devices, communications, and files as it deems appropriate

• how personal or ministry-related electronic communications by staff members, volunteers, members, and others affiliated with the ministry may or may not impact a person's standing or status with the ministry when he or she is communicating using ministry-owned electronic devices

• a statement that the ministry has tracking software and filters that are routinely monitored and a statement prohibiting any attempt to disable such software or tracking system

• specific actions that would constitute abuse of ministry communications systems and the consequences for abusing the ministry's systems (sample wording for this type of policy is included below)

SAMPLE - ABUSE OF MINISTRY COMMUNICATIONS SYSTEMS POLICY

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Abuse of (MINISTRY NAME)'s communication services and equipment provided by the ministry in violation of law or ministry policies will result in disciplinary action up to and including termination of service. Staff members may also be held personally liable for any violations of this policy. Staff members should notify their immediate supervisor or any member of ministry leadership upon learning of violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- *Sending or posting discriminatory, harassing, or threatening messages or images*
- *Using the organization's time and resources for personal gain*
- *Stealing, using, or disclosing someone else's code or password without authorization*
- *Sending or posting confidential material, trade secrets, or proprietary information outside the organization*
- *Violating copyright law*
- *Failing to observe licensing agreements*
- *Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted internet services and transmissions*
- *Sending or posting messages or material that could damage the organization's image or reputation*
- *Participating in the viewing or exchange of pornography or obscene materials*
- *Sending or posting messages that defame or slander other individuals*
- *Attempting to break into the computer system of another organization or person or refusing to cooperate with a security investigation*
- *Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities*
- *Using the internet for political causes or activities or any sort of gambling*
- *Jeopardizing the security of the organization's electronic/communications systems*
- *Sending or posting messages that disparage another organization's products or services*
- *Passing off personal views as representing those of the organization*
- *Sending anonymous email messages*
- *Engaging in any other illegal activities.*

The following is a sample comment policy developed by the NCLL that your ministry may use on your ministry Facebook, blog, or other social networking site.

Thank you for visiting (Church Name)'s (Social media site-Facebook/Pinterest/website blog) page. It is our desire to use this page as a means of sharing Christ, informing and interacting with our members and visitors, and allowing our members and visitors to interact with each other. We have dedicated page administrators and moderators who

monitor this page and its content and who will seek to answer questions and monitor comments in a timely fashion. Given that this page is a type of open forum, the comments expressed here do not necessarily reflect the opinions and position of our church. However, we also seek to ensure that our presence on this page will (Insert Church's goal/mission, such as "bring glory to God"). Thus, in keeping with that mission, the church has the absolute discretion to monitor, delete, share, copy, or use the comments posted to this page for any reason not prohibited by law. Any comments that include or are characterized by the following types of content will not be tolerated and will be deleted at the discretion of our administrators and moderators:

- *Vulgar or foul language*
- *Sexually inappropriate content, including posts by persons with inappropriate profile pictures*
- *Overly critical, insulting, vicious, harassing, provocative, threatening, or hateful comments about the church, its staff, its members, or others affiliated or unaffiliated with the ministry*
- *Links to businesses or advertisements*
- *Links to questionable websites*
- *Posts that include copyright violations or plagiarism*
- *Promotion of specific political candidates or other posts that may potentially violate the ministry's tax-exempt status*
- *Personal or business contact information*
- *Spam*
- *Requests for financial assistance*
- *Potentially confidential information, including but not limited to health concerns, financial information, or the pending or potential litigation involving members, staff, or visitors*
- *Any other comments that the administrators or moderators believe do not support the mission of the church or align with its statement of faith*

SAMPLE - COMMENT POLICY

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Any person who repeatedly violates this policy will be banned from the page. If you see a comment on this page that potentially violates the policy or in any other way should be brought to the attention of the church, please contact us through the message option or via email. We would ask you not to respond to or share comments that are in violation of this policy, particularly those comments that are intended to instigate or provoke unhelpful dialogue, so they can be appropriately moderated.

SAMPLE - ELECTRONIC COMMUNICATIONS WITH YOUTH & PHOTO/VIDEO-POSTINGS POLICY

Children's and youth workers are prohibited from emailing, texting, or sending private messages, including photographs and videos, through social media sites to children or youth with whom they work at the ministry. Any communications must be sent to a group rather than to individuals, or messages should be communicated through parents or guardians. Any messages sent to children/teens must also be sent to parents at the same time. All communications with children/youth and parents must comply with the code of conduct of this organization and all applicable ministry policies.

Staff members and volunteers are also prohibited from taking photographs or videos of children/youth at ministry functions and posting them anywhere online, including on the ministry's website, social networking sites, or on the staff member's private social networking sites unless a liability waiver/ permission form has been signed by the parents and the staff member(s) has/ have been authorized by the ministry to do so.

Conclusion

Mitigating the risks that are inherent in the use of electronic devices and, more particularly, social media first requires understanding what those risks are and then developing and implementing policies to address those risks. The issues raised in this resource will allow your church to use electronics and social media more effectively with less risk of liability.