

Policy on Road Commission Social Media Accounts

Policy #2026-06

The Van Buren County Road Commission (hereinafter referred to as “Road Commission”) has developed its own social media accounts, which help inform the public about the Road Commission’s work and mission. This Policy on Social Media Accounts applies to any and all social media profiles, webpages and accounts of the Road Commission.

The Road Commission 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 Road Commission to turn off all comments on its social media sites, and it may choose to do so on a prospective basis. When comments are permitted, some comments that members of the public may consider offensive or objectionable may remain visible because they are protected by law and cannot be removed based solely on their content or viewpoint. Comments posted by members of the public represent the views of the individual commenters and do not constitute endorsement by, or reflect the views of, the Road Commission.

The Road Commission also has an important interest 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 Road Commission’s social media sites in a way that balances these interests.

By posting or commenting on any social media platform used by the Road Commission, users participate by their own choice, taking personal responsibility for their comments, username, and any information they provide therein. By accessing, posting, or commenting on a Road Commission social media platform, they acknowledge having been advised of, understanding, and agreeing to the below terms of use. Where possible, a link to these terms and conditions will be made available or posted as text on the Road Commission’s social media accounts.

Requests for Emergency Assistance

In order to better serve the community, the Road Commission utilizes social media platforms to quickly provide information to the public. 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 Road Commission social media platform, and a response by the Road Commission or any emergency service provider is not guaranteed.

Limited Public Forum/Content Moderation

The Road Commission’s social media platforms are established to communicate to the public, to provide information on matters of public interest, and to relay official Road Commission content. The Road Commission 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 Road Commission 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 caselaw. As a general rule, the Road Commission will not hide and/or delete comments solely because such comments are critical of the Road Commission or its officials. The Road Commission may discontinue any or all of its social media platforms at any time and for any reason.

The Road Commission regulates its social media platforms for the following reasons:

1. Information appearing on a Road Commission social media platform appears to carry the approval of the Road Commission. Unauthorized posts can confuse the public as to whether the Road Commission endorses the information, or if the information forms the Road Commission's official position on a topic; and,
2. The Road Commission'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 Road Commission social media platform may be removed in a viewpoint neutral manner in accordance with this policy and also preserved as a public record. The Road Commission 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 and may act to edit or delete content independently of the Road Commission and without the consent, authority, or control of the Road Commission.

Practical and legal considerations may sometimes constrain, prevent, or prohibit discussion by the Road Commission on certain topics, including but not limited to litigation and pending investigations.

Prohibited Content

By accessing, posting, or commenting on a Road Commission 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 Road Commission's social media platforms if they contain prohibited content. Specifically, the Road Commission 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 Road Commission to illegally discriminate on the basis of 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 Road Commission that the property was posted in a comment on the Road Commission's social media account.

Request for Reconsideration of Removal of Content

When the Road Commission 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 Road Commission within five business days via email at LinneaRader@vbcrc.org or by mail at 325 West James Street, Post Office Box 156, Lawrence, Michigan 49064. 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 bases to establish a right to publish the content on the social media platform.

A written decision on the request for reconsideration will be provided to the aggrieved within five business days (excluding Road Commission holidays) of receipt of the request, identifying the basis for the decision for removal. The decision of the Road Commission to a request for reconsideration shall be final.

The right to request reconsideration pursuant to this section does not apply to a Road Commission employee providing comment on a social media platform in their official capacity or as a representative of the Road Commission and will only apply if the employee is acting in their personal 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 Road Commission may block or ban the offending user from the social media account where the violations occurred.

If a user is blocked the Road Commission 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 period, the Road Commission will unblock or reinstate a user to the social media account. If the appeal is not successful, the Road Commission's decision is final.

Accountability

The Road Commission commits to regularly training its employees on this policy and relevant freedom of speech caselaw and commits to hold employees accountable if they violate this policy or related law.

No Endorsement

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

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

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

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

Waiver of Liability

By using or posting content on a Road Commission social media platform, the user, for themselves, their successors, and assigns, releases, holds harmless, and agrees to indemnify the Road Commission, its officers, employees, and officials from any and all actions, claims, liabilities, and damages of whatever kind and nature arising out of or in connection with the individual's use of a Road Commission 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 Road

Commission accepts no responsibility based on the actions of others or for creating a social media platform.

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

Social Media Platform Standards, Rules, and Community Guidelines

All comments and information posted on Road Commission social media accounts shall be subject to the Standards, Rules, and Community Guidelines of the particular social media platform involved. The Road Commission 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 Road Commission'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.

Questions

Specific questions regarding this policy or its application should be directed to **Linnea Rader, Finance and HR Director**, at **(269) 674-8011, Extension 233**, or via email at LinneaRader@vbcrc.org.

POLICY ADOPTED: 08-05-2026