



# Managing Social Media Public Records

Social media has been a vital tool for many conservation districts in communicating with and providing services to the public, especially during emergencies such as the COVID-19 pandemic. Some social media posts and engagement meet the definition of public records for retention purposes, and must be managed in accordance with public records law.

## How to determine if your social media activities are a public record

Let's first look at the legal definition. Per [RCW 40.14.010](#), public records *"shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc...or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business..."*

So, what does that mean?

If a state or local agency creates or receives a record in the course of conducting business, that record must be retained for at least the minimum retention period identified in current records retention schedules maintained by Washington State Archives. Once a record meets its required retention and is no longer needed for agency business, it can and should be dispositioned (destroyed or transferred to State Archives) in accordance with those retention schedules. For more details, refer to State Archives' [Local Government Common Records](#) and [Conservation Districts Records](#) Retention Schedules. We also recommend referring to the State Archives [Managing Conservation District Records](#) page. It contains all of the references pertinent to conservation districts and is a good page to bookmark so you don't have to track each resource separately.

We completed a review of these records retention schedules with social media in mind. Some common types of social media content that meet the definition of public records include (but are not limited to):

- Advertising and promotion
- Awards and recognitions
- Citizen complaints/requests/comments
- Public notices
- Scheduling of appointments and meetings
- Requests for basic agency information

We highly recommend you perform your own review of these schedules and/or work with State Archives to determine what the context is for your district's transactions of business, and clearly define those boundaries in policy.

There is no requirement to keep everything forever, but many types of records do have to be retained for a specified minimum period of time. Become informed, and know what you are required to keep and for how long. Put together a strategy to manage this information – not only capturing and maintaining it, but destroying or transferring it as appropriate once it no longer needs to be kept by your agency. Media will change, technology will change –what won't change is your CD's business.

## More guidance for social media management

The State Archives has a dedicated [Managing Social Media webpage](#). Here you'll find links to many resources, including professional guidance from MRSC; the State Archives' [Lions, Tigers, and Twitter Oh My! webinar](#); and the State Archives' [Social Media Advice Sheet](#), which lists the following five factors to consider when managing the retention of public records created or received through social media (refer to the advice sheet for additional details):

1. Are the posts public records?
2. Are the posts primary or secondary copies?
3. How long do the posts need to be retained?
4. How will the posts be retained by the agency?
5. For what types of records is this technology appropriate?

MRSC has several helpful webpages and information sheets. See links below:

- [Managing Electronic Records](#)
- [Electronic Records Retention Practice Tips](#)
  - Think Before You "POUR"
  - Establish Agency Policies/Procedure
  - Failure to Comply Can Be Costly
  - Be Aware of Metadata
- [Electronic Records Retention Do's and Don'ts](#)
- [Social Media Policies](#)

The SCC also published a Social Media Best Practices and Examples resource in the [CD Marketing Toolkit](#) (see Social Media tab), which includes a sample social media policy.

## How to properly capture and archive social media public records

If your CD posts a primary copy of a record on its social media account and/or permits commenting by third parties, then the district should seriously consider implementing tools to capture these public records, including metadata and content/versions of content that is later deleted or edited by the account holder or a third party (e.g., if a member of the public comments on your post and later deletes/edits their own comment).

There are third-party software applications that can help you retain your social media records while [maintaining important metadata](#) that helps ensure the record is authentic.

- One option is to invest in software like [Smash](#), [Archive Social](#), or [Page Freezer](#), which are used by other government entities.
- Facebook offers an archive tool, but neither State Archives nor MRSC include it in their list of archiving tools, and it's unclear whether the tool's capabilities match the needs for public records management in Washington State.
- MRSC has [written a blog post](#) about a few of these services and the National Archives has a white paper on [Best Practices for the Capture of Social Media Records](#) (may be outdated, but is a good starting reference).

- As you have probably guessed, these software tools are not free. There are [Local Records Grants](#) available from State Archives that can help fund this technology.
- Some entities take and save screen shots of posts. This is the least costly approach upfront, but could also be the most risky. Metadata will not be captured, and you may miss records such as public comments that are posted and then taken down or edited.

Some agencies post only secondary copies on their social media accounts (e.g., by posting information on Facebook as a link to a page/resource on the agency's website) and prohibit commenting in order to avoid some public records and records retention issues. If the posts are simply copies of records that the agency is already retaining for the minimum retention period (such as links to publications), then the posts may be considered secondary copies and retained accordingly. Otherwise, the posts are the agency's primary record.

Remember, whatever method your agency uses, these rules should also be applied to private messages and deleted comments or posts. Deleted comments are still considered a public record, and need to be retained for the required retention period.

## Setting public expectations for your social media forums

Since social media is a bit different than other public forums, it is a good idea to clearly and visibly establish that:

- [Posts on your social media are considered public records](#); and
- Your pages are a limited public forum, giving you some ability to set Comment Policy Limitations (e.g., limitations on obscene, illegal, or threatening language). CDs should tread carefully here to avoid violating free speech. [Read this post from the MRSC for more details on effectively managing social media public comments.](#)

## Resources, contacts, and trainings

Hopefully this information helps you to better understand records retention requirements when using social media as a public agency, and to weigh the risks vs. benefits. Here are some things to keep in mind if you have more questions:

- At the heart of it all, good policies ([see examples here](#)) and records management are the key to reducing risk while accomplishing your mission.
- Washington State Archives is a free and helpful resource that can answer your specific records management questions and provide consultation and advice. They can be reached at 360-586-4901 and at [recordsmanagement@sos.wa.gov](mailto:recordsmanagement@sos.wa.gov).
- Washington State Archives makes a number of Records Management trainings – some [live](#), some [prerecorded](#) – to provide you with a refresher on the basics or address specific topics of interest.
- You can also reach out to your Regional Manager — we are here to help.