

**NCTPA
COMMUNICATIONS POLICIES AND PROCEDURES**

SECTION 1 - COMMUNICATIONS AND PUBLIC AFFAIRS

CHAPTER 1 SUMMARY/PURPOSE.....4

CHAPTER 2 POLICY.....4

A. POLICY.....4

B. PLANS, NOTIFICATIONS AND PUBLIC MEETINGS.....4

 i. Major Plans/Activities.....4

 ii. Minor Plans.....5

 iii. Notification.....5

 iv. Conducting Public Meetings.....5

C. ORAL AND WRITTEN NEWS MEDIA COMMUNICATION.....5

 i. Queries From and Interviews With the News Media.....5

 ii. Letters to the Editor.....6

 iii. Press Releases.....6

D. PRESENTATIONS TO ELECTED BOARDS AND COUNCILS, CIVIC ORGANIZATIONS, NON-GOVERNMENT AGENCIES, AND SPECIAL INTEREST GROUPS.....6

 i. Presentations and Meetings to Elected Boards and Other Groups.....6

SECTION 2 - SOCIAL MEDIA USE POLICY

CHAPTER 1 SUMMARY/PURPOSE..... 7

CHAPTER 2 POLICY..... 7

A. APPLICATION OF RELATED NCTPA POLICIES 7

B. FRONT PAGE REQUIREMENTS - IDENTIFICATION & MAINTENANCE AS A NCTPA SITE..... 7

C. NCTPA’s OFFICIAL WEBSITE 8

D. LINK BACK TO OFFICIAL NCTPA OR DEPARTMENT OFFICIAL WEBSITE..... 8

E. RECORDS RETENTION 8

F.	PUBLIC RECORDS ACT REQUESTS FOR PRODUCTIONS	8
G.	COMMENTS POSTED BACK ON SOCIAL MEDIA SITES	8
H.	CONTENT OF POSTS	10
1)	Posts Represent the NCTPA	10
2)	Purpose of Posts.....	10
3)	Posts for Official Business Only	10
4)	NCTPA Branding.....	10
5)	Protection and Non-Disclosure of Confidential/Sensitive Information	10
6)	Copyright Laws	11
7)	No Political Advocacy or Private Commercial Activity	11
8)	No Expectation of Privacy	11
9)	Ongoing Monitoring and Updating of Sites.....	11
10)	Right to Remove Content.....	11
11)	Disclaimer of Liability	11
I.	RESPONSIBILITIES OF DEPARTMENTS AND INFORMATION AND TECHNOLOGY SERVICES	11
J.	RELATED DOCUMENTS	12
K.	ENFORCEMENT	12

SECTION 3 - PUBLIC RECORDS REQUESTS

CHAPTER 1 SUMMARY/PURPOSE.....	13
CHAPTER 2 POLICY.....	13
1. Statutory Requirements.....	13
2. Responsibility and Processing.....	13
3. Records.....	13

SECTION 4 - ADVERTISING POLICIES AND GUIDELINES

CHAPTER 1 SUMMARY/PURPOSE.....	14
CHAPTER 2 POLICY.....	14

1. VEHICLES AND FACILITIES.....	14
2. ADVERTISING OF PRODUCTS.....	14
3. ADVERTISEMENT DISPLAY.....	14
A. Demeaning or Disparaging.....	14
B. Tobacco.....	14
C. Alcoholic Beverages Marketed to Youth.....	14
D. Profanity.....	14
E. Graffiti.....	15
F. Human or Animal Graphics.....	15
G. Violence.....	15
H. Unlawful Goods or Services.....	15
I. Unlawful Goods or Services.....	15
J. False or Deceptive Commerical Speech.....	15
K. Libelous, Copyright or Patent Infringement.....	15
L. Obscenity or Nudity.....	15
M. Prurient Interest.....	15
N. “Adult”-oriented Goods or Services.....	15
O. Endorsement.....	16
P. Injurious to NCTPA and its Mission.....	16
4. POLITICAL ADVERTISEMENT.....	16

SECTION 1 - COMMUNICATIONS AND PUBLIC AFFAIRS

1. SUMMARY/PURPOSE

The purpose of this policy is to ensure consistency in communicating to the public and to ensure information is received and understood. Additional policies about Board and Committee Agenda Preparation and Meeting Procedure Guidelines section of the NCTPA Policies and Procedure Manual. As a public agency, NCTPA has an obligation to ensure that members of the public are informed about the agency's responsibilities and activities. The Public Communications chapter provides guidelines on elements of public outreach meetings, publicizing meetings, and communications with the press.

The policy is also intended as guidance to help meet Title VI and Environmental Justice requirements for planning processes established by the Federal Highway Administration and the Federal Transit Administration. To that end, NCTPA is committed to:

- Identify residential, employment and transportation patterns of low-income and minority populations, identify and address needs, and assure that benefits and burdens of transportation investments are fairly distributed.
- Improve public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decisions.

2. POLICY

A. The policy is applicable to public meeting protocol, the development of public materials and communications, including but not limited to, meeting materials, press releases, letters to the editor, presentation materials, and press interviews.

B. PLANS, NOTIFICATIONS AND PUBLIC MEETINGS

i. Major Plans/Activities

Public Outreach and Meetings are a priority for NCTPA. Public meetings are a critical tool for communicating information about the agency's activities and plans. Public meetings should be used to inform members of the public about major planning activities and to receive public input. The number of meetings and types of meeting should be determined by the significance of the activity. Major plan updates such as the NCTPA (County?) wide Plan and the Short Range Transit Plan should involve public meetings located in central locations (e.g. City of Napa, City of American Canyon, etc.) at facilities that can accommodate and are germane to the community or sub-sector (e.g. seniors, Spanish-speaking audiences) to which the meeting is being directed.

Major plans should also engage stakeholder groups that represent a broad sector of the community. These groups include but are not limited to: seniors, Spanish-speaking community, disabled community, transit riders, bicycle community, Vintners Association, Grape Growers Association, Napa Valley Farm Bureau, Visit Napa Valley, chambers of commerce, NCTPA, City, and Town governments. Existing standing committees (i.e. Technical Advisory Committee, Vine Consumer Advisory Committee, Paratransit Coordinating Council, Active Transportation Advisory Committee) can serve to represent specific interests.

ii. Minor Plans

Minor plans and technical studies should at a minimum convene a stakeholder committee or working group of which members of the public are welcome to attend. This could include standing committees as referenced in paragraph i. above.

iii. Notification

Public meetings should be noticed 30 days in advance with a press release or published notice as well as written notification to appropriate groups which should include, at a minimum, Board and standing committee members. Notice should also be placed on the NCTPA and Ride the Vine websites. Materials should also be posted on the agenda kiosk at the Soscol Gateway Transit Center and on Vine Buses. Materials should be published in both English and Spanish.

iv. Conducting Public Meetings

Public meetings should be held in accessible and easy to find locations that can accommodate a large number of individuals, and on days and times that would generate the most participants. Materials should be available in both English and Spanish. A Spanish and American Sign Language interpreter should be engaged upon request.

Meeting materials should be printed using font large and clear enough for all participating members to understand. Visualization tools, such as maps and diagrams, should be used to help demonstrate ideas and concepts. Acronyms should be spelled out and defined on all materials.

Presentations should be clear and concise. A meeting agenda should be provided. Specific time and opportunity for public input should be designated on the agenda. Information about additional meetings and opportunity to communicate to the NCTPA Board should be shared.

C. Oral and Written News Media Communication

i. Queries From and Interviews With the News Media

NCTPA staff is encouraged to work with the media on stories pertaining to NCTPA, it's projects, policies, plans, and programs. Staff members should inform their supervisors and the ED about the query or interview in the event of follow up questions.

ii. Letters to the Editor

Letters to the Editor must come from the Executive Director and only when necessary to clarify a news story or to respond to concerns heard from the public.

iii. Press Releases

Press Releases are to be used to announce public meetings, public hearings, special events, and noteworthy projects and plans. The press release should be drafted by the project manager for ED review. Once the ED has approved the press release, the press release is directed to the Administrative Department to placed on the appropriate form and distribution. The NCTPA Press Release Form is found at: H:\NCTPA\0200_Public Communications\02_Press Releases

D. Presentations to Elected Boards and Councils, Civic Organizations, Non-Government Agencies, and Special Interest Groups

i. Presentations and Meetings to Elected Boards and Other Groups

NCTPA Staff is encouraged to engage the public through various avenues including presenting to City/Town Councils, the Board of Supervisors, Civic Organizations, and other interest groups. Presentations and messaging should be approved by the ED.

SECTION 2 - SOCIAL MEDIA USE POLICY

1. SUMMARY/PURPOSE

The purpose of this policy is to establish consistent standards for and ensure appropriate use of NCTPA Transportation & Planning Agency-sponsored Social Media sites for use by NCTPA staff in reaching out to the public with the intended purpose of sharing and gathering information about NCTPA and its various projects.

For the purpose of this policy “Social Media” (and Social Networking) refers to technologies that allow NCTPA staff to share pertinent and important information over the Internet with the public. Example include (but are not limited to) NCTPA websites, Facebook, Twitter, Myspace, etc. that allow NCTPA staff to communicate to a broad audience.

This policy applies to all NCTPA-sponsored Social Media sites (“NCTPA Social Media sites”) and to all NCTPA employees and approved volunteers, consultants, service providers, and contractors performing business on behalf of NCTPA. This policy is not intended to regulate the personal (non-work-related) activities of NCTPA employees, volunteers or contractors. Nevertheless, employees are cautioned that blogging under assumed names/identity about agency related affairs will not be tolerated.

2. POLICY

A. Application of Related NCTPA Policies

All official NCTPA presences on Social Media sites are subject to all related administrative policies, including, but not limited to, confidentiality, conflict of interest, general conduct and sexual harassment. Please refer to specific NCTPA policies that cover privacy and security of NCTPA technology assets (including data and information) and the Policy for Maintaining a Harassment and Discrimination Free Work Environment.

B. Front Page Requirements - Identification & Maintenance as a Napa NCTPA Site

To help distinguish NCTPA Social Media sites from non-professional (or personal) uses of these tools, NCTPA sites must state that they are maintained by NCTPA and that they are subject to this Social Media Policy. Each site must have the standard NCTPA Privacy and Disclaimer Notice posted on its front page. [Refer to the NCTPA Privacy and Disclaimer Notice.]

C. Napa NCTPA's Official Website

NCTPA's official Website at www.nctpa.net will remain the NCTPA's primary and predominant Internet presence.

D. Link back to Official NCTPA Website

Content on NCTPA Social Media sites shall *not* be offered in lieu of official information on the NCTPA's official Website or a department's official Web pages. A NCTPA Social Media site shall contain a link back to the sponsoring department's official Website, where the announcement, press release, form(s), document(s), online services and/or other information relevant to the matter shall be posted.

E. Records Retention

NCTPA Social Media site posts that are prepared, owned, used or retained by the NCTPA (including its departments), will be archived and managed in accordance with the applicable NCTPA and Department records retention schedule.

Exception: Comments posted back to a NCTPA Social Media site are generally transitory in nature and are not considered to be records that are required under law to be kept, or necessary or convenient to the discharge of a public officer's duties, or made for the purpose of preserving its informational content for future reference. Comments are retained only until they have been removed and destroyed unless otherwise required by law to be retained (such as where the content is subject to litigation or potential litigation or pending Public Records Act requests). [For more information refer to the NCTPA Records Management Policy.]

F. Public Records Act Requests for Production

Posts on NCTPA Social Media sites that are prepared, owned, used or retained by the NCTPA, or its departments, may be considered public records subject to disclosure under the California Public Records Act ("PRA" - Government Code §§ 6250 et. seq.). Any PRA requests for the production of posts on a NCTPA Social media site shall be referred to the NCTPA Counsel's Office for review and response.

Preparedness to Comply with PRA Requests: The posting Department must be prepared to respond to PRA requests and e-Discovery requests.

G. Comments Posted Back on Social Media Sites

- 1) A primary purpose of Social Media sites is to welcome public comment on posted topics. Wherever appropriate and possible, the NCTPA encourages the solicitation of comments on Social Media sites. Where comments are not desirable or practical, the department should carefully consider both

appropriate social media and other media tools. While the NCTPA welcomes public comment by email, letter, and phone, the receipt of public comments on a NCTPA Social Media site invites certain legal risks and administrative challenges.

- 2) The following requirements should be adhered to in using and managing a NCTPA Social Media site:
 - a. Posting of NCTPA Privacy and Disclaimer Notice: The standard NCTPA Privacy and Disclaimer Notice must be posted on the site's front page, detailing how posts and public comments may be subject to the Public Records Act or to discovery under pending litigation.
 - b. Daily Monitoring of Comments: The posting Department must dedicate sufficient resources and time on a daily basis to monitor for disallowed public comments as set forth in Section II. G.2) d. , "Disallowed Content" or to respond to requests or questions.
 - c. Disabling of Public Comments: There may be occasions where disabling of public comments on a Social Media site is desirable. In these instances, comments may be invited via email to a designated NCTPA department email address that is regularly monitored. Refer to the NCTPA's Social Media Best Practices for further guidance.
 - d. Disallowed Content: Users and visitors to NCTPA Social Media sites shall be notified that the intended purpose of the site(s) is to serve as a mechanism for communication between NCTPA departments and members of the public. A site that allows public comment shall inform visitors of the intended purpose of the site. The site must provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal.

Napa NCTPA social media postings, articles and comments containing any of the following forms of content shall not be allowed:

- Profane language or content;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Comments in support of or opposition to political campaigns or ballot measures;
- Solicitations of commerce;
- Conduct or encouragement of illegal activity;

- Information that may tend to compromise the safety or security of the public or public systems;
 - Content that violates a legal ownership interest of any other party;
 - Comments not topically related to the particular social medium article/posting being commented upon.
 - **For site security, hypertext links in comments are prohibited.** Users may post only plain text links that they can copy and paste into a browser.
- 3) These guidelines on comments must be displayed to users (e.g. through the NCTPA Privacy and Disclaimer Notice) or made available by hyperlink. Any content removed must be retained and documented in accordance with the NCTPA's Social Media Best Practices.

H. Content of Posts

1. **Posts Represent the NCTPA:** Employees, contractors, and other individuals authorized to use Social Media to communicate on behalf of a NCTPA department should be mindful that statements posted represent the NCTPA, including its elected officials. Therefore, employees, contractors and other authorized individuals should use discretion when posting.
2. **Purpose of Posts:** Posts should be designed to increase the public's knowledge, trust and use of NCTPA departments, programs or services.
3. **Posts for Official Business Only:** Posts should always relate to work-related matters within the subject matter jurisdiction of the posting Department and should be consistent with the NCTPA's public service mission. Only information authorized by this policy shall be posted. NCTPA staff authorized to use NCTPA Social Media sites must ensure that all information posted is professionally presented, accurate and appropriate for dissemination to the public.
4. **NCTPA Branding:** NCTPA Social Media sites must identify the department responsible for the information displayed, such as all descriptions, logos, and images representing the NCTPA services.
5. **Protection and Non-Disclosure of Confidential/Sensitive Information:** Confidential, sensitive, proprietary or non-public information must never be shared.

Information posted on NCTPA Social Media sites or links from those sites to NCTPA sites must not contain data or information that relates, or can be connected to, an individual or group of individuals containing specific health information (doctors, diagnoses, medication/prescriptions, etc), personally identifiable information (names with social security numbers, bank

accounts) or information deemed to be sensitive in nature or protected by Federal, State, or NCTPA rules and regulations.

It is the responsibility of all NCTPA staff authorized to use NCTPA Social Media sites to ensure that information posted on these sites do not contain confidential, sensitive, proprietary or personal information.

6. **Copyright Laws:** Postings must respect copyright laws, and reference or cite sources appropriately. This includes, but is not limited to, quotes, images, documents, links, etc.
 7. **No Political Advocacy or Private Commercial Activity:** Departments and their employees must not use NCTPA Social Media sites for advocacy of political purposes or to conduct private commercial activities.
 8. **No Expectation of Privacy:** Users of NCTPA Social Media sites, including employees, are cautioned not to have any expectation of privacy as to any posting.
 9. **Ongoing Monitoring and Updating of Sites:** Departments must monitor and maintain their sites, and delete or replace stale posted information in accordance with the NCTPA's Social Media Best Practices.
 10. **Right to Remove Content:** The NCTPA reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.
 11. **Disclaimer of Liability:** Users shall be informed on NCTPA Social Media sites that the NCTPA disclaims any and all responsibility and liability for any materials that the NCTPA deems inappropriate for posting, which cannot be removed in an expeditious and otherwise timely manner.
- I. **Responsibilities of Departments and Information and Technology Services**
1. **NCTPA Department Heads** are ultimately responsible and accountable for the management of department site(s) in a manner consistent with this policy and related policies and procedures, including the NCTPA's Social Media Best Practices. Department Heads must designate authorized Social Media administrators. Only authorized administrators may be permitted to respond, comment, or manage NCTPA Social Media sites. All such authorized administrators must sign and complete the Standard of Conduct Agreement. Employees who post to or respond to comments on a NCTPA Social Media site and who are not authorized as Social Media administrators may be subject to disciplinary action.
 2. **NCTPA Information Technology Services ("ITS")** is responsible for:

- Jointly working with the ED and NCTPA Counsel to develop and administer usage standards, guidelines and procedures, and training for all approved “Social Media” tools.
- Providing guidelines and standards for the security and protection of NCTPA information and technology from destructive cyber incidents.

J. Related Documents

- NCTPA Privacy and Disclaimer Notice
- Social Media Use Policy - Acknowledgement Form
- NCTPA’s Social Media Best Practices
- Records Management Policy

K. Enforcement

Violators of this policy may be subject to appropriate disciplinary action, up to and including employment termination, termination of agreements, denial of service, and/or legal penalties, both criminal and civil.

SECTION 3 - PUBLIC RECORDS REQUESTS

1. SUMMARY/PURPOSE

The purpose of this policy is to ensure a communications standard and responsiveness to the public when a public record request has been made of the agency or of an individual staff member.

2. POLICY

A. Statutory Requirements

As a public agency, NCTPA is subject to the disclosure of public records pursuant to California Government Code 6250-6270. The Code requires that public agency respond with in 10 days. A response may be delayed not more than 14 days if an "unusual circumstance" can be substantiated.

B. Responsibility and Processing

All requests received should be submitted to the Administrative Manager and noticed should be given to the ED. Staff members responsible for administering public records requests are required to be familiar with the statutory requirements. The Administrative Manager is responsible for clarification of any requests that are made and for identifying and assigning staff members necessary to complete the request. The ED shall be notified if anticipated delay beyond the statutory guidelines is likely.

C. Records

To avoid duplication of work and to ensure information is retained in a way that would assist staff or legal counsel in the event of further legal action, all documents requesting public records and all documents provided shall be maintained on the agency's main drive at: H:\NCTPA\1000_Congestion Management Authority\Public Records Requests

If the number of documents is so large that it will cause unnecessary use of storage space, a list of the records provided and their location should be saved in lieu of the actual documents.

SECTION 4 - Advertising Policies and Guidelines

1. SUMMARY/PURPOSE

The purpose of the Advertising Policies and Guidelines is to adhere to a set of standards for advertising on NCTPA properties. Property includes all buildings, buses, shelters, stops, park and rides, websites, applications, and social media sites owned and/or operated by NCTPA.

2. POLICY

1) NCTPA intends that its vehicles and facilities constitute nonpublic forums that are subject to the viewpoint-neutral restrictions set forth herein. Certain forms of paid advertising will not be permitted for placement or display on or in NCTPA facilities or vehicles. Unpaid advertisements will not be permitted with the exception of government or non-profit agency public service announcements in designated areas and NCTPA operational and promotional material.

2) **The NCTPA will not allow advertising for products that are expressly prohibited by federal, state, local, or community ordinances.**

3) **NCTPA will not display or permit to be displayed any advertisement that falls with one or more of the following categories:**

- A. **Demeaning or Disparaging.** The advertisement contains material that demeans or disparages an individual, group of individuals or entity. For purposes of determining whether an advertisement contains such material, NCTPA will determine whether a reasonably prudent person, knowledgeable of NCTPA's customer profile and using prevailing community standards, would believe that the advertisement contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of an individual, group of individuals or entity.
- B. **Tobacco.** The advertisement promotes the sale or use of tobacco or tobacco related products, or depicts such products.
- C. **Alcoholic Beverages Marketed to Youth.** The advertisement promotes the sale to or consumption by persons under the age of twenty-one years of age of beer, wine or distilled spirits.
- D. **Profanity.** The advertisement contains words recognized by the community as vulgar, indecent or profane for display in a public setting that includes minors.

- E. **Graffiti.** The advertisement contains graphics or language that promotes, resembles or otherwise encourages graffiti or vandalism.
- F. **Human or Animal Graphics.** The advertisement contains graphics that include, but are not limited to, the depiction of a human or animal body or body parts, or fetuses, in states of mutilation, dismemberment, decomposition or disfigurement.
- G. **Violence.** The advertisement either (1) contains an image or description of graphic violence, including, but not limited to the depiction of weapons or other implements or devices used in the advertisement to depict an act or acts of violence or harm to a person or animal; or (2) the advertisement or any material contained therein, incites or encourages, or appears to incite or encourage, violence or violent behavior.
- A. **Unlawful Goods or Services.** The advertisement, or any material contained in it, promotes or encourages the use or possession of unlawful or illegal goods or services.
 - I. **Unlawful or Detrimental Conduct.** The advertisement, or any material contained in it, promotes or encourages unlawful or illegal behavior or activities, or behavior that promotes activities that are detrimental to the maintenance and safe operation of the NCTPA system.
 - J. **False or Deceptive Commercial Speech.** The advertisement proposes a commercial transaction and the advertisement, or any material contained in it, is clearly false or deceptive.
 - K. **Libelous, Copyright or Patent Infringement.** The advertisement, or any material contained in it, is libelous, or an infringement of a copyright or a patent or is otherwise unlawful, illegal or likely to subject NCTPA to litigation.
 - L. **Obscenity or Nudity.** The advertisement contains obscene material or images of nudity. For purposes of these guidelines, the term “obscene matter” shall have the meaning set forth in California penal Code Section 311.
 - M. **Prurient Interest.** The advertisement contains material that describes, depicts, or represents sexual activities, or aspects of human activity in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest of minors or adults. For purposes of these guidelines, the term “minor” shall have the meaning contained in California Penal Code Section 313.
 - N. **“Adult”-oriented Goods or Services.** The advertisement promotes or encourages, or appears to promote or encourage, a transaction related to,

or uses brand names, trademarks, slogans or other materials which are identifiable with films rated "X" or "NC-17," adult books stores, adult video stores, nude dance clubs and other adult entertainment establishments, adult telephone services, adult internet sites and escort services.

- O. **Endorsement.** The advertisement, or any material contained in it, implies or declares an endorsement by NCTPA, its directors, management or employees of any service, product, or point of view, without the express prior written authorization of the NCTPA Board of Directors.
 - P. **Injurious to NCTPA and its Mission.** The advertisement proposes a commercial transaction, and the advertisement, or any material contained in it, denigrates NCTPA or promotes alternatives to NCTPA in a manner that directly impairs NCTPA ridership and/or revenue.
- 4) NCTPA will allow political candidate advertising on a first come, first served basis. All political advertising material shall state, "paid political advertising" and shall comply with all election and campaign laws and regulations. All political advertising shall be paid in full and in advance of installation and all political advertising shall be charged at a printed rate card fee. Such advertising shall be removed within 15 days of the date of any election to which the advertising relates.