

## Grand Hampton Board Member Social Media Policy

For the past five years it has been the unwritten policy of the Grand Hampton Board of Directors that board members should not post anything on social media related to Board business. This was done, in part, on the advice of HOA attorney Ellen Hirsch de Haan. There are several reasons why board member participation on social media is inadvisable:

1. **Limited audience for social media.** Some residents may be quite active on social media as observers or as active participants, while others do not engage with social media at all. Given the wide variety of channels available, it is unlikely that any one platform will reach all residents. This just adds to the tendency for rumors or other misinformation to spread.
2. **Accuracy and consistency of messaging.** It is critical that all communication from the Board be carefully controlled to ensure that statements are complete and accurate and reflect decisions by the Board which have been reached through proper procedures. This cannot be done effectively if board members make social media posts through personal accounts.
3. **Potential liability.** Any statement by a board member on social media could be construed as an official statement from the Board. There is Florida case law in which HOAs have been held responsible for information or opinions posted by individual board members. In addition, board members who post outside of approved Board communication channels can potentially lose liability protections afforded to board members acting in their official capacity.
4. **Potential conflict of interest.** From time to time a board member may be engaged in business activity related to a matter or action over which the Board has direct or indirect control. In order to maintain the integrity of the Board, board members need to avoid any actual or perceived conflict of interest. Board members who advertise or otherwise engage with residents via social media have a particular responsibility to ensure that they are not creating the impression that their business activity is influencing any action that the Board may take.
5. **Misimpression of board procedures.** Social media, by its nature and practice, reinforces the notion that decisions are made on a democratic basis. The HOA operates via a board of elected representatives who are charged with following the documents which govern the community. While it is important to give homeowners an opportunity to make suggestions and voice concern, it is equally important to maintain an orderly process for considering significant issues which require decisions by the board. Free form discussions on social media can be counterproductive for this reason.

**Given all of the above I propose the adoption of the following policy:**

***Members of the Grand Hampton HOA Board of Directors understand that official communications from the Board are made via regular U.S. mail, email and the Grand Hampton web site after proper review, approval, and authorization.***

***Board Members agree not to individually personally post anything on any social media outlet which relates to board business while serving in any official Association capacity.***

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***Board Members agree not to be the administrator for any Grand Hampton related social media outlet.***

***The Directors and Officers agree that none of them will post a response to a negative comment related to the Association which might appear on a social media website.***

***No Director will criticize or disparage a comment related to the Association or its operations which he/she may find on a social media website.***

***Directors will not make any verbal responses to social media posts during a Board or membership meeting.***

***If situations, conditions, documentary provisions or facts related to the Association and the Community are misstated or misrepresented on social media, the Board may prepare a Fact Sheet for distribution among the membership. The Fact Sheet will contain information to refute the allegations being made on social media, but will not cite or reference the specific social media comments. It is the Board's intention to provide a business-like, neutral and objective response to misinformation, without being confrontational, and without engaging in a debate or making personal, individual comments.***

***If a comment on social media potentially constitutes defamation of character or libel against a Board member, the Board may refer the matter to the Association Attorney authorizing a warning letter to the individual(s) making the comment. Depending upon the circumstances, and whether there are actual damages, further action may be taken.***